

Eindhoven Airport Charges and Conditions

1 April 2024

Determination of 27 October 2023

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Eindhoven Airport charges and conditions

Eindhoven Airport N.V., operator of the civil part of Eindhoven military airport, having regard to Article 8.40c, paragraph 1 of the Aviation Act (*Wet luchtvaart*),

sets charges and conditions for aviation activities of the airport operator for the use of the civil part of Eindhoven military airport by airlines, as well as by natural or legal persons operating flights other than airlines.

In accordance with Article 8(3) of Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air, a PRM charge will be proposed.

1. Introduction

With more than 5 million passengers, Eindhoven Airport N.V. (hereafter: EANV) as operator of the airport will annually establish airport charges and conditions of use after a consultation process with the users of the airport. EANV complies with Part 8.2a of the Aviation Act and the Charges and Conditions for Other Airports Decree (*Besluit tarieven en voorwaarden overige luchthavens*). We have provided an English translation of these legal texts exclusively as a matter of service. No rights shall be acquired by the user on the basis of the English translation.

These EANV charges and conditions enter into force on 1 April 2024, are valid for 12 months, and therefore end on 31 March 2025. If no new charges and conditions are adopted for the next period of 12 months (1 April 2025 to 1 April 2026), these charges and conditions will remain in force until further notice.

Users of EANV shall comply and adhere to the charges and conditions when operating at Eindhoven Airport. By operating at Eindhoven Airport, the user agrees to be bound to these charges and conditions. The user shall comply with instructions, directions or orders by EANV regarding aviation activities at the airport.

Nothing in these airport charges and conditions shall be taken to confer a right for the user to use the airport without the consent of EANV and in case of breach of the airport charges and conditions, EANV reserves the right to withdraw such consent.

These airport charges and conditions take effect from the above date and supersede and replace all previous airport charges and conditions and all related contracts.

EANV reserves the right to amend, change, suspend or revoke any part of the conditions, preferably after consultation with the users.

This document and the annexes have been drafted Dutch and translated into English, whenever possible. Exclusively the Dutch text is legally binding and takes precedence over the English translation in case of possibly discrepancy between the interpretation of provisions in Dutch and English. There is no legal obligation to provide documents in English. In case of questions about the interpretation of this document, exclusively the Dutch text of the charges and conditions shall be applied according to the Dutch regulatory framework.

All rights, obligations and disputes arising from the EANV airport charges and conditions document are subject exclusively to Dutch law to the exclusion of other legal systems. All disputes are subject to the opinion of the judge of the Oost-Brabant District Court, hearing location 's-Hertogenbosch or Eindhoven, unless the parties have agreed otherwise in writing.

(GA).

- m) Business Aviation* The sector of general aviation that pertains to the operation or use of aircraft by businesses for the carriage of passengers or goods as part of their business operations; in general, the flights are not accessible to the public and the pilots need to have at least a valid commercial pilot licence with a qualification for flying with the use of instruments (BA).
- n) User* An airline, or a natural or legal person other than an airline, which operates flights at the airport.
- o) 24-hour period* A period of 24 hours, starting at the time of landing of an aircraft at Eindhoven Airport.
- p) Flight* The movement of an aircraft, from the time period that it starts to move with the purpose of taking off until the moment that it has fully stopped after landing.
- q) Crew* Anybody on board of the aircraft carrying out activities which are of direct importance for the operation of the aircraft or carrying out activities on behalf of the passengers or the load.
- r) Dead-heading crew* Anybody on board of the aircraft, not being the aircraft's crew, carrying out activities on behalf of the passengers or the load of the flight, the return flight or the aircraft.
- s) Transit passenger* A passenger arriving at the airport on a through flight and subsequently leaving the airport on the same aircraft or on a replacement aircraft following a breakdown of the former, without having left the customs area.
- t) Positioning flight* Moving an aircraft without passengers or cargo from one base of operations to another, or to any other location.
- u) LT* Local time at the airport.
- v) Cargo* Goods that are transported under Air Waybill and loaded or unloaded at the airport.
- w) Cargo flight* A flight that is operated for the sole purpose of transporting cargo, in the sense that the cargo is loaded or unloaded at the airport.

