
STATUTORY INSTRUMENTS

1997 No. 2389

The Airports (Groundhandling) Regulations 1997

Interpretation

2.—(1) In these Regulations—

“airport” means any area of land especially adapted for the landing, taking-off and manoeuvres of aircraft, including the ancillary installations which these operations may involve for the requirements of aircraft traffic and services including the installations needed to assist commercial air services;

“airport system” means two or more airports grouped together to serve the same city or conurbation, as referred to in Annex II to Council Regulation (EEC) No. 2408/92 of 23 July 1992 on access for Community air carriers to intra-Community air routes⁽¹⁾;

“airports user” means any person responsible for the carriage of passengers, mail or freight by air from or to the airport in question;

“airside services” means the following categories of groundhandling services:

- (a) baggage handling;
- (b) freight and mail handling as regards the physical handling of freight and mail, whether incoming, outgoing or being transferred, between the air terminal and the aircraft;
- (c) fuel and oil handling;
- (d) ramp handling;

“category A airport” means an airport—

- (a) whose annual traffic is not less than 3 million passenger movements or 75,000 tonnes of freight; or
- (b) whose traffic has been not less than 2 million passenger movements or 50,000 tonnes of freight during the six-month period prior to 1 April or 1 October of the preceding year;

“category B airport” means an airport whose annual traffic is not less than 2 million passenger movements or 50,000 tonnes of freight;

“category C airport” means an airport whose annual traffic is not less than 1 million passenger movements or 25,000 tonnes of freight;

“the CAA” means the Civil Aviation Authority;

“the Directive” means Council Directive 96/67/EC of 15 October 1996 on access to the groundhandling market at Community airports⁽²⁾;

“groundhandling” means the services provided to airport users at airports as described in the Annex to the Directive;

“the independent examiner” means the person appointed, pursuant to regulation 18, by the CAA as an independent examiner;

(1) O.J. No. L240, 24.8.92, p.8.

(2) O.J. No. L272, 25.10.96, p.36.

“managing body of the airport” means a body which, in conjunction with other activities or not as the case may be, has as its objective under national law or regulation the administration and management of the airport infrastructures, and the co-ordination and control of the activities of the different operators present in the airport or airport system concerned;

“self-handling” means a situation in which an airport user directly provides for himself one or more categories of groundhandling services and concludes no contract of any description with a third party for the provision of such services; for the purposes of this definition, among themselves airport users shall not be deemed to be third parties where—

- (a) one holds a majority holding in the other; or
- (b) a single body has a majority holding in each; and

“supplier of groundhandling services” means any person supplying third parties with one or more categories of groundhandling services and in—

- (a) regulations 8(a), 10(8) and 27(1)(b); and
- (b) save to the extent that it applies to applications made pursuant to regulation 14(1) or 15(1), paragraph 12 of Schedule 1 to these Regulations

includes a person who sought, or who seeks, or would have wished, to be a supplier of groundhandling services.

(2) Other expressions used in these Regulations have, in so far as the context admits, the same meaning as in the Directive and cognate expressions shall be construed accordingly.

(3) These Regulations shall have effect for the purpose of making such provision as is necessary to comply with the Directive and shall be construed accordingly.

(4) Any reference in these Regulations to a numbered regulation shall be construed as a reference to the regulation bearing that number in these Regulations.