

Regulations Relating to Charges at Avinor AS's Airports

Unofficial translation – the Norwegian text shall prevail.

Authority: Laid down by the Ministry of Transport and Communications on 15 November 2010 pursuant to section 7-26 and section 15-4 of the Act of 11 June 1993 no. 101 relating to Aviation (Aviation Act).

Chapter I. General provisions

Section 1-1. The owner or operator of an aircraft shall pay charges for the facilities and services made available pursuant to the following provisions for flights that use state-owned airports, including Oslo Airport Gardermoen, and for flights that use the airspace that is made up of Norwegian flight information regions (FIR). These regulations also apply to military airports when they are used by aircraft with civil registration marks. The regulations do not apply to Moss Airport Rygge.

The charges are:

Take-off charge

Passenger charge

Security charge

De-icing charge

The total charges shall be rounded off to the nearest whole Norwegian kroner (NOK) when they are calculated.

Section 1-2. The obligation to pay the charges rests with the owner of the aircraft. If the aircraft has been entrusted to a licensed operator or an operator with an air operator's certificate for use at the operator's own expense, the operator is liable for the charges. Equally, any user will be liable for these charges when an aircraft that is not being used for commercial aviation has been entrusted to the user for use at the user's own expense. When payment is required prior to the aircraft's take-off, the aircraft's pilot in command is responsible for payment of the charges.

Section 1-3.

(1) Avinor AS may grant reductions in the charges laid down in the regulations if the company deems it likely that the reduction will result in higher revenues and stimulate better utilisation of the aircraft and the capacity of the aviation facilities. The company may, when there are special reasons for doing so, also grant reductions in or exemptions from the charges laid down in the regulations for humanitarian aid flights, air shows, air ambulance flights or similar activities of a non-commercial nature. Reductions such as those mentioned in the first sentence cannot be granted for charges such as those mentioned in section 4-1, and nor must they be applied in a manner that results in users of the airport being treated differently without just cause. The right to grant or maintain reductions such as those mentioned in the first sentence is conditional on the reduction being compatible with the EEA Agreement's rules regarding state aid.

(2) Avinor AS may conclude agreements concerning the provision of services not covered by these charges regulations. Payment for these services shall cover the costs Avinor AS incurs from providing these services.

Section 1-4. Charges shall not be paid for flights:

1. performed by aircraft with military registration marks. Nor shall charges be paid for flights by civil aircraft when these are being used by the Norwegian Armed Forces as defined in the "Rammeavtale mellom Forsvarsdepartementet og Samferdselsdepartementet om fordeling av ansvar og utgifter ved statens flyplasser m.v." dated 17 and 29 September 1999 and the "Samarbeidsavtale mellom Forsvaret og Avinor om fordeling av ansvar og utgifter ved statens flyplasser" dated 1 July 2004.
2. performed exclusively in connection with official trips undertaken by the reigning monarch and his/her family, heads of state, heads of government and government ministers. Flights being made in connection with such official trips must state this as a specific note on the aircraft's flight plan.
3. on Svalbard and Jan Mayen for aircraft being used by the Norwegian state for non-commercial purposes or for aircraft being used in foreign diplomatic services.
4. in connection with calibration.
5. engaged in search and rescue (SAR) operations.
6. performed by gliders or sailplanes. However, aircraft of this type with engines that can be used for take-off are not exempt from charges.

Chapter II. Take-off charge

A. General

Section 2-1. A take-off charge is payable for the take-off of a flight.

B. B. Charge for single flights

Section 2-2.

(1) The take-off charge for aircraft with a maximum permissible take-off weight (MTOW) that exceeds 8,000 kg according to the national civil aircraft register or other equivalent official document is:

(a) NOK 69.00 per 1,000 kg or part thereof for aircraft MTOW between 6,000 kg and 75,000 kg

(b) NOK 34.50 per 1,000 kg or part thereof for aircraft MTOW between 75,001 kg and 150,000 kg

(c) NOK 14.00 per 1,000 kg or part thereof for aircraft MTOW over 150,001 kg

Cargo aircraft shall pay an additional charge of NOK 69.00 per 1,000 kg or part thereof for aircraft MTOW between 0 kg and 5,999 kg.

(2) The rates in the first paragraph apply to aircraft in scheduled passenger traffic (including serial charter flights) even if the aircraft has an MTOW of 8,000 kg or less. Cf. section 3-1, first and second paragraphs.

