

Schedule of Fees and Charges for Memmingen Airport (EDJA / FMM)

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II. Definition of Terms

1. **Airport User**

An airport user is any natural or legal person making use of the facilities of Memmingen Airport by flying to, landing at, taking off from, or parking an aircraft at the airport as defined in §1 Paragraph 1 Nos 1-6 of LuftVZO (“Luftverkehrszulassungsordnung” or “Aviation Certification and Licensing Regulations”), regardless of whether said use is for the purpose of transporting passengers, post or cargo to or from Memmingen Airport. In particular, airport users are the operator and pilots of aircraft.

2. **Airport Charge**

An airport charge is a fee, payable to Flughafen Memmingen GmbH by airport users and/or passengers, to offset the cost of facilities and services, provided exclusively by Flughafen Memmingen GmbH, associated with aircraft take-off and landing, runway and apron illumination, aircraft parking, passenger handling, and the handling of cargo and post. Specifically, the following airport charges are levied: landing, approach, security, lighting and passenger charges.

3. **Time Table Period / Season**

A timetable period consists of adjacent IATA summer and winter timetable periods.

A season is the time between an airport user’s first and last turnaround within a timetable period.

4. **Turnaround**

A turnaround consists of a landing and the subsequent take-off of an aircraft.

5. **Parking**

Parking occurs when an aircraft is parked at a parking position. Long-term parking is defined as parking without interruption for more than 7 days.

III. General Terms and Conditions

1. Airport users are required to pay a fee to the airport operator for aircraft landings and take-offs as well as for the usage of the airport infrastructure. The fee is determined in accordance with this Schedule of Fees and Charges.
2. The fee is based on the maximum take-off mass (MTOM), as listed in the aircraft license, on the number of passengers on board at take-off, and on the noise category of the aircraft.

Documentary evidence for the MTOM must be provided in the form of the Airplane Flight Manual (AFM) – Basic Manual – Section for Weight Limitations. Until these documents have been provided, the highest possible MTOM, as specified by the manufacturer, will serve as the basis for calculation.

The pilot is required to notify Flight Direction of the actual number of passengers on board the aircraft before take-off. If this information is not provided, the maximum licensed seating capacity for the aircraft model shall be used to calculate the take-off fee. Children under the age of 2 years, without the right to their own seat, shall not be included in the calculation.

Evidence that an aircraft fulfils the requirements of a noise category may take the form of:

- confirmation and noise certification in accordance with NfL II – 65/03, issued by the licensing authority, or
- presenting relevant manufacturer's specifications or comparable documentation, accompanied with certification by a licensing authority, proving the fulfilment of the requirements in the specific case.

The deciding factor in fee calculation is the provision to Flight Direction of complete documentary evidence, verifiable by the airport operator, of the fulfilment of the criteria listed above. This evidence must be provided by the aircraft operator or pilot to Flight Direction before take-off. Flight Direction is required to document this evidence. If the required evidence is not provided, fees shall be calculated according to noise category 1. The final noise category classification is made by Flight Direction on the basis of the documentary evidence provided. Retroactive reimbursements will not be issued.

3. All landing charges are to be paid in euros at the GAT or to Flight Direction before the take-off immediately subsequent to the landing in question. In special cases, landing charges may be paid at a later date, subject to prior agreement with the airport operator. The airport operator reserves the right to levy a processing charge for issuing an invoice for later payment.
4. All fees and charges count as charges ("Entgelte") with respect to §10 Paragraph 1 of the Value Added Tax Act ("Umsatzsteuergesetz" or "UStG"). The legal person liable for the charge is therefore liable for value added tax, unless exempted by the provisions in §4 Paragraph 2 and §8 Paragraph 2 of UStG
5. The MTOM-based portion of the landing charge and the lighting charge are also payable in the case of a touch-and-go landing or a low approach. Touch-and-go landings and low approaches which are necessary for technical, aviation or meteorological reasons (missed approaches) are not subject to charges

6. Training and rating flights with both propeller and jet aircraft in noise categories 3 and 4, between the times of SR-30 min. and SS+30 min., are subject to reduced charges, provided take-off and landing do not take place outside the airport's published operating hours. The reduced landing charge is 80% of the normal charge for MTOM up to 2,000 kg, and 60% of the normal charge for MTOM above 2,000 kg. The reduction does not apply on Sundays or statutory public holidays.

