
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Council Directive [96/67/EC](#) of 15 October 1996 on access to the groundhandling market at Community airports (O.J. No. L 272, 25.10.96, p.36). The principal provisions are as follows.

1. The managing body of an airport is required to set up a committee of airport users and to organise a consultation relating to the application of the Regulations at least once a year (regulations 6 and 7).

2. The managing body of a category A, category B or category C airport (these categories of airport are defined in regulation 2) is required to ensure that airport users at the airport have the freedom to self-handle; the managing bodies of other airports must also allow their airport users to self-handle, but only in relation to groundhandling services which are not airside services (these services are also defined in regulation 2) (regulation 8(b)).

3. The managing body of a category A or category B airport is required to ensure free access by suppliers of groundhandling services to the third party groundhandling market at the airport (regulation 8(a)).

4. The Civil Aviation Authority (“the CAA”) may limit the number of airport users who have the right to self-handle in relation to airside services at an airport to no fewer than two for each category of such services and, where it does so, it is also responsible for choosing the airport users who may exercise that right (regulation 9).

5. The CAA may limit the number of suppliers of airside services at an airport to no fewer than two for each category of such services (regulation 10).

6. With the approval of the Commission of the European Communities, the CAA may further limit the rights to supply groundhandling services and self-handle at an airport where certain constraints at the airport make it impossible to open up the market for the supply of groundhandling services or, as the case may be, to implement self-handling to the degree provided for in the Regulations (regulation 11).

7. The Regulations lay down a procedure for the selection of suppliers authorised to provide groundhandling services where the CAA has set a limit on the number of such suppliers in accordance with the Regulations (regulation 12).

8. The CAA may reserve for the managing body of an airport or another person the management of centralised infrastructures used for the supply of groundhandling services (regulation 14).

9. Where a supplier of groundhandling services or a self-handling airport user has failed to comply with a rule imposed upon him to ensure the proper functioning of an airport, the CAA may prohibit that person from supplying groundhandling services or self-handling for such period as the CAA thinks fit (regulation 15).

10. The managing bodies of airports and others are required to ensure that suppliers of groundhandling services and self-handling airport users have the necessary access to airport installations (regulation 16).

Status: This is the original version (as it was originally made).

11. Suppliers of groundhandling services and managing bodies of airports and airport users who supply groundhandling services are required to separate the accounts of their groundhandling activities from the accounts of their other activities (regulation 17).

12. The managing body of an airport may not cause or permit its groundhandling activities to be subsidised from the revenue it derives from its role as airport authority (regulation 17).

13. The CAA is required to appoint an independent examiner to check that the requirements referred to in paragraphs 11 and 12 above are complied with (regulation 18).

14. The Secretary of State has powers to suspend the obligations arising from these Regulations in respect of suppliers of groundhandling services and airport users from third countries (regulation 19).

15. There is a right of appeal to the CAA against certain decisions or individual measures taken by the managing body of an airport and others (regulation 20).

16. There is a right of appeal to the Secretary of State against certain determinations made by the CAA pursuant to the Regulations (regulation 20).