3. Payment of airport charges and related terms

The owner of the aircraft, its operator and user, and the person acting as the authorized owner, operator or user is jointly bound and severally liable to pay the airport charges as stated in this document. The airport charges and conditions are communicated by making them available for inspection at the main office of EANV and by sending them via email (and on request by

post) to users at their stated (e-mail)address when they so request. All stated charges are exclusive of any taxes and/or levies due thereon.

All airport charges must be paid prior to the aircraft's departure by means of a credit card payment at the office of Operations Department of EANA or at the office of the General Aviation Department of EANA. EANA and the owner may agree on another payment arrangement, such as weekly advance payment or periodic invoicing with additional provision of security in the form of a bank guarantee or deposit for services to be rendered by EANA to the owner.

Notwithstanding the provisions of Article 6:89 of the Dutch Civil Code a contractual instead of a statutory obligation to complain applies. The debtor cannot claim a defect in performance if he has not protested in writing (or e-mail) to EANA within three weeks after operating the flight or date of invoice. This is an expiry period which immediately after the expiry of the term leads to lapse of right.

A change to the invoice amount (pursuant to these charges and conditions) such as suspension or settlement of payments is hereby explicitly excluded and is not permitted in any way to the owner (or any other jointly and severally liable debtor), nor shall the returning of the invoice amount without prior consultation. Any claim for compensation which an owner may have, is subject to a limitation period of one year.

Pursuant to the Dutch tax legislation, turnover tax must be levied on the airport charges, among other things, on the Landing and Take-Off charge, parking fees, Passenger Service Charge and the security charge.

However, if the airport charges are invoiced to a holder of an Aircraft Operator Certificate, the zero rate will be applied instead of the applicable VAT rate.

As of 1 January 2021, an air passenger tax will apply to all passengers departing from a Dutch airport under the Environmental Taxes Act.

Costs resulting from the failure to comply with any condition included in the EANA airport charges and conditions may be charged to the owner.

Users are eligible for differentiation as defined under the charge for more sustainable landings and take-offs and paragraphs 10 to 11 only if they have operated a minimum of 20 consecutive weeks in each previous full IATA year with at least two departing flights a week to the same destination in the previous full IATA year. If a User is not eligible for differentiation, a fixed basic charge of EUR 570.21 applies.

4. Charges and differentiation for more sustainable landings and take-offs

The charge for more sustainable landings and take-offs is calculated based on the indicators noise, emissions and the User's time of use during the previous full IATA year, the aircraft and the use of each aircraft stand, regardless of the aircraft's MTOW.

The charge for more sustainable landings and take-offs is differentiated for reasons of public interest. The Aviation Act stipulates that the criteria for this charge differentiation must be able to justify the differentiation and be objective and transparent.

The charge for more sustainable landings and take-offs is based on the impact that an aircraft has on the living environment. EANA's intention with the charge differentiation is to reduce noise pollution and the emission of CO₂ and NO_x. A reduction in these effects benefits the public interest, namely public health, nature and the environment (biodiversity), and mitigates dangerous climate change. EANA has chosen the following structure, based on the premise that a quieter aircraft also has lower CO₂ emissions. The differentiation referred to below, which aims to reduce noise pollution, also serves the purpose of reducing CO₂ emissions at the airport.

- B: Basic charge for more sustainable landings and take-offs
- N: Night-time differentiation
- G: Noise differentiation
- M: Nitrogen oxide differentiation (NO_x)

The charge for more sustainable landings and take-offs is calculated as follows:

$$B \times N + G + M$$

B is set at EUR 523.00 for each aircraft stand for the period to be consulted.