For the purposes of this Schedule of Fees and Charges, a training flight is a flight conducted by a trainee pilot, as part of his or her training with an authorized training company or association, necessary for the purposes of acquiring a pilot's license or additional rating as defined by LuftPersV ("Verordnung über Luftfahrtpersonal" or "Flight Crew Regulations") and/or JAR-FCL. This also includes training flights for CVFR and IFR ratings.

For the purposes of this Schedule of Fees and Charges, a rating flight is a flight which a pilot is required to make in order to obtain a type rating in accordance with Appendix 1 of JAR-FCL 1.220.

The reduction does not apply to a flight for familiarization or differentiation as specified in Appendix 1 of JAR-FCL 1.215.

7. An emergency landing resulting from technical problems or failures encountered on an aircraft, or from a threatened or real act of violence, shall not be subject to charges, provided the airport was not the scheduled destination of the flight in question. A diverted landing shall not be considered to be an emergency landing.
8. The standard fee model shall apply to all airport users. Alternatively, the combined fee model may also be used, subject to individual approval. Application to use the Combined Fee Model may be lodged by any airport user operating scheduled and/or charter flights consisting of at least 3 turnarounds per week for at least one timetable period and, throughout the season, using aircraft which have a minimum average capacity of 30 passenger seats and fulfil the requirements of Noise Category 4 (see Appendix). The application must be lodged with the airport operator four weeks before the beginning of the season. The application shall be processed on the basis of a timetable proposed by the airport user, accompanied by a passenger prognosis which clearly demonstrates that the required number of turnarounds is economically feasible.
9. The use of the Combined Airport Fee Model (B) is subject to a planned average load factor of 75% during the season and the fulfilment of the commitment to a certain number of turnarounds per week, made at the beginning of the season. Should these requirements not be fulfilled, the airport operator shall bill retrospectively in accordance with IV/2.2 and IV/2.3.
10. Airport users are required to pay a parking charge in accordance with IV/4 to the airport operator for the parking of aircraft. The parking charge is calculated on the basis of MTOM.
11. Security and PRM charges are to be paid to the airport operator in accordance with IV/3 and IV/1.

IV. Charges subject to regulatory approval in accordance with § 43a LuftVZO

1. Fee Model A – Standard Fee Model

1.1 Service charge for aerodrome control service

For the usage of services and facilities of the aerodrome control service, per approach (counting unit is a landing, a touch-and-go landing or a low approach), the following fee is to be paid:

MTOM	Approach charge
up to 2000 kg	2.52 €
over 2,000 kg (per 1,000 kg or part thereof)	2.50 €

The maximum approach charge per approach is 150 €.

1.2 Landing charge for propeller and jet aircraft

Landing charge for propeller and jet aircraft, per landing (counting unit is a landing, a touch-and-go landing or a low approach):

Aircraft MTOM	Noise category 1	Noise category 2	Noise category 3	Noise category 4
up to 1200 kg	20.17 €	15.55 €	10.08 €	6.72 €
over 1200 kg, up to 1600 kg	30.25 €	21.01 €	16.38 €	10.92 €
over 1600 kg, up to 2000 kg	45.38 €	31.52 €	24.37 €	14.70 €
over 2,000 (per 1,000 kg or part thereof)	28.60 €	20.59 €	12.26 €	8.17 €

Noise category classification is specified in the Appendix to this Schedule of Fees and Charges.

1.3 Landing charge for gyrocopters, gliders and ultra-light aircrafts

MTOM	Gyrocopter	Glider	Ultra-light aircraft
up to 1200 kg	10.92 €	2.10 €	6.72 €
over 1200 kg, up to 2000 kg	18.07 €		
over 2,000 kg (per 1,000 kg or part thereof)	10.92 €		

1.4 Take-off charge, based on number of passengers on board at take-off

For aircraft with an MTOM of more than 5,700 kg, the take-off charge for the use of air- port facilities is based on the number of passengers on board at take-off:

4.40 € per passenger.

1.5 Lightning charge

For aircraft up to MTOM 5,700 kg, an additional fee is levied for runway and apron lighting for every aircraft movement occurring before SR–30 min. or after SS+30 min.

