

Effective as of January 1, 2006

Rules Governing Fees FBS

SXF – Berlin-Schönefeld





**Rules Governing Fees at Flughafen Berlin-Schönefeld GmbH (FBS)
for Berlin-Schönefeld (SBF) Airport**

Terms and Conditions of Business

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Approved by: Flughafen Berlin-Schönefeld GmbH
Management



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1. Terms and Conditions of Business

1.1. General Conditions

The services listed in the rules governing fees are provided on request, if the personnel, machinery and vehicles are available. But there is no obligation to provide these services if no contractual obligation exists.

Even after accepting an order, the airport authority in question reserves the right to defer or not carry out the order or not continue carrying out the order, if its resources in terms of personnel, machinery or vehicles are fully stretched as a result of its other obligations with regard to its operating responsibilities. The same applies in the case of acts of God, industrial disputes or natural disasters, which either make it impossible to carry out or continue carrying out orders or unreasonably complicate the process.

Services or supplies not listed in this register are charged separately.

The conditions set out in the regulations governing the use of each airport also apply.

1.1.1. Debtors

Debtors with regard to the fees listed under sections 1 to 3 are the following joint and several debtors:

- the airline company under whose airline code/flight number the flight in question is being carried out,
- the airline companies under whose airline code/flight number the flight in question is being carried out (code sharing),
- all aircraft keepers,
- the individual or legal entity that is using the aircraft without being the keeper or owner, such as a hirer or leaser.

1.1.2. All fees must be paid in Euros before take-off, in special cases they may be paid subsequently in line with a pre-arranged agreement with the airport authority.

1.1.3. All the fees are fees in the sense of section 10 paragraph 1 of the law covering V.A.T. In accordance with this law, the fee debtor is therefore required to pay V.A.T. in addition.

1.2. Charging Procedures

- The minimum time charged for services where an hourly rate is listed is half an hour plus set-up time, waiting time and travelling time – if not otherwise indicated in the rules governing fees. In case of longer periods, the time charged will be rounded up to the next highest half hour.
- If there is no express indication that the operator or driver is included in the price when machinery and vehicles are made available, a separate invoice will be charged for the use of personnel.
- The fees are net prices without V.A.T. The V.A.T. rate valid on the day the services or supplies are provided will be separately charged, if the law governing V.A.T. does not allow an exception.

The fees apply if no other agreements or settlements have been or are being made regarding fees.

1.3. Payment Procedures

All fees must be paid in cash in Euros. Payments in cash may only be waived, if the customer has either provided some kind of prepayment or security in the form of a bank guarantee, where the amount must be paid out immediately, if the need arises, and where there is no need for any sum to be deposited. The invoice is sent after the performance of the services.

Invoices must be settled immediately on receipt in Euros free of charge or costs into one of the accounts of the airport authority.

The airport authority in question retains the right to enforce interest on payments in arrears at 8 percentage points above the relevant base rate in line with section 247 of the German Civil Code, if payments are delayed, and also demand payments in advance in future, if necessary. If the debtor is not a company or businessman, the interest rate on payments in arrears is 5 percentage points above the base rate.

1.4. Liability

Customers accept liability towards the relevant airport authority for any damage or loss to people or property which was caused by their behaviour or the behaviour of their employees and other vicarious agents in carrying out the order.

The airport authority in question is not liable for any damage or loss to property, which arises in providing the required services or in connection with these or with machinery, tools and equipment which have been made available for its use, unless the damage or loss was caused by the airport authority or its employees or other vicarious agents through negligence or deliberate intent. This also applies to cases, in which the airport authority in question takes over the custody of objects, when it is not absolutely essential for it to do so in carrying out the order, or if a safe and reasonable alternative for storing the goods is available to the customer.

Customers exempt the airport authority in question from any claims, which may be filed by third parties in connection with carrying out the order, unless these claims by third parties have been caused by the airport authority, its employees or other vicarious agents through negligence or deliberate intent.

1.5. Final Conditions

The German text is binding.

German law applies except in the case of the UN Sales Convention.

The place of performance is the place where the services are provided.

