

# 'WE WANT FIRMS THAT SPECIALISE IN US'

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## **ANA uses two of three trusted firms to avoid having to repeatedly explain its business to new external lawyers, says the company's head of legal Francisco Sebastian**

Given that it serves around 60 airlines and handles approximately 40 million passengers a year, airport operator ANA-Aeroportos de Portugal has to be prepared to face an extremely diverse range of legal challenges, according to Francisco Sebastian, head of legal and litigation affairs at the company's headquarters in Lisbon. He adds that, as a result, the company has "developed a very professional in-house legal department to face such issues – day-to-day cases range from financial and technical matters, and relations with communities, to corporate and compliance cases."

### **Tourism growth**

ANA operates ten airports – in mainland Portugal, the Azores and Madeira – employs more than 3,000 people and has an annual turnover of more than €500 million. As part of the country's sale of state-owned assets to cut debt and raise funds within a bailout deal with the European Union and the International Monetary Fund, the French construction company and airport operator Vinci bought a 95 per cent stake in ANA in 2012 for €3 billion. ANA is experiencing continual growth as Portugal's popularity as a destination for air travellers increases. For example, annual passenger arrivals at Porto airport reached a total of nine million for the first time in 2016.

ANA was previously a public company, so its relationship with public authorities has changed, Sebastian says. At the same time, the integration of Vinci means that both companies have benefitted from each other's experience as large operators, and this has been one of the positive aspects of the relationship, according to Sebastian.

### **'Trusted firms'**

"Our main focus is corporate affairs and, for this, we engage the services of external law firms," says Sebastian. "We use two of three trusted firms to avoid explaining everything to a new firm each time, so in a way they are specialised in us and our legal framework." He adds that the company greatly values its law firms' knowledge of the company and their ability to deliver promptly. Among the firms ANA works with on a regular basis are Vieira de Almeida and CMS.

An in-depth and long-standing relationship with its legal advisers is important to ANA. "Some law firms have been working with us since the very beginning, so we grew up together," says Sebastian. "I don't want legal advice that I don't need." He adds that working with familiar firms is the easiest

way to deal with the complex claims and matters the company faces.

### **Costs important**

"We need to interact with the firm, to engage easily and quickly," explains Sebastian. "There is no time for procrastination, we need the work done and in the timeframe required – costs are also important, we need to get the best service for the right fee." He adds that competition in the Portuguese legal market is very intense. "Law firms are very sharp and they try to get good companies like ours [as clients]; this is one of the reasons we give priority to certain firms and have a good partnership with them – I want my people in the legal team to be focused on our day-to-day business and when I need a different opinion for a more complex case then I will seek an external firm," says Sebastian. "I outsource most of our important corporate proceedings – we have a lot of administrative procedures, licensing matters and contracts, which are all carried out in-house, but when we have a complex issue and I need an opinion, I will discuss it with several law firms."

### **Law firm partnering**

Partnering with external counsel is a valuable exercise for ANA's legal team, argues Sebastian. "I greatly value the interaction with external law firms, which is very good for our business, because we receive input and we think together; it is also very good for the in-house people here, because they gain experience and maturity." He says the kind of cases the company outsources include litigation involving customers as well as stakeholders – Sebastian argues that airports are good for the economy, but acknowledges that sometimes they are not good for the environment or for some local communities because "we need land and we have to expropriate, so there can be a lot of problems".

**Francisco Sebastian is head of legal and litigation affairs at ANA**