

# **Tariffs for aeronautical regulated activities at Brussels National airport – QQ4 (01/04/2023 – 31/03/2028)**



## **N.V. Brussels Airport Company**



Terms of use of the installations of Brussels Airport, setting the regulated charges for aeronautical activities

**As from April 1<sup>st</sup> 2023 to March 31<sup>st</sup> 2028 (QQ4)**

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*Having regard to the Royal Decree of 27<sup>th</sup> of May 2004 on the transformation of BIAC into a limited company under private law, and on the airport installations, articles 30.7, 31.1, 34, 35 and 56 in particular;*

*Having regard to the Royal Decree of 21<sup>th</sup> of June 2004 granting the operating license of Brussels Airport to the limited company BIAC, articles 7.7, 42, 43, 44, 45, 47, 48.1, 51, 52, 53, 55 and 56 in particular,*

*Having regard to the consultation with the representative airline organizations and the airlines (hereafter the "Users") between January 2022 and May 2022;*

## Regulated aeronautical charges from April 1, 2023 to March 31, 2028

The articles 1, 3, 4 and 5 present the reference unit fees for the regulated aeronautical activities as consulted for the period April 1 2023 – March 31 2028. These unit fees are defined and are still subject to the yearly application of the formula for tariff control as defined in article 9. The formula for tariff control is to be applied as of April 1 2023, along with the progressive rebalancing from passenger charges to pax LTO charges as described below.

### Art. 1

§ 1. For every take-off and landing (LTO: Landing and Take Off) Brussels Airport Company levies a charge based on the formula  $U \times W \times E \times D + U_n * N$  in which:

- U is the unit rate
- W is the weight of the aircraft, expressed in tons
- E is the environmental factor
- D is the day/night factor
- $U_n$  is the Unit rate for NOx contribution per movement
- N is the NOx emission per standard LTO cycle of the aircraft

**The unit rate (U)** is split between passenger aircrafts and full-freighter aircrafts. Given the introduction of NOx related charges element and the evolution of the E and D parameters as presented below, the reference unit fee for the start of the QQ4 period for passenger aircrafts is **2.58 Euro** and for full-freighter aircraft is **1.86 Euro**.

The above-mentioned unit rates are subject to the formula for tariff control (art. 9), as from April 1<sup>st</sup>, 2023.

The passenger aircraft LTO unit rate increases yearly with a fixed amount of **0.52 Euro** over the QQ4 period, after the application of the formula for tariff control, as of the 1<sup>st</sup> of April 2023.

**The weight factor (W)** is equal to the Maximum Take-off Weight ("MTOW"), expressed in tons (Art. 8). This weight factor is limited to a minimum of **40** tons and to a maximum of 175 tons.

**The environmental factor (E)** is determined for the following years according to the table below:

Noise efficiency ↓ Low High	E-factor	
	category name	Value
	R1	10
	R2	6
	R3	2
	R4	1.2
	R5	1
	R6	0.8
	R7	0.6
	R8	0.5

The aircraft are classified into eight noise categories. The methods to determine these categories are explained in annex 1 to these terms and conditions of use. Each aircraft, for which the operator has provided Brussels Airport Company with the documents necessary for the classification, will be assigned to a noise category. The initial classification into a noise category or a change of noise category of an aircraft is effective on the first day of the month following receipt of the required documents. Any aircraft for which Brussels Airport Company has not received the documents required for the classification will automatically be assigned to category R1 with the exception of propeller aircraft of maximum 9 tons, which will be assigned to category R2.

This means that the use of environmentally friendlier aircraft is incentivised through the use of less noisy aircraft.

**The day/night factor (D)** is determined according to the table below, and depends on the actual landing or take-off time and on the quota count (QC) of an aircraft:

<b>Local time</b>	<b>QC</b>	<b>Movement</b>	<b>[D]</b>
06:00-06:59	QC ≤ 12	Dep & Arr	1
	QC > 12	Dep & Arr	20
07:00-20:59	any QC	Dep & Arr	1
21:00-22:59	QC ≤ 12	Dep & Arr	1
	24* <sup>1</sup> ≥ QC > 12	Dep	3
	QC > 12	Arr	20
	QC > 24* <sup>1</sup>	Dep	20
23:00-05:59	QC ≤ 8	Arr	3
	QC ≤ 8* <sup>2</sup>	Dep	4
	QC > 8* <sup>2</sup>	Dep & Arr	20

The method applied to calculate the QC is explained in annex 2 to this document.

The time of landing to be taken into account is the actual time at which the aircraft touches down. The take-off time is the actual time at which the aircraft lifts off.

