



Joint ICAO/AFCAC Symposium Kampala, 17-19 August 2009 Session 1 ICAO's Policies on Charges (Doc 9082)



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Chicago Convention (Doc 7300)

*Convention on International Civil
Aviation, Chicago, 7 December 1944*

- Article 44 – Objectives of ICAO
- Article 15 – Airport and similar charges
 - Application of uniform conditions
 - Non-discrimination
 - No charge **solely** for the right to overfly, enter or exit





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Need for the policies

- Guidance to States
- Efficiency and cost-effectiveness
- Non-discrimination, cost-relatedness, transparency and consultations with users
- Status of the ICAO policies on charges





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Doc 9082 (Eighth Edition)

Structure:

1. Foreword
2. General
3. Policies on Airport Charges
4. Policies on Charges for Air Navigation Services
5. Appendices
6. Supplement





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Foreword

Definition of charges and taxes:

- **Charges**
 - to recover the costs of providing facilities and services for aviation
 - Doc 9082
- **Taxes**
 - to raise national or local government revenue, usually not for aviation
 - Doc 8632





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General

- Financial situation [§8]
- Scope and proliferation of charges [§9-10]
- Organizational and managerial issues [§11-17]
- Economic oversight [§18-21]
- Economic performance and minimum reporting requirements [§22]
- Consultation with users [§23-26]
- Other factors affecting the economic situation [§27-28]





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General (cont.)

Financial situation [§8]

- Fluctuates with performance of economies

Scope/proliferation of charges [§9-10]

- Permit imposition of charges only for services and functions provided for civil aviation operations
- Refrain from charges that discriminate against international civil aviation





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General (cont.)

Organizational/managerial issues [§11-14]

- **Autonomy and privatization**
 - Establishment of autonomous entities where economically viable and best for providers and users
 - State's ultimate responsibility for safety, security and economic oversight
 - Observance of Chicago Convention, Annexes and ICAO's policies on charges





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General (cont.)

- **International cooperation [§15]**
 - Adoption of a regional approach
 - Facilitation of the implementation of the ICAO Global ATM Operational Concept
- **Best practices [§16]**
 - Application of best practices of good corporate governance by providers
- **Charges collection [§17]**
 - Use of joint charges collection agencies





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General (cont.)

Economic oversight [§18-21]

- Separation of regulatory and operational functions
- State's responsibility and objectives





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General (cont.)

Economic oversight [§18-21] (cont.)

- Selection of an appropriate form
- Adoption of a regional approach





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General (cont.)

Economic performance [§22]

- Development of appropriate performance management systems
- Selection of KPAs, objectives and indicators, and minimum reporting requirements





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General (cont.)

Consultation with users [§23-26]

- Establishment of a clearly defined, regular consultation process
- Airport and air navigation services charges levels/structure and planning/investments





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General (cont.)

Consultation with users [§23-26] (cont)

- Consultation process
- First-resort mechanism to resolve disputes





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General (cont.)

Other factors [§27-28]

- Balance of interest between providers and users
- Increased cooperation to share economic difficulties





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Policies on Charges

Airport Charges

- Cost basis for charges [§29-30]
- Airport charging systems [§31]
- Pre-funding of projects [§32]
- Currency issues [§33]
- Landing charges [§34]
- Parking and hangar charges [§35]
- Passenger service charges [§36]



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Policies on Charges (cont.)

Airport Charges (cont.)

- Security charges [§37]
- Noise-related charges [§38]
- Emissions-related aircraft charges (local air quality problems) [§39]
- Development of revenues from concessions, rental of premises and “free zones”[§40]
- Fuel concession fees [§41]



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Policies on Charges (cont.)

Air Navigation Services Charges

- Cost basis for charges [§42-45]
- Allocation of costs among [§46] aeronautical users
- Charging systems [§47]
- Pre-funding of projects [§48]
- Currency issues [§49]





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Policies on Charges (cont.)

Air Navigation Services Charges (cont.)

- Approach and aerodrome control charges [§50]
- Route air navigation services charges [§51-52]
- Charges for air navigation services used by aircraft when not over the provider State [§53]





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Appendices

1. Guide to the facilities and services to be taken into account in determining airport costs
2. Guide to the facilities and services to be taken into account in determining the total costs of air navigation services
3. Glossary of terms





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Supplement

Follow-up of ANSConf 2000

- Information on States' implementation practices
- Analysis of States responses to a questionnaire on their policies on charges





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CEANS Recommendation #15

Incorporation into national legislation, regulations or policies, as well as in air services agreements, of main charging principles :

- non-discrimination,
- cost-relatedness,
- transparency, and
- user consultation





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Other Policy Material

- Assembly Resolutions: “*Consolidated Statement of Continuing ICAO Policies*” (A36-15 Appendix F - Air Transport & A36-22 Appendix L - Environmental Protection)
- Council Resolution on Environmental Charges and Taxes (1996)
- Provisional policy on allocation of incremental costs of more advanced GNSS services (2007)