N is based on Unit Costs (UC) as also mentioned in [Article 4.2.1 of the Eindhoven Airport Regulatory Enforcement Decision](#). The night-time differentiation factor will be calculated using the difference between the User's average UC factor for the previous full IATA year and the reference UC factor (2 x) based on the table below:

LT	UC factor	Differentiation factor
07:00 – 07:59	4 x	1.20
08:00 – 17:59	1 x	0.90
18:00 – 18:59	2 x	1.00
19:00 – 19:59	3 x	1.10
20:00 – 20:59	4 x	1.20
21:00 – 21:59	6 x	1.40
22:00 – 22:59	8 x	1.60
23:00 – 06:59	10 x	1.80

G is determined by comparing the median cumulative margin achieved at the airport for the previous full IATA year (14 EPNdB) with the User's average cumulative margin for the previous full IATA year. The cumulative margin is expressed in EPNdB (effective perceived noise in decibels) and is determined based on the type of aircraft and engine. The User's number of EPNdB above (= rebate) or below (= surcharge) the median, is multiplied by EUR 15.00. If a User has an average of 16.4 EPNdB, G in this case would be EUR 36.00 (2.4 x EUR 15.00) (rebate).

M is determined by comparing the median nitrogen oxides (NO_x) emitted at the airport by aircraft engines during each ICAO landing and take-off (LTO) cycle for the previous full IATA year (4,8 kg) with the average nitrogen oxides (NO_x) emitted during ICAO landing and take-off (LTO) cycle by the User for the previous full IATA year. The nitrogen oxides (NO_x) emitted during each ICAO landing and take-off (LTO) cycle is expressed in kilograms (kg) and is determined based on the engine type. The User's number of kg above (= surcharge) or below (= rebate) the median is multiplied by EUR 40.00. If a User has an average of 4.500 kg, M in this case would be EUR 12.00 (0.300 x EUR 40.00) (rebate).

The type of aircraft and engine is determined based on the data from the noise certificate as supplied by the User or made available through the [LOOP platform](#). If EANV does not have the noise certification of an aircraft, the differentiation by noise will be based on the most

unfavourable model or configuration of that type that is entitled to land at the airport (10 EPNdB and 9 kg NO_x for each ICAO landing and take-off (LTO) cycle).

The charge for more sustainable landing and take-offs is also based on one aircraft stand; if an aircraft has to use additional aircraft stands, the basic charge (B) is increased by 50%.

All aircraft stands are based on aircraft for ICAO up to and including Code C. For an aircraft Code D or E, two (2) aircraft stands are needed. For two (2) aircraft Code E, three (3) aircraft stands are needed.

5. Parking charge

For an aircraft on an aircraft stand a parking charge is calculated per ton MTOW/per 24-hour period and part thereof, which amounts to: EUR 5.67.

The parking charge is payable per hour or part of an hour in excess of 90 minutes. If the parking of aircraft takes place for more than 90 minutes, the parking charge will also be due for the first 90 minutes. Each fraction of a metric ton is counted as a whole unit.

The parking charge is not applicable between 21:30 – 08:30 hrs LT for the home based aircraft (s) only. Reference is block time, if not available scheduled time.

6. Passenger service charge

For each departing passenger the passenger service charge amounts to: EUR 7.87.

Excluded from the passenger service charge are children under two years and transit passengers. Also excluded are members of the crew and the co-flying deadheading crew. Number of total passengers on board correlates with the number of paid and occupied seats in the aircraft.

7. Security charge

For the services, which have to be provided by the airport in line with the law of aviation security, a security charge per departing passenger will be charged.

For each departing passenger the security charge amounts to: EUR 6.58.

Excluded from the passenger service charge are children under two years and transit passengers. Also excluded are members of the crew and the co-flying deadheading crew. Number of total passengers on board correlates with the number of paid and occupied seats in the aircraft.