**The unit rate for NO<sub>x</sub> contribution (U<sub>n</sub>).** The reference unit rate per movement (landing or take-off) for the start of the QQ4 period is **3.67 Euro**.

The above-mentioned unit rate is subject to the formula for tariff control (art. 9), as from April 1<sup>st</sup>, 2023.

### **The NO<sub>x</sub> emission value per LTO cycle (N)**

The NO<sub>x</sub> emission value for each aircraft ( $N = NO_{x,aircraft}$ ) is based on the total mass of oxides of nitrogen emitted per engine ( $NO_{x,engine}$ ) during the LTO-cycle pursuant to ICAO Annex 16 volume II, the Hydrocarbon characteristic Dp/Foo value per engine and the number of engines as follows:

<sup>1</sup> Limit value of 26 instead of 24 is applicable in case of exceptions granted by article 4§3 of the Federal MB dd 27/09/2009 tot wijziging van het ministerieel besluit van 3 mei 2004 betreffende het beheer van de lawaaihinder op de luchthaven Brussel-Nationaal.

<sup>2</sup> Limit value of 12 instead of 8 is applicable in case of exceptions granted by article 4§4 (DEP) of article 5§3 (ARR) of the Federal MB dd 27/09/2009 tot wijziging van het ministerieel besluit van 3 mei 2004 betreffende het beheer van de lawaaihinder op de luchthaven Brussel-Nationaal.

- 1)  $NO_{x,aircraft} [kg] = \text{Number of engines} \times NO_{x,engine} [kg]$
- 2) If  $HC_{engine} > 19,6 \text{ g/KN}$  the  $NO_{x,aircraft} [kg]$  is multiplied with a factor  $a = HC_{engine} / 19.6 \text{ g/KN}$ , with a maximum of 4.

The specific emission value of each aircraft is taken into account up to the third decimal place.

The initial  $NO_{x,aircraft}$  and  $HC_{engine}$  value or any change of this value for all aircrafts operating at BRU are to be communicated proactively by the airlines to Brussels Airport Company, in line with the procedure described in Appendix 3 of this document.

Any aircraft for which Brussels Airport Company has not received the documents required for the calculation of the  $NO_{x,aircraft}$  value, this value will be calculated as follows<sup>3</sup>:

$$NO_{x,aircraft} [kg] = MTOW [ton] * 0.3 \text{ kg NOx/ton}$$

§ 2. Contrary to the previous paragraph, the applicable unit rate for the period 1/4/2022 – 31/3/2023 for each landing and take-off of a helicopter is **17.99 Euro**.

This is the reference unit fee for the QQ4 period and the unit fee is subject to formula for tariff control (art. 9), as from April 1<sup>st</sup>, 2023.

This paragraph only applies on the condition that the helicopter does not use the approach or departure route of a runway, lands or takes off between 6.00 a.m. and 10.59 p.m. (local time) and follows the "best practice" proposed by the airport authorities with regard to noise.

## Art. 2.

For aircraft carrying out flights imposed by the Minister for the purpose of training crew and for aircraft carrying out test flights prior to the issue, renewal or restitution of the certificate of airworthiness, the charges referred to in article 1 are reduced by 80%. This reduction is not granted from Monday to Friday between 8.00 and 11.00 a.m. and between 5.00 and 8.00 p.m. (local time).

## Art. 3.

§ 1. The fee for parking a passenger aircraft is set at **0.80 Euro** per MTOW expressed in tons (see Art.8) and per hour for the period 1/4/2022 – 31/3/2023. This is the reference unit fee for the QQ4 period and the unit fee is subject to formula for tariff control (art. 9), as from April 1<sup>st</sup>, 2023. This fee is only levied from the third hour onwards for aircraft with a weight of less than 100 tons and from the fifth hour onwards for aircraft with a weight of 100 tons or more. However, this fee is not due for the period between 11.00 p.m. and 6.00 a.m. (local time).

§ 2. The fee for parking a full-freighter aircraft is set at **0.23 Euro** per MTOW expressed in tons (see Art. 8) and per hour for the period 1/4/2022 – 31/3/2023. This is the reference unit fee for the QQ4 period and the unit fee is subject to formula for tariff control (art. 9), as from April 1<sup>st</sup>, 2023. This fee is only levied if the full-freighter is parked for more than 8 hours without interruption, in which case the fee is due for the whole duration. However, this fee is not due for the period between 11.00 p.m. and 6.00 a.m. (local time).

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<sup>3</sup> For MTOW see also art. 8

**Art. 4.**

§ 1. The **passenger charges** are split up between originating, transfer and transit departing passengers.

the passenger charges is **22.99 Euro** per departing originating passenger even if they take a return flight the same day. This charge is reduced to **12.12 Euro** per departing transfer passenger. There is **0 Euro** charge per transit departing passenger.