(3) The take-off charge for aircraft with an MTOW of 2,000 kg or less according to the national civil aircraft register or other equivalent official document is:

<i>Maximum permissible take-off weigh (KG)t</i>	<i>NOK (kg)</i>
0 - 1,000	169
1,001 - 1,500	206
1,501 - 2,000	282

(4) The take-off charge for aircraft with an MTOW of between 2,000 kg and 8,000 kg according to the national civil aircraft register or other equivalent official document is:

2,001 - 2,500	72
2,501 - 3,000	80
3,001 - 4,000	152
4,001 - 5,000	193
5,001 - 6,000	233
6,001 - 7,000	521
7,001 - 8,000	812

(5) Until further notice, 70 per cent of the applicable rates shall be paid at state-owned airports in Oppland, Sogn og Fjordane, Møre og Romsdal, Sør-Trøndelag, Nord-Trøndelag with the exception of Trondheim Airport Værnes, Nordland with the exception of Bodø Airport, Troms and Finnmark.

(6) No charge in this section shall be lower than the minimum charge of NOK 72. No discounts may be granted in relation to the minimum charge.

Section 2-3. A charge of NOK 9,150 shall be paid for aircraft with an MTOW greater than 15,000 kg and NOK 6,740 for aircraft under this weight for continental shelf flights that take-off from Stavanger Airport Sola, Bergen Airport Flesland, Kristiansund Airport Kvernberget and Brønnøysund Airport Brønnøy.

For other airports the take-off charge for continental shelf flights shall be NOK 3,800 regardless of the MTOW.

Continental shelf flights also include flights between land-based airports when these form part of direct flights to/from the continental shelf.

Section 2-4. Aircraft that use air navigation services when they take-off from airports not covered by these regulations, but which use the air navigation services located at a nearby airport covered by these regulations, shall pay per take-off:

<i>Maximum permissible Take-off weight (KG)</i>	<i>NOK</i>
8,000 - 10,000	258
10,001 – 25,000	1,137

25,001 -

1,574

Section 2-5. One take-off charge per completed series shall be paid for touch-and-go flights. A touch-and-go series is defined as a series of flights in close succession without a stopover or loading/unloading taking place at the airport. If this is deviated from, the series shall be regarded as ended and a new series started. A series of touch-and-go flights starts and ends at the same airport. If the last take-off in such a series is a departure for another airport, this take-off shall be deemed a single flight for which a charge is payable.

C. Annual charge - annual card

Section 2-6. An annual card can be bought for aircraft that are not used for licensed commercial air transport and whose maximum permissible take-off weight does not exceed 2,000 kg. For aircraft built by amateurs and aircraft that upon application Avinor AS accepts as "veteran aircraft" and which pursuant to the Regulations for the Classification of Aircraft, BSL B 1-2, appendices 1 and 2, are classified as "Experimental" and their area of use defined as "Private", the weight limit is a maximum permissible take-off weight of 5,700 kg.

An annual card can be bought for training aircraft with a maximum permissible take-off weight of less than 2,000 kg which are owned or used by an operator in licensed commercial air transport.

The annual card is valid from and including 1 January, or any later date on which it was paid for, up to and including 31 December of the same calendar year, for a specific aircraft. The following are valid as proof of payment of the annual charge: an annual card with a giro transfer form verified as paid, an annual card with a valid receipt from an online bank together with a verified bank statement, an annual card with a valid receipt from a credit card company together with a verified bank statement, or an annual card with a receipt from Avinor AS, cf. section 7-5 and section 7-6.

Section 2-7. The annual charge is calculated according to the following rates:

<i>Maximum permissible Take-off weight (KG)</i>	<i>NOK</i>
0 - 500	3,278
501 - 1,000	4,843
1,001 - 1,100	6,887
1,101 - 1,200	7,968
1,201 - 1,300	9,169
1,301 - 1,400	10,253
1,401 - 1,500	11,336
1,501 - 1,600	19,151
1,601 - 1,700	20,451
1,701 - 1,800	21,751
1,801 - 1,900	23,033
1,901 - 2,000	24,223

For aircraft built by amateurs and "veteran aircraft" in the maximum permissible take-off weight of 1,101 - 5,700 kg weight class the charge for an annual card is NOK 6,877.

Section 2-8. No refunds or reimbursement will be paid for shortened periods of use or shorter seasons.

If a valid annual card with additional documentation cannot be produced, a take-off charge must be paid for each take-off.

Section 2-9. Annual cards cannot be used at Oslo Airport Gardermoen and Ørland.

