

Tariff Regulations for Düsseldorf Airport

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1. Landing, Take-off and Passenger Charges

Each landing or take-off operation of aircraft at Düsseldorf Airport is subject to a landing or take-off charge, payable by the airline; moreover, commercial flights are also subject to passenger charges, payable to the airport operator.

These charges are payable by the following entities as joint and several debtors:

- a) the airline conducting the relevant flight under its airline code / flight number,
- b) airlines as joint and several debtors conducting the relevant flight under their airline code / flight number (code sharing),
- c) the registered user of the aircraft,
- d) the individual or legal entity who has been using the aircraft without being the registered user or owner, such as the charterer or lessee.

1.1. Landing and Take-off Charges

- a) Landing and take-off charges are separate charges that are levied for landing and take-off. They are assessed at the highest maximum take-off weight (MTOW) as specified in the aircraft registration documents, regardless of the relevant operational criteria. Proof of MTOW must be furnished through the Airplane Flight Manual (AFM) – Basic Manual – Section for Weight Limitations - or through other electronic and/or written media accepted by the regulatory agencies of the state. Until the submission of this documentation the charge is based on the highest MTOW for the relevant aircraft type. No retroactive refunds are made.

Landing and Take-off Charges for Aircraft																																							
	Licensed under ICAO Annex 16, vol. I or LVL, in compliance with the following conditions *):				<u>Without licence under ICAO Annex 16, vol. I or LVL</u>																																		
	ICAO Annex 16, vol. I:		ICAO Annex 16, vol. I:																																				
	Chap. 3, Chap. 4, Chap. 5 Chap. 6 (-4dB (A) **); Chap. 8 Chap. 10. 4b) Chap. 11		Chap. 2 Chap. 6 Chap. 10. 4a)																																				
	Included in Bonus list ***)	Not included in Bonus list	Daytime traffic 6:00 to 21:59	Nighttime traffic 22:00 to 5:59	Daytime traffic 6:00 to 21:59	Nighttime traffic 22:00 to 5:59																																	
<u>Maximum take-off weight</u>	<u>EUR per movement</u>																																						
up to 1,200 kg	9.70		19.40	19.40	58.20	58.20																																	
over 1,200 - 2,000 kg	17.00		34.00	34.00	85.00	85.00																																	
over 2,000 - 5,700 kg	34.50		158.25	158.25	189.00	189.00																																	
over 5,700 - 10,000 kg	174.00		696.00	870.00	1,392.00	1,740.00																																	
over 10,000 - 40,000 kg	208.00	680.00	2,380.00	2,975.00	4,760.00	5,950.00																																	
over 40,000 - 60,000 kg	212.00	954.00	3,339.00	4,174.00	6,678.00	8,348.00																																	
over 60,000 - 80,000 kg	228.50	1,211.00	4,239.00	5,299.00	8,478.00	10,598.00																																	
over 80,000 - 150,000 kg	260.00	1,482.00	5,187.00	6,484.00	10,374.00	12,968.00																																	
over 150,000 - 250,000 kg	323.00	3,133.00	10,966.00	13,708.00	21,932.00	27,415.00																																	
over 250,000 kg	440.00	4,708.00	16,478.00	20,598.00	32,956.00	41,195.00																																	
<p>*) Aircraft may be said to comply with the conditions of ICAO Annex 16, Vol. I, Chapters 2, 3, 4, 5, 6, 8, 10 and 11 if, according to the certification documents of a licensing authority or comparable documents from the manufacturer, proof is furnished in each individual case that the aircraft does not exceed the permitted noise limits as detailed in the relevant chapters.</p> <p>Charges are calculated on the basis of full documentary evidence, verifiable by the airport operator, documenting compliance of the registered aircraft user with the aforesaid conditions and such evidence being furnished prior to take-off. Failure to submit this documentary evidence results in the computation of charges within the category "No noise licence under ICAO Annex 16 or LVL". No retroactive refunds are granted.</p> <p>**) Noise levels must be below the limits specified in ICAO Annex 16, Chapters 6 by at least 4 dB (A).</p> <p>***) In addition to all types of aircraft with a maximum take-off weight of up to 25 t, the following aircraft are included in the bonus list:</p> <table border="0"> <tr> <td>Airbus A300 (a.v.)</td> <td>Boeing B727-100 (3xTay)</td> <td>Embraer E195</td> </tr> <tr> <td>Airbus A310 (a.v.)</td> <td>Boeing B737-300 to 800</td> <td>Fokker F70</td> </tr> <tr> <td>Airbus A318 (a.v.)</td> <td>Boeing B747-400</td> <td>Fokker F100</td> </tr> <tr> <td>Airbus A319 (a.v.)</td> <td>Boeing B757 (a.v.)</td> <td>Grumman Gulfstream IV</td> </tr> <tr> <td>Airbus A320 (a.v.)</td> <td>Boeing B767 (a.v.)</td> <td>Lockheed Tristar L1011 (a.v.)</td> </tr> <tr> <td>Airbus A321 (a.v.)</td> <td>Boeing B777 (a.v.)</td> <td>McDonnell Douglas DC8-70</td> </tr> <tr> <td>Airbus A330 (a.v.)</td> <td>Canadair RJ</td> <td>McDonnell Douglas DC10 (a.v.)</td> </tr> <tr> <td>Airbus A340 (a.v.)</td> <td>Dash DH8 4</td> <td>McDonnell Douglas MD90 / 95</td> </tr> <tr> <td>Bae 146 / AVRO RJ-Series</td> <td>Embraer E170</td> <td>McDonnell Douglas MD11 (a.v.)</td> </tr> <tr> <td>Boing B717</td> <td>Embraer E175</td> <td>Tupolew 204</td> </tr> <tr> <td>(a.v.) = alle versions</td> <td>Embraer E190</td> <td></td> </tr> </table>							Airbus A300 (a.v.)	Boeing B727-100 (3xTay)	Embraer E195	Airbus A310 (a.v.)	Boeing B737-300 to 800	Fokker F70	Airbus A318 (a.v.)	Boeing B747-400	Fokker F100	Airbus A319 (a.v.)	Boeing B757 (a.v.)	Grumman Gulfstream IV	Airbus A320 (a.v.)	Boeing B767 (a.v.)	Lockheed Tristar L1011 (a.v.)	Airbus A321 (a.v.)	Boeing B777 (a.v.)	McDonnell Douglas DC8-70	Airbus A330 (a.v.)	Canadair RJ	McDonnell Douglas DC10 (a.v.)	Airbus A340 (a.v.)	Dash DH8 4	McDonnell Douglas MD90 / 95	Bae 146 / AVRO RJ-Series	Embraer E170	McDonnell Douglas MD11 (a.v.)	Boing B717	Embraer E175	Tupolew 204	(a.v.) = alle versions	Embraer E190	
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- b) The charges specified in a) are reduced as follows for training and instruction flights in aircraft with a maximum take-off weight:

up to	3,000 kg	by	40 %
over	3,000 kg	by	55 %.

The reduced charge is at least EUR 12.00.

Training flights within the meaning of this clause are flights piloted by a civil trainee as part of his/her training with an approved training establishment (flying school) in order to meet the conditions required for the issuance of a civil pilot's licence or of a certificate as defined by the rules governing the examination of air crew.

Instruction flights within the meaning of this clause are flights undertaken by civil pilots for the purposes of flying and technical instruction. The pilot under instruction must be in possession of the licence required for the category of aircraft flown and the instructor must be aboard the aircraft.

1.2. Passenger Charges

Commercial flights are also subject to a passenger charge depending on the number of passengers aboard the aircraft at the time of take off.

The passenger charges are as follows per person if the subsequent landing of the aircraft takes place at an airport

- within the Federal Republic of Germany EUR 13.45
- outside the Federal Republic of Germany, but within the EU (incl. Island, Liechtenstein, Norway and Switzerland) EUR 14.55
- outside the EU EUR 14.60
- at any destination, but with documentary evidence that passengers are being transferred or in transit EUR 8.25

Transfer passengers are passengers who break their air journey in Düsseldorf and who fly on to a further destination on a different aircraft (with a different flight number) on the same day on which they arrived. Place of departure and arrival must differ.

Transit passengers are passengers who break their air journey in Düsseldorf and proceed on the same aircraft as upon arrival.

Children under two years of age entitled to occupy a seat are not included in the number of passengers aboard the aircraft at the time of take-off. Passengers include staff – with the exception of the crew on duty – who work for the same or a different airline as well as any other persons who are on board free of charge or at a reduced rate at the time of take-off.

The airport operator does not assert a passenger charge in the GAT area, insofar as it has the GAT operated by a contractor and transfers the right to that contractor to raise a reasonable service charge in its own name and for its own account for use of the GAT.

1.3. Cap

In the event that the capacity of the airline, including all of the airlines it controls, exceeds 80% for the calendar year, a cap amount of EUR 5.50 per passenger will be refunded for the number of departing passengers that exceed the capacity of 80%. The capacity is defined as the sum of the departed passengers divided by the sum of the departed seats of all passenger flights.