The place of jurisdiction for Berlin-Schönefeld Airport is Königs Wusterhausen/Potsdam.



**Rules Governing Fees for the Berlin Airport Authority mbH (FBS)
for Berlin-Schönefeld (SXF) Airport**

Part I: Aviation

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*) The conditions covering the traffic incentives on pages 9–11 are part of the authorized Regulations Governing Fees.

1. Aviation

1.1. Take-off and Landing Fees

1.1.1. A fee must be paid to the airport authority each time an aircraft lands or takes off at the airport.

1.1.2. Regardless of the use to which the aircraft is put, the landing fee is charged according to the maximum take-off weight of the aircraft (MTOW) listed in the certification documentation. The MTOW must be determined using the Airplane Flight Manual (AFM) – Basic Manual – Section for Weight Limitations. The highest known MTOW for this type of aircraft will be used until these documents have been made available. No back-dated refunds will be paid.

Any reduction in this MTOW in the certification documentation will only be taken into account from the beginning of the timetable period, if any change has been notified at least four months in advance and the altered documents have been made available. The airport authority must be informed immediately of any increase in the MTOW of an aircraft in its certification documentation.

1.1.3. The part of the landing fee charged according to the MTOW of the aircraft in the case of powered aircraft at Schönefeld Airport is as follows as regards the MTOW:

up to 1,200 kg – per landing	€	5.00
over 1,200 kg up to 2,000 kg – per landing	€	10.00

1.1.4. The part of the landing fee charged according to the MTOW of the aircraft amounts to the following in the case of aircraft with all other types of propulsion, at Schönefeld Airport and have a MTOW of more than 2,000 kg –

per 1,000 kg of the MTOW or part thereof:	€	4.45
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1.1.5. A noise surcharge of **10.00 €** will be levied for aircraft **over 2 t up to 10 t** MTOW for each landing. The noise surcharge of more than 10 t MTOW is staggered according to noise classes. The allocation of aircraft types into noise classes takes place on the basis of the average noise levels measured during take-offs and landings during the year 2004.

Noise class 1	up to 70.9 dB (A)	€	20.00
Noise class 2	from 71.0 to 73.9 dB (A)	€	30.00
Noise class 3	from 74.0 to 76.9 dB (A)	€	40.00
Noise class 4	from 77.0 to 79.9 dB (A)	€	80.00
Noise class 5	from 80.0 to 84.9 dB (A)	€	420.00
Noise class 6	from 85.0 to 89.9 dB (A)	€	840.00
Noise class 7	from 90.0 dB (A) upwards	€	1,680.00

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Aircraft not listed here will be temporarily allocated on the basis of noise reports that have been submitted until representative measurement results are available for Schönefeld Airport.

Gr. 1	Gr. 2	Gr. 3	Gr. 4	Gr. 5	Gr. 6	Gr. 7
up to 70.9 dB (A)	71.0 to 73.9 dB (A)	74.0 to 76.9 dB (A)	77.0 to 79.9 dB (A)	80.0 to 84.9 dB (A)	85.0 to 89.9 dB (A)	from 90.0 dB (A)
€ 20.00	€ 30.00	€ 40.00	€ 80.00	€ 420.00	€ 840.00	€ 1,680.00
all Helicopters	AJ25	A318	A3103	A3004	DC103	Non-Annex
	AN72	A319	A3302	A3006	L1015	Chp.2
CL601	ATR72	A3202	A3303	A300F	YK42	
CN680	B7172	A3211	AN26	A3102		AN124
CN750	BA14F	A3212	B7272	A3406		IL76
	BA461	A3402	B7373	AN12		TU134
	BA463	A3403	B7374	B7474		
	BD700	AN24	B7375	DC930		
	CL100	ARJ85	B7572	GULF2		
	CL200	ATR42	B7573	GULF3		
	CL300	B7372	B757F	MD11F		
	CL600	B7376	B7672	MD81		
	D2000	B7377	B7673	MD82		
	DA20	B7378	B7772	MD83		
	DA900	B737W	DHC83	MD87		
	DC3	B73BJ	TAC16	MD88		
	EMB13	BA462	TU214	SH360		
	EMB14	CL604		TU204		
	FK27	CL700		TU5M		
	GULF4	DA50		YK40		
	GULF5	DO328				
	J328	EMB17				
	LR60	FK100				
	SF200	FK50				
		FK70				
		HS125				
		L188				
		MD90				
		SF340				