8. PRM charge

EU Regulation 1107/2006 specifies the rights of disabled persons and persons with reduced mobility (PRM) when travelling by air. Main goal is to provide assistance required in order to offer them opportunities in air travel which are equal to other citizens. The EU regulation stipulates that persons concerned should receive assistance without additional charge. The assistance should be financed in such a way as to spread the burden proportionally among all passengers travelling at the airport. The managing body of the airport may, on a non-discriminatory basis, levy a specific charge on airlines operating flights at the airport for the purpose of funding the costs of this assistance.

For this reason, EANV has introduced a PRM charge that is imposed on all airlines operating at Eindhoven Airport. The PRM charge is cost related. Airlines operating flights at Eindhoven Airport will be charged based on the number of passengers they transport from the airport. The PRM charge has to be paid for all departing passengers.

Excluded from the PRM charge are children under two years and transit passengers. Also excluded are members of the crew and the co-flying deadheading crew. Number of total passengers on board correlates with the number of paid and occupied seats in the aircraft.

For each departing passenger the PRM charge amounts to: EUR 0.76.

9. Other charges

Take-offs and landings are only permitted during the opening hours of the airport.

If an aircraft, after having taken off from the airport without landing at another airport, returns to the airport on account of bad weather conditions, engine trouble or other unforeseen causes, no airport charges will be charged for that returning flight.

Positioning flight, in case of a departing aircraft, will be charged EUR 627.00 (additional to the LTO charge).

A fixed cargo charge of EUR 1,500.00 for aircraft with a MTOW of up to 150,000 kg and a variable cargo charge of EUR 10.00 per tonne for aircraft with a MTOW of 150,000 kg or more is charged for cargo flights (on top of the landing and take-off charge).

Cargo flights are only allowed from 08:00 to 18:00 LT.

EANV can also waive the collection of any airport charge if, in its opinion, unforeseen circumstances other than the ones referred to above in this article occur or if an electric aircraft lands or takes off.

Landings and take-offs with aircraft classified in the noise certificate in noise categories other than ICAO Annex 16, Volume 1, Chapter 4 or higher are not permitted, unless the user demonstrates based on objective, independent and public information from ICAO, EASA and/or ACI that the aircraft (in fact) at least complies with the noise standards set in ICAO Annex 16, Volume 1, Chapter 4 or higher. If non-permitted aircraft land or take-off, an additional charge of EUR 7,500.00 will be due per landing or take-off.

In principle, test-running aircraft engines is not permitted, unless EANV has given its written approval. The applicable charge in that case is EUR 183.00 per test run.

GA/BA is charged a prior permission requested fee (PPR) following the PPR regulations for business and general aviation at Eindhoven Airport. The PPR fee is EUR 400.00.

For the hiring of security services for escorting at the airport, an amount of EUR 245.00 is due per block of maximum 3 hours for 1 security guard.

10. Load factor differentiation

The load factor differentiation is an adjustment related to the passenger service charge. This differentiation is to increase the number of passengers per flight (load factor). Given the capacity, the passenger costs (e.g. terminal) will be shared by a higher number of passengers per flights on a larger number of passengers. As a result, the costs per passenger will be lower. More passengers per aircraft also delivers more (noise) efficiency because more passengers are transported on the same flight. Therefore, Eindhoven Airport differentiates the passenger

service charge on the percentage of passengers above 120 passengers on each flight (with a certain maximum).

The load factor differentiation is based on:

$(\text{full year average of passengers per departing flight for each airline} - 120) / 120 * 80\% * \text{passenger service charge}$.

The load factor differentiation is capped at EUR 2.50 for each departing passenger.

The load factor differentiation is based on load factors realized in the previous Full IATA Year.

11. Based aircraft differentiation

The based aircraft differentiation is an adjustment related to the passenger service charge. This is a differentiation on based aircraft (aircraft that use the airport as a fixed base) which represents stability in operations and employment for the region. Based aircraft contributes to the robustness of the destination network, which is also good for the region. EANV differentiates based on the number of based aircraft in the previous full IATA year. The number of based aircraft is the basis of the based aircraft differentiation.