The fee is

8.40 € per aircraft movement.

2. Fee Model B – Combined Fee Model

2.1 Combined airport charge (on request, subject to approval)

The combined airport charge is calculated as an alternative to points IV/1.1, IV/1.2 and IV/1.4 of the Standard Fee Model (A).

The combined airport charge for an average load factor of 75% in a season with an average of at least three turnarounds per week in a timetable period is 7.86 € per passenger.

The combined airport charge is calculated based on the number of passengers on board the aircraft at take-off.

Should the average load factor deviate from the required 75% during a season, retrospective billing according to IV/2.2 shall take place.

The minimum airport charge is 265.00 €.

Should the number of turnarounds per week exceed 9, the airport user shall receive 3% discount on the combined airport charge for the season. Should the number of turnarounds per week exceed 29, the airport user shall receive 14% discount. For more than 44 turnarounds per week, the airport user shall receive 29% discount on the combined airport charge, for more than 50 turnarounds 36% discount, for more than 65 turnarounds 42% discount and for more than 80 turnarounds 48% discount. In order to take advantage of these discounts, the turnarounds must be notified to the airport operator four weeks before the beginning of the season.

Should the commitment to a number of turnarounds in order to achieve a discount level not be fulfilled in a timetable period, retrospective billing according to IV/2.2 shall take place.

2.2 Load factor deviation

At the end of a season, should an airport user have failed to achieve an average load factor of at least 75% of the maximum passenger capacity of all deployed aircraft, the agreed combined charge according to IV/2.1 shall be increased by 0.05 € per passenger (0.08 € per passenger from 01.11.2014) for every full percentage point by which the actual load factor was less than 75%. The increased charge shall be paid in accordance with IV/2.4. Should the average load factor for a season be less than 60% of the maximum passenger capacity of all aircraft deployed, however, the Standard Fee Model (A) shall apply for the calculation of airport charges.

At the end of a season, should an airport user have exceeded an average load factor of at least 75% of the maximum passenger capacity of all deployed aircraft, the agreed combined charge according to IV/2.1 shall be decreased by 0.05 € per passenger (0.08 € per passenger from 01.11.2014) for every full percentage point by which the actual load factor exceeded 75%. The airport user shall be reimbursed for the difference between the actual charge and the payments already made in accordance with IV/2.4. Should the average load factor for a season be higher than 90% of the maximum passenger capacity of all aircraft deployed, the airport charge shall be calculated on the basis of an average load factor of 90%.

2.3 Deviation in number of turnarounds

At the end of a season, should an airport user have failed to achieve the agreed number of turnarounds per week, whereby turnarounds/flights which did not take place due to reasons for which the airport user was not responsible, i.e. force majeure, are not taken into account, the fees based on IV/2.1, adjusted according to the actual level of turnarounds achieved, shall be paid retrospectively, reduced by the amount already paid in airport charges. Should the number of turnarounds actually achieved be less than 3 per week, the fees of the Standard Fee Model (A) are to be paid, reduced by the amount already paid.

2.4 Deadlines for supplementary payment

The airport user must provide the airport operator with the information necessary to calculate any supplementary payments according to IV/2.2 and IV/2.3 within 14 days of the end of the defined timetable period. The final balance shall be calculated by the airport operator within 30 days of receiving and verifying this information. The airport user must make any supplementary payment necessary within 30 days of receiving the final balance statement. In the event of the load factor being exceeded in line with IV/2.2, the airport user must issue a verifiable balance statement to the airport operator within 72 days of the end of the defined timetable period. Any reimbursement to be paid by the airport operator according to IV/2.2 shall be paid within 30 days of receiving the balance statement, but no less than 42 days after the end of the defined timetable period.

3. Security charge

In order to cover the costs for security measures, a security charge is levied on all flights of aircraft exceeding MTOM 5,700 kg. The charge is based on the number of passengers on board the aircraft at take-off.

The security charge is: **0.70 € per passenger.**

4. Landing and/or take-off outside authorised operating hours

Landings and take-offs outside the authorised operating hours of the airport, from 06:00 to 22:00 local time, are subject to the following surcharges:

Monday – Saturday: 45.00 € per 15 minutes or part thereof

Sundays and public holidays: 110.00 € per 15 minutes or part thereof

Note: Take-off and/or landing outside of authorised operating hours is also subject to further charges levied by the south Bavarian aviation authorities (Luftamt Südbayern).