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1.1.6. A surcharge will be levied on the fees for noise class from 80.0 dB(A) named in section 1.1.5 as follows:

from 10 p.m. till 10.59 p.m. local time	20 % ,
from 11 p.m. till 11.59 p.m. local time	50 % ,
from midnight till 5.59 a.m. local time	100 % .

1.1.7. Minimum Tonnage

Any stipulations related to minimum tonnage no longer apply at Schönefeld Airport.

1.1.8. Touch and Go

The landing fee charged according to the MTOW of the aircraft must also be paid if the aircraft touches down and then immediately accelerates and takes off again.

1.1.9. Reductions in Fees

The fees quoted under sections 1.1.3. and 1.1.4. are reduced at Schönefeld Airport in the case of

training and instruction flights	by 50 %
helicopter flights	by 15 %.

Only one of the reasons for a reduction may be claimed.

1.1.9.1. *Training Flights*

Training flights in the sense of section 1.1.9 are flights, where a civil pilot in training is flying under conditions, which are necessary to gain a civil pilot's licence or for eligibility in the sense of examination regulations for flying personnel. These flights must be flown as part of the would-be pilot's training in connection with an authorized training company (pilot's school). The customer must provide evidence of this.

1.1.9.2. *Instruction Flights*

Instruction flights in the sense of section 1.1.9. are flights, which serve to provide flying and technical instruction for civil pilots; the pilots being instructed must be in possession of the pilot's licence prescribed for the type of aircraft in question; the person being instructed must be on board the aircraft being used.

1.1.10. Fees for Airships and Hot-Air Balloons

Users only need to pay an anchor mast fee and the landing or take-off fee if they wish to use the airport with airships and hot-air balloons.

1.1.10.1. *Airships*

The anchor mast fee is charged for permission to set up an anchor mast and amounts to the following per 24 hours or part thereof:

€ 150.00

The critical period for calculating the anchor mast fee begins when the anchor mast is set up and ends when it is taken down.

In addition, a landing fee charged according to the normal lift of the airship must be paid. It amounts to the following per t or part thereof of normal lift:

€ 6.00

1.1.10.2. *Hot-Air Balloons*

The following must be paid for a hot-air balloon to take off: **€ 17.50.**

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1.2. Passenger Fees

1.2.1. In addition to the landing fee, a passenger fee must be paid for commercial traffic and works traffic*. The passenger fee is charged according to the number of passengers on board at take-off and the aircraft's next scheduled destination.

*) Works traffic flights are flights, which serve to carry persons and goods in the company's own business interests and are not performed on behalf of third parties for payment. Works traffic includes business flights by industrial and trading companies with their own or third-party aircraft made available to them at no charge or flights by airline companies for their own purposes.

The fee amounts to the following per departing passenger:

within the Federal Republic of Germany	€ 8.65
outside the Federal Republic of Germany, but within the borders of the member states of the Schengen Agreement*	€ 9.00
outside the Federal Republic of Germany and outside the borders of the member states of the Schengen Agreement*	€ 9.10
for verified transit passengers to all destinations	€ 6.95

*) Belgium, Denmark, Finland, France, Greece, Iceland, Italy, Luxembourg, Netherlands, Norway, Austria, Portugal, Sweden, Spain – as at March 2005

Domestic German flights in the sense of section 1.2.1 are flights, where the next landing takes place at an airport in the Federal Republic of Germany.

Schengen flights in the sense of section 1.2.1 are flights, where the next landing takes place at an airport outside the Federal Republic of Germany and within Schengen territory.

Non-Schengen flights in the sense of section 1.2.1 are flights, where the next landing takes place at an airport outside the Federal Republic of Germany and outside Schengen territory.