Above mentioned charges are the reference unit fee for the QQ4 period and the charges are subject to formula for tariff control (art. 9), as from April 1<sup>st</sup>, 2023.

The passenger charges for originating passengers will decrease yearly with a fixed amount of **€0.90** over the QQ4 period as of the 1<sup>st</sup> of April 2023, after the application of the formula for tariff control. The passenger charges for transfer passengers will decrease yearly with a fixed amount of **€0.45** over the QQ4 period as of the 1<sup>st</sup> of April 2023, after the application of the formula for tariff control.

- An originating departing passenger is a passenger who has Brussels Airport as starting point of its journey
- A transfer passenger is a passenger whose routing is mentioned on one air ticket and whose onward journey continues on a connecting flight within 24 hours on the same calendar day of landing at Brussels Airport, but not to the country of origin.
- A transit passenger is a passenger transferring to another airport by means of the same aircraft, this on the condition the passenger does not leave the aircraft, or by means of a flight having the same flight number as the arrival flight (but no code share flight number).

The passenger charges mentioned include the bussing charge for originating and transfer passengers. No individual bussing charge is to be invoiced as of the start of QQ4.

§ 2. The charges mentioned in § 1 are not due for:

- 1° children under two years of age;
- 2° crew members responsible for the aircraft;
- 3° passengers on domestic flights;
- 4° passengers on aircraft referred to in article 7;
- 5° transit passengers staying on board of the aircraft.

§ 3. The charges due by the passengers are levied through the agency of the aircraft operator and the amounts are mentioned separately on the air ticket.

On the first request by Brussels Airport Company the intermediary is bound to remit the passenger charges, within the term set by Brussels Airport Company (under article 10), on a bank account that it – acting as a proxy on behalf and for account of Brussels Airport Company – will previously have opened at a bank approved by Brussels Airport Company and on which Brussels Airport Company has a shared signatory power and an exclusive power in case of overdue payment, suspension of payment, request for composition, bankruptcy and in any other case that might put an end to the proxy.

The assets on this account and, more generally, any charges collected by the aircraft operator on behalf of Brussels Airport Company are the exclusive property of Brussels Airport Company and will be transferred to Brussels Airport Company within the terms it has fixed with each individual operator.

**Art. 5.**

§ 1. The **security charges** apply to all kind of passengers (originating, transfer and transit departing passengers).

The security charges due are **7.50 Euro** per departing passenger. This charge is applicable for the period 1/4/2022 – 31/3/2023. This is the reference unit fee for the QQ4 period and is subject to formula for tariff control (art. 9), as from April 1<sup>st</sup>, 2023.

§ 2. The charges mentioned in § 1 are not due for:

- 1° children under two years of age;
- 2° crew members responsible for the aircraft;
- 3° passengers on domestic flights;
- 4° passengers on aircraft referred to in article 10;
- 5° transit passengers staying on board of the aircraft.

**Art. 6.**

Brussels Airport Company offers a series of incentives to encourage Users to develop their services at Brussels Airport.

The incentive scheme for the period 1/1/2023 – 31/12/2027 is composed out of the elements presented below. It is not possible to cumulate between the different passenger related incentives.

6.1. The new destination scheme for passenger operations:

<u>Jan 2023-Dec 2027</u>	<u>Incentives on PSC (1,2)<sup>4</sup></u>		
<u>New destinations</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
<u>Long haul</u>	<u>€20</u>	<u>€15</u>	<u>€15</u>
<u>Short haul</u>	<u>€10</u>	<u>€10</u>	<u>€10</u>

6.2. The passenger growth scheme (in comparison with 75% of 2019 traffic):

<u>Jan 2023-Dec 2027</u>	<u>Incentives on PSC (1,2)<sup>5</sup></u>		
<u>Airline pax growth vs 75%</u>	<u>Year 1</u>		
Long haul	€15		
Short haul	€10		

6.3. The passenger Value Growth incentive:

<sup>4</sup> 1. PSC = Passenger Service Charge 2. For transfer passengers the incentive is reduced with 50%

<sup>5</sup> idem



<b><u>Jan 2023-Dec 2027</u></b>	<b><u>Incentives on PSC (1,2)<sup>6</sup></u></b>
<b><u>Value Growth Incentive</u></b>	<b><u>Up to 4 or more based aircraft</u></b>
<b><u>Short &amp; long haul</u></b>	<b><u>Up to 4 years €15</u></b>

#### 6.4. The incremental frequency scheme for cargo:

<b><u>Jan 2023-Dec 2027</u></b>	<b><u>Incentives on LTO and Parking</u></b>		
	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b><u>Additional cargo freq.</u></b>	75%	50%	25%

These incentive amounts are not subject to the formula for tariff control.

