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EU Directive on Airport Charges

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EU Airport Charges

General

Directive establishing common principles (art.1.1)

- no “one-size-fits-all” (art. 1.5)
- common principles directly related to ICAO guidelines (doc. 9082) (recital n°9) :
 - **non discrimination**
 - **consultation**
 - **transparency**
- scope : airports with more than 5million passenger movements, plus largest airport in each Member State (art. 1.2.)





EU Airport Charges

Definition of Charges

- Doesn't cover taxes – only charges levied in return for provision of a service: **landing; take off; lighting; parking and processing (art. 2.4.)**
- **Other charges are not covered (art. 1.4.)**
- **Cost-relatedness (recital 18)**

Conclusion : a rather light “ex-ante” regulatory system





EU Airport Charges *Principles*

❑ Non discrimination :

Other sources : Chicago Convention

Treaty on Functioning of the EU

Reg. 1008/2008 (former 2408/92)

→ Different treatment must be based in objectively different situations. Same level of charges for all users receiving the same level of services.

→ Differentiation, modulation are possible (arts. 3 and 10)

→ Volume rebates ??





EU Airport Charges *Principles*

□ Consultation :

- mandatory; once a year / exceptions (art. 6.1)
- proposal 4 months before application;
publication 2 months (art. 6.2.)





EU Airport Charges *Principles*

□ Transparency

- Information every time consultations are to be held.
 - Cost structure
 - Services and infrastructure for charge levied
 - Revenue of each charge and total cost of the services covered by them

- Consultation of users necessary before any major infrastructure project : authorisation not necessary.





EU Airport Charges *Principles*

□ Supervisory Authority

- In charge of appeals
- Distinct and independent of airport managing bodies and air carriers
- Not in charge of ownership or control
- Art. 6.3. which parties can appeal ?
- Suspensive effect (art. 6.4.)
- Double opt out (art. 6.5.)





Thank you for your attention!