1.4. Security Charges

For the services, which have to be provided by the airport in line with the law of aviation safety, we will charge you an additional security charge per departing passenger. The security charge per passenger will amount **EUR 0.75**.

1.5. PRM Charges

For the service, which has to be provided by the airport due to the EU regulation (EG) Nr. 1107/2006 for handicapped people and people with reduced mobility, we will charge you with a PRM Charge per departing passenger. The PRM Charge per passenger will amount **EUR 0.30**.

2. Parking Charges

All registered aircraft users must pay a rental fee (parking charge) to the airport operator for parking any of their aircraft at the airport.

- a) The parking charge for a given aircraft is based on its approved maximum take-off weight.
- b) The parking charge for each 24-hour period or part thereof and for every 1,000 kg of the maximum take-off weight or fraction thereof are **EUR 2.00**.

The minimum parking charge is EUR 10.00 per 24-hour period or part thereof.

- c) No parking charge is payable if the total parking time between landing and take-off of the aircraft is less than 3 hours.
- d) The airport operator does not assert a parking charge for the GAT area, insofar as it has leased the apron in the GAT area to a contractor and transfers the

right to that contractor to raise a reasonable parking charge in its own name and for its own account for use of the GAT apron.

3. Position Charges

For the use of the passenger walkway and the stationary 400 Hz ground power supply when parking the aircraft at a building position a position charge will be levied. The position charge does not include the operation of the passenger walkway and the connection of the 400 Hz unit with the aircraft. These services will be performed by the ground handling company.

The position charge is levied separately for an arrival and a departure.

The position charges are differentiated according to weight classes of the maximum departure weight as follows:

(1) up to 80,000 kg	EUR 42.50
(2) over 80,000 – 150,000 kg	EUR 47.00
(3) over 150,000 – 250,000 kg	EUR 49.00
(4) over 250,000 kg	EUR 57.00

4. Charges for financing the Noise Protection Programme

In commercial aviation a charge for noise protection measures is to be paid. This contribution is made by an airline per transport unit (at departure) and is levied either as a surcharge per passenger or as a surcharge on weight-related take-off and landing charges per 100 kg of freight/post. The surcharges are as follows:

- 0.33 Euro per transport unit (at departure) for aircraft in noise category chapter 3 – bonus list
- 0.66 Euro per transport unit (at departure) for aircraft in the remaining noise categories.

Flughafen Düsseldorf GmbH will credit these surcharges to the joint noise protection budget in the relevant ten-day billing period and from this carry out noise protection activities with approval by the body of users.

The amount and the handling of the noise protection budget are subject to the outstanding consent of the body of users.

5. Volume Rebates

Flughafen Düsseldorf GmbH will retroactively grant a volume rebate on the volume of airport charges, the total of which are levied in a calendar year.

The following will not be included in the calculation of the volume rebate:

- the difference between the amounts differentiated according to noise protection under no. 1.1 and the charges under the category “bonus list”,
- the security charge (no. 1.4.),
- the PRM-Charge (no. 1.5.) and
- the charges to finance the noise protection programme (no. 4.).

The volume rebates are given below for an annual passenger volume of the airline (including the volumes of all airlines it controls) as follows:

(1)	500,000 – 1,000,000	2.0 %
(2)	over 1,000,000 – 2,000,000	3.0 %
(3)	over 2,000,000 – 3,000,000	3.5 %
(4)	over 3,000,000 – 4,000,000	4.0 %
(5)	over 4,000,000 – 5,000,000	4.5 %
(6)	over 5,000,000 – 6,000,000	5.0 %
(7)	over 6,000,000	5.5 %

All flights will initially be charged according to the normal conditions. The volume rebates will be paid subsequent to the end of the calendar year upon determination of the final passenger numbers.

6. Promotion Programme

The Düsseldorf Airport is the main airport in the third most densely populated urban area in Europe (Rhein-Ruhr-Region) with an extraordinarily high potential for demand. At the same time, because of its location in a densely populated area, the the airside capacities of the airport are especially restricted and, in contrast to the next largest German airports, it currently has a large percentage of small aircraft. In light of this problem it is in the utmost interest of the Airport Düsseldorf to use the generally restricted capacities in a way that best serves the potential demand and especially the high regional demand for direct intercontinental connections, as well as to increase the percentage of large aircraft.

Flughafen Düsseldorf GmbH thus grants financial support, if the airline in question

- achieves an above-average and/or compared to the previous year an improved degree of capacity use in Düsseldorf (point 1), and/or
- the passenger volumes are expanded to include intercontinental connections originating in Düsseldorf (point 2).

An initial application by the airline to the Flughafen Düsseldorf GmbH at latest four weeks before the promotion period begins and/or operations begin is required to take part in the programme. No additional applications are required for the subsequent periods.