The based aircraft differentiation is based on:

$(2\% \times \text{average number of based aircraft}) \times \text{passenger service charge}$.

This is a weighted average per year, rounded off for whole aircraft.

The based aircraft differentiation is capped at EUR 0.75 per departing passenger.

12. Submission of fleet data

For the calculation of the passenger service charge, the owner of the aircraft, or someone acting on their behalf, must provide EANV with a statement, which in EANV's opinion can be verified properly, for each flight of the number of passengers that are on board at the time of the aircraft departure. If this requirement is not complied with, the calculation of the charges will be made according to the seating capacity of the type of aircraft in question on full economy basis.

The natural person or legal entity who is the owner or operator of a civil aircraft and allows such aircraft to take part in air traffic on his/its responsibility, must provide EANV with a recent and complete statement of his/its aircraft(s), which contains the following information:

1. Configuration
2. Noise Certificate

If no up-to-date and/or official information about the MTOW of a landed aircraft is known, the maximum weight of a known similar type of aircraft will be calculated.

13. Submission of flight data

By or on behalf of the User, data of each flight (be it an arriving flight or a departing flight) must be submitted to EANV in accordance with the below table, for the purpose of compliance with, for example, Article 14 of the Regulations for the Safe Use of Airports and Other Aerodromes.

The following definitions apply to the submission of flight data (Source: Eurocontrol):

- AIBT:** Actual In-Block Time
The actual time that an aircraft arrives in-blocks. (Equivalent to Airline/Handler ATA – Actual Time of Arrival, ACARS = IN)
- AOBT:** Actual Off-Block Time
The actual time that the aircraft pushes back / vacates the parking position. (Equivalent to Airline / Handlers ATD – Actual Time of Departure & ACARS=OUT)
- EIBT:** Estimated In-Block Time
The estimated time that an aircraft will arrive in-blocks.
- EOBT:** Estimated Off-Block Time
The estimated time at which the aircraft will start movement associated with departure.
- SIBT:** Scheduled In-Block Time.
The time that an aircraft is scheduled to arrive at its first parking position.
- SOBT:** Scheduled Off-Block Time
The time that an aircraft is scheduled to depart from its parking position.

DATA	TIME OF SUBMISSION	METHOD OF SUBMISSION
Flight schedules and updated flight schedules, including information about codesharing and joint-operation flights and Scheduled Turn-round Time (STTT).	Initial submission by the Slot initial submission deadline. Updates on a daily basis and no later than 24 hours before flight operation	Via ACNL
Aircraft type, aircraft registration and seat configuration	No later than 24 hours before SIBT/SOBT	Entry in SkyGuide or through FlightAPI
Numbers of passengers on board: locally departing, transit and arriving passengers	No later than 1 hour after AIBT/AOBT, except for flights with a flight time of < 1 hour, in which case no later than 30 minutes after AIBT/AOBT	Entry in SkyGuide or through FlightAPI
Amount of baggage on board	No later than 1 hour after AIBT/AOBT	Entry in SkyGuide or through FlightAPI.
Estimate of numbers and weight of passengers, baggage and cargo/mail.	Six (6) weeks before flight operation. Daily updates of these estimates.	Entry in SkyGuide or through FlightAPI
Weight of cargo and mail	No later than 1 hour after AIBT/AOBT	Entry in SkyGuide

Passengers, divided into: adults, children, babies and including deadheading crew occupying seats	No later than 1 hour after AIBT/AOBT	Entry in SkyGuide or through FlightAPI
Number of arriving and departing passengers requiring assistance per flight number and per assistance type	No later than 36 hours before SIBT/SOBT	SITATEX Type-B
EIBT	As soon as an update is available	Via EUROCONTROL CFMU (flight plan)
AIBT	No later than 3 minutes after AIBT change	Entry in SkyGuide or through FlightAPI
AOBT	No later than 3 minutes after AOBT	Entry in SkyGuide or through FlightAPI
Delays and flight deviation information, including delay codes and delay explanations	As soon as delay data are available	Entry in SkyGuide
Load sheet (departing flights only)	No later than 1 hour after AIBT/AOBT	Entry in SkyGuide

