
STATUTORY INSTRUMENTS

2011 No. 2491

The Airport Charges Regulations 2011

PART 1

Preliminary

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Airport Charges Regulations 2011 and they come into force on 10th November 2011.

(2) A provision of these Regulations which amends, applies or otherwise modifies an enactment or subordinate legislation has the same extent as that enactment or subordinate legislation.

Duty to review

2.—(1) Before the end of each review period, the Secretary of State must—

- (a) carry out a review of the provisions of these Regulations other than the provisions inserted by Parts 7 and 8 of these Regulations,
- (b) set out the conclusions of the review in a report, and
- (c) publish the report.

(2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how the Airport Charges Directive (which is implemented by means of these Regulations) is implemented in other member States.

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by the regulatory system established by these Regulations,
- (b) assess the extent to which those objectives have been achieved, and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) “Review period” means—

- (a) the period of five years beginning with 10th November 2011, and
- (b) subject to paragraph (5), each successive period of five years.

(5) If a report under this regulation is published before the last day of the review period to which it relates, the following review period is to begin with the day on which that report is published.

Interpretation

3.—(1) In these Regulations—

“the 1986 Act” means the Airports Act 1986 ^{M1};

“the 1994 Order” means the Airports (Northern Ireland) Order 1994 ^{M2};

“airport” means the aggregate of the land, buildings and works comprised in an aerodrome within the meaning of the Civil Aviation Act 1982 ^{M3};

“airport charges” means, in relation to an airport, charges levied on operators of aircraft in connection with the landing, parking or taking off of aircraft at the airport (including charges that are to any extent determined by reference to the number of passengers on board the aircraft) but excluding excepted charges (see paragraph (2));

“the Airport Charges Directive” means Directive 2009/12/EC of the European Parliament and of the Council of 11th March 2009 on airport charges ^{M4};

“airport operator” means the person for the time being having the management of an airport or, in relation to a particular airport, the management of that airport;

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

“the CAA” means the Civil Aviation Authority;

F1 ...

“operator”, in relation to an aircraft, means the person for the time being having management of the aircraft;

“a passenger movement” has the same meaning as in the Airport Charges Directive;

“regulated airport” has the meaning given in regulation 4;

“regulated airport operator” means a person for the time being having the management of a regulated airport or, in relation to a particular regulated airport, the management of that airport;

“year” means a calendar year.

- (2) For the purposes of the definition of “airport charges”, excepted charges are —
 - (a) penalties payable by virtue of section 38C ^{M5} of the Civil Aviation Act 1982 (breach of noise control scheme);
 - (b) penalties payable by virtue of section 78A ^{M6} of the Civil Aviation Act 1982 (penalty schemes established by managers of aerodromes);
 - (c) charges payable for services provided for airport users as described in the Annex to Council Directive 96/67/EC of 15th October 1996 on access to the groundhandling market at Community airports ^{M7};
 - (d) charges payable by virtue of section 73 of the Transport Act 2000 ^{M8} (charges for chargeable air services);
 - (e) charges referred to in Regulation (EC) No. 1107/2006 of the European Parliament and of the Council of 5th July 2006 which are levied for the funding of assistance to disabled passengers and passengers with reduced mobility ^{M9}; and

F2(f)

F1	Words in reg. 3(1) omitted (31.12.2020) by virtue of The Airport Charges (Amendment) (EU Exit) Regulations 2018 (S.I. 2018/1081) , regs. 1(3), 4(1) ; 2020 c. 1, Sch. 5 para. 1(1)
F2	Reg. 3(2)(f) omitted (31.12.2020) by virtue of The Air Traffic Management (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/459) , regs. 1(2), 391 ; 2020 c. 1, Sch. 5 para. 1(1)
Marginal Citations	
M1	1986 c. 31.
M2	S.I. 1994/426 (N.I. 1).
M3	1982 c. 16.

Changes to legislation: There are currently no known outstanding effects for the
The Airport Charges Regulations 2011, PART 1. (See end of Document for details)

M4 OJ L 70, 14.03.09, p.11.

M5 Sections 38A to 38C were inserted by the [Civil Aviation Act 2006 \(c. 34\), s. 4.](#)

M6 Section 78A was inserted by the Civil Aviation Act 2006, s. 3.

M7 OJ L 272, 25.10.96, p. 36.

M8 [2000 c. 38.](#)

M9 OJ L 204, 26.07.06, p. 1.

Changes to legislation:

There are currently no known outstanding effects for the The Airport Charges Regulations 2011, PART 1.