Avinor AS can decide that annual cards cannot be used at those airports where, and at those times of the day when, traffic is heaviest (peak hours).

Annual cards can be bought at all state-owned airports with the exception of Oslo Airport Gardermoen and Ørland.

D. Weekly season card

Section 2-10. A weekly season card can be bought for foreign registered aircraft with a maximum permissible take-off weight that does not exceed 2,000 kg to cover take-off charges on the condition that the flights are for non-commercial purposes.

Section 2-11. A weekly season card is valid for 7 days from and including the first stated valid day and covers take-off charges at all airports covered by these regulations with the exception of Oslo Airport Gardermoen and Ørland.

Section 2-12. A weekly season card costs NOK 692 for aircraft in the 0 - 1,500 kg weight class and NOK 1,821 for aircraft in the 1,501 - 2,000 kg weight class.

A card may be issued for several successive 7 day periods.

The first stated valid day on the card can be later than the day it was purchased, but can under no circumstances be stated as a date before the day it was purchased.

Weekly season cards can be bought at all state-owned airports with the exception of Oslo Airport Gardermoen and Ørland.

Section 2-13. The provisions relating to annual cards in section 7-5 apply correspondingly to weekly season cards.

Section 2-14. Paid charges will not be reimbursed.

E. Waiver of take-off charge

Section 2-15. No charge shall be paid if the aircraft returns to the same airport it departed from due to technical faults or weather hindrances, and no intermediate landing has taken place at another airport.

F. Surcharge added to take-off charge

Section 2-16. The following surcharge shall be paid for flights that take-off from Bodø Airport in addition to the take-off charge resulting from section 2-2 to section 2-4.

- a) Jet-propelled aircraft without noise certification: NOK 3,927 per take-off.
- b) Jet-propelled aircraft certified pursuant to the Convention on International Civil Aviation, Annex 16, Chapter 2: NOK 1,963 per take-off.

The surcharge increases by 50 per cent for traffic between 20:00 - 08:00 Norwegian time.

The provision concerning a reduction pursuant to section 2-15 does not apply.

Section 2-17. For flights during the period 24:00 - 05:59 (local time) a surcharge will be collected for each take-off and each landing in addition to the take-off charge. The rate per take-off shall be set at 50 per cent of the rates used in section 2-2 to section 2-5, as well as section 2-16. The rate per landing shall be equal to the rate per take-off. Svalbard Airport Longyear is exempt from this surcharge.

The provision concerning a reduction pursuant to section 2-15 does not apply at Oslo Airport Gardermoen.

Chapter III. Passenger charge

Section 3-1. A passenger charge shall be paid for each take-off for aircraft with a maximum permissible take-off weight that exceeds 8,000 kg pursuant to the following paragraphs in chapter III. This also applies to aircraft in scheduled passenger traffic (including serial charter flights) even if the aircraft has a maximum permissible take-off weight of 8,000 kg or less.

Definition: *Scheduled traffic* is defined here as a series of flights carried out in return for remuneration by aircraft designed to carry passengers on an individual basis pursuant to a published timetable.

Section 3-2. No charge shall be paid for continental shelf flights, cf. section 2-3, from Stavanger Airport Sola, Bergen Airport Flesland, Kristiansund Airport Kvernberget and Brønnøysund Airport Brønnøy.

Section 3-3. A passenger charge shall be paid for each departing passenger and each transfer passenger, including non-paying passengers, according to the following rates:

- a) NOK 44.00 shall be paid for each departing passenger, including transfer passengers, when the next landing is at a Norwegian airport.
- b) NOK 59.00 shall be paid for each departing passenger, including transfer passengers, when the next landing is at a foreign airport.

Charges shall not be paid for:

- Trips undertaken by an airline's employees for work purposes on the airline's own aircraft.
- An aircraft that returns to the same airport it departed from due to technical weather hindrances, and no intermediate landing has taken place at another airport.
- Passengers under 2 years of age.
- Passengers in transit.

Section 3-4. Definitions

Transfer is defined here as a passenger who changes from one flight number to another underway on a continuous journey by air on aircraft liable to charges. This applies to domestic-domestic flights, foreign-foreign flights, domestic-foreign flights, etc.

Transit is defined here as a passenger who uses the same flight number when arriving at and departing from the airport. This applies to domestic-domestic flights, foreign-foreign flights, domestic-foreign flights, etc.

Section 3-5. In order for transfer/transit to be accepted as criteria in this context, the trip must be continuous and unbroken, e.g. the so-called 'next connection' must be used. Furthermore, the passenger must not leave the airport.

