

M&A Lab

December 27, 2013

JET-ETIHAD: JET GETS A CO-PILOT

November 20, 2013 was a historic day for the Indian aviation industry after Jet Airways (India) Limited (“**Jet**” or “**Target**”) and Etihad Airways PJSC (“**Etihad**”) concluded the much talked about USD 379 million investment by Etihad to acquire a 24% stake in Jet (“**Deal**”). In addition to the equity investment, Etihad has also agreed to infuse USD 150 million into JetPrivilege, the frequent flyer program of Jet, to be managed by its subsidiary, Jet Privilege Private Limited and also provide or arrange for a loan of USD 150 million to Jet. Earlier this year, Etihad had purchased 3 slots owned by Jet at the Heathrow airport in London for USD 70 million.

The saga of the Jet-Etihad deal has been in rumours since August 2012, a month prior to the liberalization of the aviation industry to foreign investment by foreign airlines. According to sources, the first step towards what culminated into the first investment by a foreign airline into an Indian airline was taken in July 2012, when Naresh Goyal, the chairman of Jet Airways Limited brought up the idea with James Hogan, the Chief Executive Officer of Etihad Airways PJSC. Considering it beneficial to the economy, Mr. Goyal said “*the infusion of foreign direct investment in the Indian aviation sector will result in economies of scale, grow traffic at Indian airports, and create job opportunities. It will greatly benefit all our stakeholders whilst significantly benefitting our guests who will now have access to a more expanded global network, enhancing connectivity for tourists, business travellers, Indian families and the wider travelling public*”.

The Deal has been the most talked about deal of the year 2013 for the various issues faced in its consummation, including various issues raised by the regulators around the ‘control’ of Jet post the Deal. The Deal continued to be surrounded by controversies with allegations against the government for changing the policies to facilitate the Deal. Time will tell whether Etihad’s entry as a co-pilot will ensure safe landing for Jet in future.

In this M&A Lab we have attempted to analyze the legal, regulatory, tax, financing and few other commercial dimensions of the Deal.

For a detailed analysis of the legal, regulatory, commercial and tax considerations of the deal and to access the M&A Lab, please [click here](#).

– Abhinav Harlalka, Parag Srivastava, Harshita Srivastava, Simone Reis & Nishchal Joshipura
You can direct your queries or comments to the authors

DISCLAIMER

The contents of this hotline should not be construed as legal opinion. View detailed disclaimer.

This Hotline provides general information existing at the time of preparation. The Hotline is intended as a news update and Nishith Desai Associates neither assumes nor accepts any responsibility for any loss arising to any person acting or refraining from acting as a result of any material contained in this Hotline. It is recommended that professional advice be taken based on the specific facts and circumstances. This Hotline does not substitute the need to refer to the original pronouncements.

This is not a Spam mail. You have received this mail because you have either requested for it or someone must have suggested your name. Since India has no anti-spamming law, we refer to the US directive, which states that a mail cannot be considered Spam if it contains the sender's contact information, which this mail does. In case this mail doesn't concern you, please unsubscribe from mailing list.

Research Papers

Taxing Offshore Indirect Transfers in India

February 28, 2025

Unlocking Corporate Philanthropy

February 27, 2025

Digital Health in India

February 26, 2025

Research Articles

Joint Ventures

March 11, 2025

Re-Evaluating Press Note 3 Of 2020: Should India’s Land Borders Still Define Foreign Investment Boundaries?

February 04, 2025

INDIA 2025: The Emerging Powerhouse for Private Equity and M&A Deals

January 15, 2025

Audio

CCI’s Deal Value Test

February 22, 2025

Securities Market Regulator’s Continued Quest Against “Unfiltered” Financial Advice

December 18, 2024

Digital Lending - Part 1 - What’s New with NBFC P2Ps

November 19, 2024

NDA Connect

Connect with us at events, conferences and seminars.

NDA Hotline

[Click here to view Hotline archives.](#)

Video

Arbitration Amendment Bill 2024: A Few Suggestions | Legally Speaking With Tarun Nangia | NewsX

February 12, 2025

What India’s Transition to New Data

**Protection Law Means for Global
Businesses**

January 23, 2025

**India 2025: The Emerging
Powerhouse for Private Equity and
M&A Deals**

January 16, 2025