(1) Programme to increase the capacity use in Düsseldorf (DUS)

The promotion programme will be conducted for each airline and promotion period (cf. 3.1) in the following steps:

(1.1) All airlines that perform the following within the period will be taken into account:

- airlines that have conducted at least 20 line/charter flights originating in Düsseldorf, and/or
- airlines that have continued, conducted, or begun regular weekly line/charter flights originating in Düsseldorf for at least eight weeks

and those that in doing so have carried at least 90% of the passenger volume of the corresponding previous period in DUS.

(1.2) After the period in question has expired the following indicators will be determined by the FDG on the basis of the definitions listed under point 3 (rounded to two decimal places):

(a) Degree of capacity use ($KN_{LVG(t)}$) for each airline (LVG) within the period in question (t), calculated according to the passenger volume (Pax) and the flight movement volume (Movt) of the airline in DUS for the periods: $KN_{LVG(t)} = Pax_{LVG(t)} / Movt_{LVG(t)}$

(b) Mean degree of capacity use $KN_{DUS(t)}$ of all airlines in DUS within the period in question (t):

$$KN_{DUS(t)} = Pax_{DUS(t)} / Movt_{DUS(t)}$$

(1.3) Base support for the airline's above-average degree of use

In the event that the degree of capacity use ($KN_{LVG(t)}$) of the airline (LVG) is larger than the mean degree of capacity use ($KN_{DUS(t)}$) in DUS, the resulting additional volume of passengers resulting from the above-average degree of use will be determined as follows:

$$\Delta_1 Pax_{LVG(t)} = Pax_{LVG(t)} - (Movt_{LVG(t)} * KN_{DUS(t)}).$$

An amount of EUR 0.20 per passenger will be granted as support for this additional volume.

(1.4) Growth promotion for the airline's increases in the degree of use

In the event that the degree of capacity use ($KN_{LVG(t)}$) of the airline (LVG) has increased vis-à-vis the comparative value ($KN_{LVG(t-1)}$) of the corresponding period of the previous year, the additional volume of passengers resulting from the airline's increased degree of use will be determined as follows:

$$\Delta_2 \text{Pax}_{\text{LVG}(t)} = \text{Pax}_{\text{LVG}(t)} - (\text{Movt}_{\text{LVG}(t)} * \text{KN}_{\text{LVG}(t-1)}).$$

An amount of EUR 1.90 per passenger will be granted as support for this additional volume.

For those airlines having operated less than 25% of the aircraft movements in the preceding period the current mean value ($\text{KN}_{\text{DUS}(t)}$) of all airlines will be used instead of value ($\text{KN}_{\text{LVG}(t-1)}$).

- (1.5) The support amounts resulting from (1.3) and (1.4) can be cumulative.
- (1.6) At the end of the period the support amounts mentioned under (1.3) and (1.4) will be credited to all eligible airlines to be setoff with the charges that become due in the following period. The amounts will not be paid out.

(2) Programme to promote intercontinental air traffic in Düsseldorf (DUS)

The promotion programme will be conducted for each airline and promotion period (cf. 3.1) in the following steps:

- (2.1) All airlines that perform the following within the period will be taken into account:
 - airlines that have conducted at least 10 intercontinental flights originating in Düsseldorf, and/or
 - airlines that have continued, conducted, or begun regular bi-weekly intercontinental flights originating in Düsseldorf for at least eight weeks.
- (2.2) These airlines may choose between two alternative models of promotion, which are described in the following items (2.4) and (2.5):
 - growth promotion with high promotional funds for an additional volume of passengers in intercontinental traffic (2.4) or
 - basic promotion with low promotional funds for the overall yearly volume of passengers in intercontinental traffic (2.5)

Every particular airline must have decided on one of the two models of promotion at the time of the application for a support program. This decision is binding for a five-year period.

- (2.3) The basic quantity for both models is an airline's total number of passengers in the intercontinental traffic from and to Düsseldorf within the relevant period of time (t). This number will be established by the FDG according to the definitions specified under item (3) at the end of the period of time in question.

(2.4) Promotion model 1: Growth promotion of the Intercontinental Traffic

(2.4.1) If the basic quantity, as established under (2.3), is higher than the comparable figure of the previous year's period of time (t-1), promotional funds of €10 per passenger will be granted for the additional volume (i.e. difference between current value and previous year's value).