Section 3-6. The operator must declare the basis for the calculation of charges pursuant to this chapter prior to the aircraft's take-off. If this is not produced, the charges will be calculated based on the normal number of seats in this type of aircraft. In the event of retrospective declarations for charges, cf. section 6-2, the same rule shall apply correspondingly with respect to the right of Avinor AS/Oslo Lufthavn AS to bill on the basis of the number of seats. No reimbursements of charges issued on the basis of the number of seats pursuant to this section will be made, even if a correct passenger declaration is presented, at a later time than the departure time for collection or the date set by Avinor AS for billing for the flight.

The operator must be able to produce the above-mentioned basis upon each individual departure and afterwards for spot-checks relating to the charge. If Avinor AS or Oslo Lufthavn AS so requests, the aircraft's load sheet must also be produced. Avinor AS is also entitled to insight into the systems used for data capture that generate the base data used to calculate the charge. Please also see the other provisions in section 6-2, second paragraph.

Any disagreement between the aircraft operator and the operator's handling agent concerning inadequate reporting and the keeping of deadlines is a matter for these parties and thus irrelevant to Avinor AS. Avinor AS will in this context always consider the aircraft operator the debtor.

The aircraft operator must comply with the declaration forms and modifying rules drawn up by Avinor AS in accordance with above-mentioned rules.

In addition to DTS submissions, traffic information must also be submitted as IATA messages to Avinor's traffic information system (LETIS) in accordance with the following descriptions:

- a) Messages must be submitted about all aircraft movements carried out by the airline pursuant to the IATA Airport Handling Manual (AHM), Passenger Services Conference Resolutions Manual and IATA Standard Schedule Information Manual (SSIM).
- b) The reports shall include the correct data regarding the number of passengers and number of kilograms of cargo and mail for all arrivals and departures. The data shall be reported electronically per flight number via LETIS in the following IATA message formats:

Flight plans:	SSM - Standard Schedules Messages (SSIM chapter 4)
	ASM – Ad Hoc Schedules Message (SSIM chapter 5)
Aircraft movements:	MVT – Aircraft Movement Message (AHM 780)
	DIV – Aircraft Diversion Message (AHM 781)

Passenger/load:	LDM – Load Message (AHM 583) PTM – Passenger Transfer Message (RP 1718) PSM – Passenger Service Message (RP 1715)
Statistics:	SLS – Statistical Load Summary (AHM 588)

Avinor may introduce new message formats.

- c) The airline is responsible for ensuring that a Baggage Source Message (BSM) is generated for all checked baggage according to IATA's Recommended Practice 1745. The design of the baggage tags issued at Norwegian airports must comply with IATA's Resolution (Res) 740, Attachment H.
- d) If traffic information pursuant to this section cannot be interpreted by Avinor's traffic information system (LETIS), Avinor will send an error message to (a pre-agreed email address). Corrected data must be sent as soon as possible and within 24 hours after receipt of the error message.

Chapter IV. Security charge

Section 4-1. A charge of NOK 58 shall be paid for each departing passenger, including non-paying passengers. The tariff shall be the same regardless of whether the next landing is at a Norwegian airport or a foreign airport.

No charge shall be paid for transfer passengers.

No charge shall be paid for air ambulance flights.

Otherwise, all the definitions and exemptions that apply to the passenger charge, cf. chapter III, shall apply correspondingly.

Chapter V. Charge for handling of de-icing fluid (de-icing charge)

Section 5-1. The purpose of this chapter is to lay down provisions for a charge intended to cover the airport owner's costs relating to the handling of spent aircraft de-icing fluid.

Section 5-2. Handling is defined in this chapter as the transportation, storage, treatment, destruction or other final disposal of spent aircraft de-icing fluid after collection by the airport owner. Final disposal includes the treatment of collected de-icing fluid in a treatment plant, conversion into new aircraft de-icing fluid or virgin glycol, destruction by incineration or similar.

Section 5-3. The airport owner shall have drawn up a basis for calculating the charge at airports at which the charge shall be paid pursuant to this chapter. Owners/operators who, pursuant to section 1-2 of these regulations, have an obligation to pay charges shall be informed of the airport owner's basis for calculating the charge before the charge is demanded at the individual airport.

The charge shall be calculated on the basis of the actual operating costs and capital costs that apply at the individual airport and which are directly linked to the handling of spent aircraft de-icing fluid.

The charge shall be calculated in such a way that it covers the costs incurred for the service provided by the airport owner when handling spent aircraft de-icing fluid.