1.2.2. Children under 2 years of age, who do not have a claim to their own seat, are not included in the number of passengers on board when the aircraft takes off. Passengers also include members of staff – except the crew on duty – of the airline in question or any other airline and other persons, who are on board free of charge or for a reduced price when the aircraft takes off.

1.3. Stand and Parking Fees

In principle a stand fee must be paid to the airport authority when aircraft use stands and apron areas.

1.3.1. Stand Fees

In order for aircraft to use stands on the apron, a stand fee must generally be paid to the airport authority. In the case of aircraft with a MTOW of up to 1.2 t, 1 t applies as the basis for charges.

The amount of the stand fee is determined according to the maximum take-off weight (MTOW) of the aircraft and the time the aircraft occupies the stand. The stand fee is graded according to the time it is occupied per tonne or part thereof and 10 minute period or part thereof.

Stand with jetway

up to 40 minutes per 10 minute period and tonne or part thereof	€ 0.40
up to 90 minutes per 10 minute period and tonne or part thereof	€ 0.44
up to 120 minutes per 10 minute period and tonne or part thereof	€ 0.48
up to 180 minutes per 10 minute period and tonne or part thereof	€ 0.52

Outer stand

up to 40 minutes per 10 minute period and tonne or part thereof	€ 0.10
up to 90 minutes per 10 minute period and tonne or part thereof	€ 0.14
up to 120 minutes per 10 minute period and tonne or part thereof	€ 0.18
up to 180 minutes per 10 minute period and tonne or part thereof	€ 0.22

The fee is charged on the basis of the time the stand is used, which is defined as the difference between the on-block and off-block time spent by the aircraft in question on the stand.

The maximum time for calculating the stand fee is 3 hours, i.e. 18 units of 10 minutes; a period of 90 minutes after the landing and 90 minutes before take-off are taken into account in each case. The use of the stand for handling the aircraft for landing and take-off then runs out.

A minimum fee of **€ 10.00** for using the apron stands must be paid.

1.3.2. Parking Fees

A parking fee must be paid to the airport authority for the use of apron stands and other areas for parking aircraft from the start of the 4th hour – after the expiry of the time used to calculate the stand fee.

The amount of the parking fee is charged according to the MTOW of the aircraft (see section 1.1.) and the duration for which the area is used.

The parking fee amounts to **€ 1.20** per tonne or part thereof and 24-hour period or part thereof. For each further day, the parking fee amounts to **€ 2.00** per tonne or part thereof and 24-hour period or part thereof.

The sum amounts to at least **€ 8.00** per 24-hour period or part thereof.

1.3.3. A rental agreement for apron space may be concluded between aircraft operator and the airport authority if, for example several successive days are required. This must be arranged before the start of the parking period.

1.4. Security Fee

The security fee is determined by the number of passengers on board a flight at take-off in the case of commercial passenger and works traffic.

The fee amounts to **€ 0.83** per passenger from **1st March 2006**.

1.5. Emergency Landings

None of the fees listed under section 1 have to be paid in the case of emergency landings because of technical faults on the aircraft or because of the actual or threatened use of force, if the airport is not the scheduled destination. Diverted flights are not emergency landings.

1.6. Central Infrastructure

Infrastructure equipment is made available by the airport's agents for all aircraft movements.

A fee must be paid to the airport authority for providing this infrastructure for each commercial traffic landing.

1.6.1. The basic fee for providing the de-icing equipment amounts to the following for an aircraft with a MTOW over 10 t:

MTOW up to 50 t – **€ 10.00**, MTOW over 50 t – **€ 30.00**.

In the case of non-commercial landings, this fee is only charged if the infrastructure is actually used, i.e. in the actual event.

1.6.2. For landings in the commercial passenger traffic sector, an additional fee amounting to **€ 1.12** is charged for providing fresh water and sewage facilities.