(2.4.2) If the basic quantity, as established under (2.3), is higher than the comparable figure of the period of time in the year preceding the previous year (t-2), further promotional funds of €5 per passenger will be granted for the additional volume (i.e. difference between current value t and value of two years ago t-2), however, limited maximally to the additional growth in the previous year (i.e. difference between previous year's value t-1 and value of two years ago t-2). This additional support will be effective for the first time in the third relevant period of time (cf. 3.1).

(2.5) Promotion model 2: Basic promotion of the Intercontinental Traffic

(2.5.1) For the basic promotion as established under item (2.3) (total number of passengers in intercontinental traffic in the period in question), promotional funds of €2.50 per passenger will be granted.

(2.6) The participation in the Intercontinental Promotion Program is harmless regarding the support of the utilization of capacity (item 1), i.e support according to item (1) and item (2) can be effective in a cumulative way.

(2.7) The promotional funds will be paid at the end of the period of time in question.

(3) Definitions

(3.1) The promotion period is each respective six-month period from January to June and from July to December.

(3.2) Airline passengers: The sum of all boarding persons, exiting persons, and transit passengers (double counted) included in the the FDG-Traffic Statistics on the basis of the flight reports who are carried by flight movements of the airlines (cf. 3.4) to and from Düsseldorf.

(3.3) Airline passengers in intercontinental air traffic (cf. 2.2): Subset of the passengers defined under (3.2) who are carried on flights, the destination of which are in North America, Middle America, South America, Africa south of the Mediterranean countries, Asia/Oceania east of the Mediterranean countries and/or east of the Urals, with consecutive flight numbers and consecutive aircraft to/from the destination from and to Düsseldorf.

(3.4) Flight movements of the airline: All take-offs and landings in Düsseldorf by scheduled, commercial passenger flights, the operational flight num-

ber of which bears the code of the relevant airline. Additional airline codes on code-share flights will not be taken into account.

7. General Conditions

- a) No landing, take-off or passenger charges are payable in the event of an emergency landing due to the technical failure of an aircraft or due to violence or the threat thereof, unless Düsseldorf Airport is already the scheduled destination. Alternate landings are not emergency landings.
- b) No landing, take-off or passenger charges are payable for civil government aircraft operating on government missions. The same applies to aircraft officially piloted by staff of a civil aviation authority of the Federal German Government or by the government of any of its states on official missions. Civil government aircraft are defined as aircraft owned by the Federal German Government or by the government of any of its states bearing a civil nationality/registration mark.
- c) The airport charges for each aircraft must be paid in EUR before take-off. Under special circumstances it is possible to agree with the airport operator in advance on payment at a later stage.
- d) The airport charges are fees under the definition of section 10, para. 1 of the German VAT Act (Umsatzsteuergesetz). VAT is therefore charged to the relevant fee payer in addition to the charge.

8. General Terms of Payment / Miscellaneous

Flughafen Düsseldorf GmbH is at all times entitled to demand from the obligor of the charges security for existing and/or future claims for airport charges. The security is deemed to be sufficient if it covers the charges that are expected to be paid by the obligor of the charges in accordance with these tariff regulations within one month. The security for performance can be provided in the form of a surety that is drawn up under German law by a credit institution authorised to operate inland and that is written, non-revocable, indefinite, directly enforceable and otherwise fulfils the regulations of the FDG, or by prepayment of a deposit. Flughafen Düsseldorf GmbH is also entitled to demand prepayments for the scheduled flight events.

In the event that the obligor of the charges provide sufficient security, the charges will be calculated in periods decadal periods, i.e., every ten days. The invoices are payable immediately without deductions. The obligor of the charges is not entitled to determine what charges are paid off. All payments are made to the balance of the account current. Should there be no account current, the clearance order under §§ 366 para. 2, 367 para. 1 of the German Civil Code (BGB) shall apply. Cash discounts will not be granted.

Setting off with contested claims or those that have not been determined with final effect is precluded.

We reserve the right to claim interest and default interest in the event of late payment.

The place of fulfilment of all obligations, in particular the payment obligations of the obligor of the charges is Düsseldorf. The place of jurisdiction is Düsseldorf; the FDG is, however, also entitled to enter claims against the obligor of the charges at a court where the obligor is located.

This agreement is exclusively subject to German law.

In the event of dispute, the German version of these provisions shall have priority over the translation thereof into English.

Obligors of the charges whose seat is located outside of Germany and with whom a lasting business relationship exists are obligated to name an agent authorised to take receipt of service and located within the Federal republic of Germany. The same shall apply in the event that the obligor of the charges moves to a location outside of the Federal Republic of Germany after the business relationship has begun.

9. Effective Date

These Tariff Regulations will become effective on January 1, 2010.

If you have any question about the Tariff Regulations for Düsseldorf Airport please don't hesitate to contact:

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