The data submitted will be used for:

- Internal purposes: forecasting/planning and daily implementation of airport activities;
- Monitoring and reporting operational, tactical and strategic performance;
- Communications to passengers and stakeholders;
- Airport slot management and reporting to Airport Coordination Netherlands (ACNL);
- External reporting, such as Eurocontrol CODA, etc.

The User is and remains responsible for the correct, complete and timely submission of the data, even if a third party provides the data in the User's name.

14. Conditions

Part of the conditions attached to this document are to be considered the conditions for the use of Eindhoven Airport. After setting the airport charges and conditions, in case of urgent circumstances arising from compliance issues, a condition may be changed by way of an express consultation via email (level 1 change). There is a 14 days respond period and notification of the change will be communicated via e-mail. Any other change of a condition goes through the normal consultation process (level 2 change).

Note that not all the content in the attached documents are conditions within the meaning of Article 8.40c of the Aviation Act. The conditions for handlers of commercial flights do not fall under the Aviation Act, but under the Airports (Groundhandling) Regulations. Content relating to handlers, passengers, third parties at the airport etc. constitute general conditions within the meaning of Article 6:231 of the Dutch Civil Code.

Different agreements apply to changes in the working instructions given their operational nature. Any changes will be coordinated via the User's operational line where relevant and will be supported via NOTAMS and AIP if necessary. Each year, the currently applicable and relevant working instructions are added to the charges and conditions for information purposes and for the purpose of the overview.

In case of any differences in the text of this document and the attached documents, this airport charges and conditions document prevail (level 1).

In case of any differences in the text of the conditions which are mentioned below, the Airport Regulations document prevail above the other conditions which are mentioned below (level 2).

Below is a list of the attached documents. Some documents are available in both Dutch and English. Some only in Dutch. Only the documents in Dutch are legally binding. In the event of conflict between the Dutch text and the English translation thereof, the Dutch text will prevail. There is no legal obligation to provide documents in English translation.

1. General

- 1.1: Eindhoven Airport Regulations
- 1.2: Eindhoven Airport General Conditions of Use
- 1.3: PPR
- 1.4: IT
- 1.5: Environmental conditions

2. Access and security

- 2.1: Conditions airport identity pass
- 2.2: Issuing and collection of admission tickets
- 2.3: Eindhoven Airport Access Policy
- 2.4: Safety & Security Manual

3. Working instructions (only available in Dutch)

- Extension
- Trial runs
- Pushback procedures
- Towing scheme aircraft
- Fuelling A/C with passengers
- Taxi
- Aircraft stands
- Platform Safety Consultation

4. Conditions for handlers of commercial flights

15. Overview Charges and Differentiation¹

Eindhoven Airport (EIN) charges and differentiation as of 1 April 2024			
Charges	Passenger service charge	€7.87 for each departing passenger	
	Security charge	€6.58 for each departing passenger	
	PRM charge	€0.76 for each departing passenger	
	Basic charge for more sustainable landings and take-offs	€523.00 for each departing flight	
	Parking charge	0 – 1.5 hours – Free of charge	
		Fixed basic A/C: 21:30 – 08:30 LT – Free of charge	
€5,67 per tonne MTOW/24 hour			
Differentiation	Differentiation on basic charge for more sustainable landings and take-offs	$B \times N + G + M$	
	Load factor	for each departing passenger (limit €2.50 per PAX)	
	Based aircraft	for each departing passenger (limit €0.75 per PAX)	

¹ No rights can be derived from this overview.