5. Positioning charges

A positioning charge is to be paid for parking an aircraft at Memmingen Airport. The positioning charge is calculated as follows:

MTOM	Fee per 24 hours or part thereof
up to 1200 kg	2.94 €
over 1200 kg, up to 2000 kg	4.62 €
over 2,000 kg (per 1,000 kg or part thereof)	2.80 €

The minimum positioning charge is 5.46 €.

Parking begins as soon as the aircraft reaches the parking position (on-block) and ends when the aircraft leaves the parking position (off-block).

For parking of no more than four hours between on-block time and the end of parking with subsequent take-off, no positioning charge will be levied. A change of position does not affect the total parking period.

Airport users fulfilling the requirements for the Combined Fee Model (B) may request the following discounts on the positioning charge:

- airport users parking at least one aircraft (MTOM above 5,700 kg) at the airport four nights per week receive a discount of 20% on the standard rate;
- airport users parking at least one aircraft (MTOM above 5,700 kg) at the airport seven nights per week receive a discount of 30% on the standard rate.

The airport user must apply to the airport operator for discounted rates on positioning charges a minimum of 4 weeks before the beginning of the season.

Note: Long-term parking of an aircraft in a hangar or outside is subject to separate charges, not included in this Schedule of Fees & Charges.

6. Special rules for airships

A landing charge and an anchor mast charge are levied for the use of the airport by airships. The anchor mast charge is levied for the period of time from the erection of the anchor mast until it is dismantled.

The landing charge for airships is 18.15 €. The anchor mast charge for airships is 72.61€ per 24-hour period or part thereof.

V. Charges not subject to regulatory approval

1. PRM-Charge

In accordance with EU Regulation 1107/2006, a fee is levied on all passengers travelling on aircraft with an MTOM exceeding 5,700 kg, to offset the costs of providing assistance to passengers with reduced mobility (PRM). The fee is calculated on the basis of the number of passengers on board the aircraft at take-off.

The PRM charge is:

0.29 € per passenger.

Appendix: Noise Categories

Noise category 4 (“increased noise protection”)

Propeller-driven aircraft up to MTOM 9,000 kg and powered gliders built in or after the year 2000 fulfil the increased noise protection requirements, provided they fall short of the noise thresholds specified in Appendix 2 of LLV

- Chapter VI by at least 6 dB(A) or
- Chapter X by at least 7 dB(A)

Propeller-driven aircraft above 9,000 kg MTOM and jet aircraft included in the current edition of the combined arrivals and departures list (“An- oder Abflugliste (Kombination)”) published by the Federal Ministry of Transport, Building and Urban Affairs (“Bundesministerium für Verkehr, Bau- und Stadtentwicklung”), along with aircraft meeting the conditions specified in ICAO Annex 16, Chapter 4.

Noise category 3 (“special noise protection – new”)

According to §4 Paragraph 2 of LLV (“Landeplatz-Lärmschutz-Verordnung” or “Airfield Noise Protection Regulations”), propeller-driven aircraft up to MTOM 9,000 kg and gliders built before 1 January, 2000 fulfill the increased noise protection requirements provided they fall short of the noise thresholds specified in

- Chapter VI by at least 4 dB(A) or
- Chapter X by at least 5 dB(A)

Noise category 2 (“special noise protection – old”)

The maximum level of noise emitted by a propeller-driven aircraft up to 9,000 kg MTOM must satisfy, at a minimum, the noise threshold specified in Appendix 2 of LLV (“Landeplatz-Lärmschutz-Verordnung” or “Airfield Noise Protection Regulations”).

Propeller aircraft above 9,000 kg MTOM and jet aircraft fulfilling the requirements of ICAO Annex 16, chapter 3.

Noise category 1

The maximum level of noise emitted by a fixed-wing propeller-driven aircraft up to 9,000 kg MTOM exceeds the noise threshold specified in Appendix 2 of LLV (“Landeplatz-Lärmschutz-Verordnung” or “Airfield Noise Protection Regulations”).

Propeller aircraft above 9,000 kg MTOM and jet aircraft not fulfilling the requirements of ICAO Annex 16, chapter 3.