Section 5-4. The tariff pursuant to this chapter shall be set as a specific amount in NOK per kg of spent glycol, fixed on the basis of the actual operating costs and capital costs at the individual airport.

The owner of the airport shall as soon as possible, and no later than by 31 December each year, provide owners/operators who have to pay charges pursuant to this chapter with a stipulated tariff according to the budget for the current de-icing season, which runs from 1 July to 30 June the following year.

Owners/operators who have to pay charges are entitled to see the accounts on which the calculation of the charge is based. The accounts shall be transparent and not be changed from one season to another without just cause.

Section 5-5. The charge that shall be paid pursuant to this chapter shall be billed by the airport owner after each de-icing season.

The airport owner may demand payment on account during the season based upon stipulated or calculated operating costs and capital costs.

Chapter VI. Provisions concerning the payment of charges, reimbursements, etc

A. Payment, credit, etc

Section 6-1. Take-off charges, passenger charges and en route charges, as well as other charges or payments authorised by these regulations, shall as a general rule be paid upon receipt of an invoice. Avinor AS may prescribe a different arrangement for the payment of charges.

Avinor AS may require a bank guarantee (calculated according to an operator's traffic volume for a traffic period determined by Avinor AS) or some other form of security to ensure the timely payment of charges.

Section 6-2. Credit is conditional on the operator providing information about and paying for all aircraft that use the operator's call sign.

The owner or operator of an aircraft has a duty to provide Avinor AS and Oslo Lufthavn AS with the information they need to calculate charges before and after each flight, cf. section 13-4 of the Aviation Act. Information about aircraft movements for airlines with scheduled traffic shall be reported electronically in DTS format by a deadline determined by Avinor AS. DTS (Daily Traffic Survey) is a file format defined by Avinor AS for reporting daily aircraft movements and other information necessary for the correct calculation of charges.

Changes to the format must be communicated no later than 30 days before the next delivery deadline.

Changes to delivery times and frequency must be communicated no later than 60 days before they come into operation.

Avinor AS may grant a dispensation from the electronic DTS format reporting requirement to airlines with small traffic volumes.

Section 6-3. The above-mentioned rules regarding payment, credit, etc that apply to traffic at Oslo Airport Gardermoen are administered independently by Oslo Lufthavn AS.

Section 6-4. As security for the charges relating to Oslo Airport Gardermoen, Oslo Lufthavn AS may demand an additional bank guarantee from the operator on top of that which Avinor AS may have required to cover the charges incurred at state-owned airports.

B. Payment of annual charges

Section 6-5. Avinor AS shall base the tariff that shall be applied for the payment of annual charges pursuant to these regulations on the first valid day stated on the annual card.

Section 6-6. Annual charges may be paid via credit card companies with a cooperation agreement or to Avinor AS' central bank account.

When requesting the issuing/renewal of an annual card for take-off charges, the following information must be provided:

What the charge is for.

The aircraft's nationality and registration marks, as well as its maximum permissible take-off weight.

The name and address of the owner and/or operator.

C. Sanctions for non-payment or overdue payment

Section 6-7. If charges incurred by an aircraft's landing, stay or take-off from an airport are not paid at the set time or sufficient security has not been provided, the aircraft may, pursuant to the provisions of the Aviation Act, be prevented from leaving the airport until payment has been made or sufficient security provided, cf. section 13-2 of Act of 11 June 1993 no. 101 relating to Aviation.

The charges laid down pursuant to the Aviation Act provide grounds for the enforcement of attachments.

If charges are not paid at the correct time, the owner or operator of the aircraft may be denied continued use of Norwegian territory and/or Norwegian airports.

Section 6-8. If charges pursuant to these regulations are paid late, penalty interest shall be charged pursuant to the Act of 17 December 1976 no. 100 relating to Interest on Overdue Payments, Etc.

D. Access to waive accrued charges

Section 6-9. Avinor AS may upon deletion from the Norwegian Civil Aircraft Register, and upon application, wholly or partly waive/reimburse annual charges. Amounts under NOK 20,000 will not be refunded.

If provisions are laid down that curtail an aircraft's use of an airport, this does not provide a basis for the reimbursement of annual charges.

Chapter VII. Entry into force

Section 7-1. These regulations shall enter into force on 1 January 2011.

The Regulation Concerning Charges for State Aviation Facilities and Services (Scale of Charges) dated 2 December 2009 no. 1437 shall be repealed from and including the same date.