2. Growth and Destination Promotion Schemes

In order to generate sustained and dynamic growth in air traffic operations at Berlin-Schönefeld Airport, FBS, as the operator of Berlin-Schönefeld Airport, grants the airline companies incentives that are outlined as follows:

2.1. Growth and Destination Promotion Schemes

The traffic promotion conditions serve as a means of increasing the tonnage and passenger volumes at Berlin-Schönefeld Airport. All the airline companies may claim the traffic promotion subsidies, which are granted in a fair, transparent manner, devoid of any discrimination. In order to improve connections to and from Berlin-Schönefeld in the long-term and in a sustained manner, FBS grants the following promotional subsidies:

- for setting up a new flight connection to new destinations (markets)
- for increasing tonnage and passenger volumes.

Each airline, including flight partners (same flight number), which increases its flight destinations as an operating carrier in a sustainable manner, may claim the benefits. The individual requirements related to the traffic promotion conditions must be fulfilled. The airlines must provide suitable evidence to FBS of their right to make a claim and their fulfilment of the conditions.

Traffic promotion conditions are not granted for growth in passenger or tonnage volumes or new destinations, if the traffic promotion condition arises because an airline company takes over routes, destinations, frequencies or flights from another company in the form of code sharings or other types of cooperation between airline companies.

Application and interaction of destination and growth promotion schemes:

An airline may elect that any growth achieved by the introduction of the new destination will alternatively be taken into account as growth under the growth promotion scheme, in which case such new destination shall not thereafter qualify for support under the destination promotion scheme. An airline must make this election prior to the commencement of such new destinations.

Airlines that have received incentives in 2004 and 2005 according to the destination rebate ("transitioning airlines") have the following opportunities: In the transition from the previous regulations governing fees to the new fee regulation the airline has the choice to decide on whether they would like to move the destinations that received destination incentives to the growth incentive scheme. The airline has to make the choice within one month of the new fee regulation coming into operation. Should the airline wish to move to the growth incentive scheme the growth between year 2005 and 2004 will be taken into account as the base year.

a) Destination Promotion Scheme

- New destinations are regular flight connections (at least two a week) to destinations, which have not been directly served by the Berlin airport system during the last 12 months prior to the current regulations governing fees coming into force and until the connection in question starts.
- The incentive period continues to be 5 years for new flight connections at the Berlin airport system, which received destination subsidies under the previous regulations governing fees. Such destinations shall receive support under these regulations in accordance with its actual year of operation as set out in the table below.
- The destination promotion subsidies amount to 80 % of the basic landing fee (fixed and variable fees; the basic noise fee, including any supplements, is excluded from any calculations related to the promotional sum) for the flight operation in question in the first timetable period, 60 % in the second timetable period, 40 % in the third timetable period, 20 % in the fourth timetable period and 10 % in the fifth timetable period.
- The subsidies are provided over 5 timetable periods.
- If the airline halts operations on the new route before the expiry of 5 timetable periods, any subsidies provided by FBS are to be repaid as follows: 60 % of the subsidies received under this scheme if the route ceases operation in the first timetable period, 40 % in the second timetable period, 20 % in the third timetable period, 10 % in the fourth timetable period and 0 % in the fifth timetable period related to the basic landing fees for the route in question (fixed and variable fees; the basic noise fee, including any supplements, is excluded from any reductions in fees).
- FBS is entitled to offset the promotional subsidy against any due and undisputed debts from the airline in question.

