



Airport Charges Directive

BACKGROUND:

- EC Airport Charges Directive published in March 2009
- Member States have to transpose the Directive by 15 March 2011

ISSUE:

- EC Airport Charges Directive is only a first step in the right direction
- Positive aspects
 - Inclusion of ICAO policies in EC legislation
 - Development of clear and accountable consultation processes
 - Oversight by an Independent Supervisory Authority
 - A clear appeal's process
 - Requirements to link charges with service levels and investments
- Negative aspects
 - Focus on meaningful consultation but lack of focus on economic regulation
 - Lack of clarity on a number of key elements



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ISSUE:

- EC Airport Charges Directive remains fairly general
- Member States need clear guidance on implementation of the Directive
- IATA issued a comprehensive implementation guide sent to Directors of Civil Aviation of the 27 European member states end December 2009
 - Clarifies airline expectations on airport regulation and best practices
 - Focus on benefits to end users, non discrimination between airlines and conditions for differential charges
 - Clarifies compliance needs with EC Treaty provisions and ICAO provisions
 - Details position on pre-financing, sharing non-aeronautical profits, sharing of information and needs for independence and funding of Supervisory Authority



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KEY MESSAGES:

- EC Airport Charges Directive should be recognized as the Minimum Requirement
- Member States to ensure national transposition of the Directive is in full compliance with ICAO Policies
- Member States to implement the Directive into national law at the earliest possible

DEVELOPMENTS:

- Certain Member States have started to draft national law (e.g. Germany, Austria...)
- Some Member States do not tend to consult with airlines and/or associations
- Some Member States have tendency to make their own interpretation of the Directive (e.g. pre financing, including passenger associations)

NEXT STEPS:

- Airlines to provide information on national transposition to IATA/AEA to build a case for the European Commission
- Lobbying using IATA guidelines when appropriate