

To the users of Eindhoven Airport

Subject:
Notice of determination of charges and conditions

Date:
26 October 2023

Dear users,

We hereby inform you that the charges and conditions for Eindhoven Airport as of 1 April 2024 have been determined.

All documents are drawn up in Dutch and (for the most part) have been translated into English. Only the Dutch documents are legally binding. No rights can be derived from the English translations. In addition to this electronic notification, the charges and conditions are available for inspection until 24 November 2023 at the office of Eindhoven Airport, located at Luchthavenweg 13 in Eindhoven.

The determination of the charges and conditions follows a consultation process with the users. After sending the proposal for the charges and conditions on 8 September 2023, the user consultation have taken place on 22 September 2023. All questions and comments from users were answered or responded directly during the consultation. Users have had the opportunity to submit their viewpoints in writing to Eindhoven Airport until 6 October 2023.

Eindhoven Airport has received one written viewpoint. This user has – in general - expressed its concerns and doubts about the proposed increase of the charges.

Eindhoven Airport motivates her considerations about the received viewpoint. Eindhoven Airport sets its charges and conditions at least once a year. In doing so, Eindhoven Airport does not offset differences between estimated and actual revenues and costs. The Aviation Act also stipulates that the charges should be reasonable and non-discriminatory. Since 2018, users have the opportunity to apply to the Authority for the Consumer and Market (ACM) to establish whether the charges and conditions are in conflict with the rules laid down in or pursuant to the Dutch Aviation Act.

Eindhoven Airport is also bound to European procurement law. Contracts are in principal assigned to suppliers that offer the economically most advantageous tender, according to Eindhoven Airport. Eindhoven Airport determines the economically most advantageous tender based on the best price/quality ratio. European procurement law aims to encourage competition in the European market, among other things. The aim is that Eindhoven Airport's procurement is transparent and effective, with contracts at the best price/quality ratio and fair chances for all interested parties.



Eindhoven Airport N.V.

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The increase of the charges (after a decrease last year) has been caused mainly by the inflation that has reached its peak in the Netherlands last year with a percentage of 14,5% (source: [CBS](#)) and the consequential raise in wages based on collective labour agreements and contractual wages (source: [CBS](#)). Also, the tight situation on the labour market (source: [CBS](#)) plays an important role. Consequently, the costs for tendered services have increased. Despite the increase, the charges of Eindhoven Airport are still competitive.

During the consultation meeting, users have asked questions about future developments. These developments are out of scope of the formal consultation process for the setting of the charges as of 1 April 2024 till 31 March 2025. Eindhoven Airport has already provided information about future developments during the preconsultation meeting and the formal consultation meeting. Eindhoven Airport refers to sheets 19 to 24 from the preconsultation presentation and sheet 17 from the consultation presentation for further details.

During the consultation, we also informed you about the upcoming transition of air traffic control from Defense to LVNL in 2024. Currently, the costs for this are part of the co-user fee and, as such, they have an impact on the LTO charge. Although the target date for this transition is still January 1st, a final decision is pending. We will handle this as follows. If the transition takes place on 1 January 2024, we will provide users with a discount of € 123.40 on the LTO charge from 1 January 2024, until 1 April 2024. In the case of a later transition date, but still before 1 April 2024, we will only start offering this discount from the actual transition date until 1 April 2024, to prevent double payments by users. If the effective date is later than 1 April 2024, there will be a surcharge of € 123.40 on the LTO charge starting from 1 April 2024, until the transition to LVNL occurs. This is necessary because air traffic control services will still be provided by Defense, and the associated costs will be billed by Defense to Eindhoven Airport.

All information that users share with Eindhoven Airport within the framework of the consultation process and vice versa should be regarded as strictly confidential and economically sensitive.

We would like to thank you for participating in the consultation process. None of the questions asked or opinions and comments given during the consultation meeting, nor the written viewpoint have given rise to Eindhoven Airport to make changes in the airport charges and conditions document as proposed on 8 September 2023.

We thank you for your participation in the consultation process.

Remaining dates for the consultation process:

24 November 2023	Deadline to submit application (if any) to Authority for Consumers & Markets
1 April 2024	Eindhoven Airport new airport charges and conditions of use are effective



This communication will be sent to users by e-mail and not by regular post.

Kind regards,

Consultation Team
Eindhoven Airport N.V.



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