b) Growth Promotion Scheme

- FBS grants all the airline companies, including partners (same flight numbers), a growth discount for increases in tonnage and passenger volumes per flight movement over the previous year in question (calendar year) for a maximum of 5 years. An increase in tonnage means growth in the MTOW compared with the previous year in question. The basic noise fee, including any supplements, is not taken into account when calculating the promotional sum, which will be calculated on other fixed and variable fees before application of any other subsidy or discount. An increase in passenger volumes means growth in passenger numbers in comparison with the previous year in question.
- Previous growth is being continued or taken into account according to the current applicable regulations governing fees.
- All traffic at the date this fee schedule comes into force and effect, apart from traffic subsidized under the destination promotion scheme, will be subsidized according to the level of growth achieved in the initial year of this scheme (being the calendar year these regulations come into force and effect) or, for transitioning airlines, the level of growth achieved in the base year (as noted above). The level of growth shall determine which class in the graded scales shall apply. All traffic at the date this fee schedule comes into force and effect shall then receive subsidies in accordance with the graded scales below for 5 years from the date such growth is achieved (i.g. from the date of the additional frequency or route, as the case may be).
- Subsidies will only be provided in the years subsequent to the time the initial growth is achieved on the condition that the initial growth does not decline by more than 10%. If there is a decline by more than 10 % of the initial growth, the growth incentive class will be redefined and the growth incentive shall then be paid based on the new class and incentive year reached.
- The volume of traffic in the subsequent years will be compared with the basic levels achieved up to that point. If further growth ensues and a new threshold is crossed in line with the graded scales listed below, subsidies will also be provided for this level of traffic (i.e. the growth element) for 5 years from the date such growth is achieved.
- In the case of airline companies, where the total number of passengers lies below 50,000 p.a. or the total volume of tonnage is less than 35,000 MTOW p.a. and the airline has more than 100 flight movements per year, if the growth lies below the class 1 threshold, any growth levels will be assessed on a percentage basis:
 - 4 % – 7.9 % corresponds to class 1
 - 8 % – 11.9 % corresponds to class 2
 - more than 12 % corresponds to class 3
- In the case of airline companies, where more than 300,000 passenger growth or more than 150,000 MTOW is achieved in any year, the excess above such amount shall be carried forward to the following year and included in the calculation of and treated as that year's passenger growth or MTOW (as the case may be).
- FBS is entitled to offset the promotional subsidy against any due and undisputed debts from the airline in question.

Promotional Subsidies Available According to Variable Fees

Class	PAX Growth p.a.	Discount for 1st year	Discount for 2nd year	Discount for 3rd year	Discount for 4th year	Discount for 5th year
1	5,000	6 %	5 %	4 %	2 %	0 %
2	10,000	8 %	6 %	5 %	3 %	1 %
3	15,000	12 %	9 %	7 %	4 %	2 %
4	20,000	16 %	13 %	9 %	6 %	3 %
5	50,000	25 %	20 %	15 %	10 %	5 %
6	100,000	30 %	25 %	20 %	12 %	6 %
7	150,000	40 %	30 %	25 %	17 %	9 %
8	200,000	50 %	42 %	30 %	21 %	12 %
9	250,000	60 %	55 %	45 %	30 %	18 %

Promotional Subsidies Available According to Fixed Fees

Class	MTOW Growth in t p.a.	Discount for 1st year	Discount for 2nd year	Discount for 3rd year	Discount for 4th year	Discount for 5th year
1	4,000	6 %	5 %	4 %	2 %	0 %
2	7,000	8 %	6 %	5 %	3 %	1 %
3	10,000	12 %	9 %	7 %	4 %	2 %
4	15,000	16 %	13 %	9 %	6 %	3 %
5	25,000	25 %	20 %	15 %	10 %	5 %
6	50,000	30 %	25 %	20 %	12 %	6 %
7	75,000	40 %	30 %	25 %	17 %	9 %
8	100,000	50 %	42 %	30 %	21 %	12 %
9	125,000	60 %	55 %	45 %	30 %	18 %

2.2. Volume Promotional Scheme

At the end of the year, an assessment is made of the passenger traffic per flight movement during the calendar year for each airline, including partners (same flight number), at Berlin-Schönefeld Airport.

If the passenger volume exceeds 50,000 passengers, promotional subsidies are granted, which are calculated according to the Take-off and Landing Fees and Passenger Fees as follows:

Passenger Volume	Repayment
more than 50,000 passengers p.a.	5 %
more than 100,000 passengers p.a.	10 %
more than 250,000 passengers p.a.	15 %
more than 500,000 passengers p.a.	20 %
more than 1,000,000 passengers p.a.	30 %
more than 2,000,000 passengers p.a.	40 %

An annual assessment is carried out to determine whether the traffic promotion conditions have been fulfilled for each airline according to its passenger volumes in comparison with the previous year. FBS is entitled to offset the promotional subsidy against any due and undisputed debts from the airline in question.



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