Specific terms and conditions applying to the incentive scheme are available in Appendix 4 of this document.

#### **Art. 7.**

**Exempted** of the charges referred to in articles 1, 3, 4 and 5 is the use of the airport infrastructure by:

- 1° aircraft used for the exclusive transportation of Heads of State and their retinue;
- 2° aircraft used for the exclusive transportation of Government leaders in office and their retinue;
- 3° aircraft carrying out calibration or measurement flights for the purpose of air traffic control;
- 4° aircraft carrying out non-commercial flights of an exceptional humanitarian nature acknowledged by Brussels Airport Company;
- 5° aircraft making a forced return;
- 6° aircraft on military flights.

#### **Art. 8.**

§ 1. The weight of the aircraft (W) that is used as the basis for calculating the charges referred to in articles 1 and 3, is the maximum authorized take-off weight ("MTOW") stipulated in the certificate of airworthiness, the flight manual or any other record annexed to the certificate of airworthiness.

§ 2. For the calculation of the charges referred to in articles 1 and 3, each fraction of a ton is counted as a whole ton, each fraction of a day as a whole day and each fraction of an hour as a whole hour.

§ 3. In the charges referred to in these terms and conditions of use the value-added tax, if any, is not included.

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<sup>6</sup> idem

**Art. 9.**

§ 1. The charges referred to in articles 1, 3, 4, and 5 are subject to the formula for tariff control, which is to be applied each year as from April 1<sup>st</sup>.

This formula for tariff control consist of:

- For the first year of QQ4 (2023): A one-time rebase of **+6.8%** + Consumer Price Index (CPI)
- For the following years of QQ4: An X-factor of **+0.2%** + Consumer Price Index (CPI)

The "consumer price index" factor is calculated based on the CPI of the month of September of the year prior to the charges update of April 1<sup>st</sup>, as published in the Belgian Official Gazette. The first reference value is the CPI from September 2022.

The adjusted amounts will be communicated to the Users before the end of each calendar year and will be applied as from the 1<sup>st</sup> of April of the following year.

An overview of the consulted regulated aeronautical charges for the QQ4 period is presented below in real terms (prior to the application of the yearly CPI).

€		RY 2023	RY 2024	RY 2025	RY 2026	RY 2027
<b>Pax charges</b> <i>(incl. bussing)</i>	od	23.66	22.81	21.96	21.10	20.25
	transfer	12.50	12.07	11.65	11.23	10.80
	transit					
<b>Parking charges</b>	pax	0.86	0.86	0.86	0.86	0.86
	cargo	0.24	0.24	0.24	0.24	0.24
<b>Security charges</b>	od	8.01	8.03	8.05	8.07	8.09
	transfer	8.01	8.03	8.05	8.07	8.09
	transit	8.01	8.03	8.05	8.07	8.09
<b>LTO charges</b>	pax	3.28	3.80	4.33	4.85	5.38
	cargo	1.99	1.99	2.00	2.00	2.01
	Emission (N)	3.92	3.93	3.94	3.95	3.96

**Art. 10.**

§ 1. Brussels Airport Company requires that the charges referred to in art. 1, 3, 4 and 5 are paid upon receipt of the invoice and according to the conditions thereof. The deposit of a guarantee may be demanded. Brussels Airport Company determines in which cases a guarantee is to be deposited and what the amount of the guarantee should be.

§ 2. In absence of compliance with the elements contained in §1, the charges referred to in art. 1, 3, 4 and 5 have to be paid on departure and/or arrival to Brussels Airport Company, in euro or by any other electronic means of payment.

§ 3. In case of long-term parking of an aircraft, Brussels Airport Company has the right to set up intermediate invoices. A final count will be made after the departure or after decommissioning of the aircraft.

**Art. 11.**

§ 1. For the collection of the charges referred to in article 10 every User or his representative has to return the traffic form put at its disposal by Brussels Airport Company.

§ 2. The traffic form has to be returned at the latest on the day following the aircraft movement before 10.00 a.m. (local time).

If the traffic form is not returned within the set time, is incorrect or incomplete, the charges referred to in article 10, will be calculated on the basis of the maximum weight and capacity of the aircraft type, according to the documents Brussels Airport Company has at its disposal. The data provided on the traffic form are binding upon the aircraft operator and Brussels Airport Company reserves the right to verify them.

§ 3. The traffic form referred to in § 1 and 2 has to be returned electronically according to the procedure determined by Brussels Airport Company.

Provision and transfer of all necessary inbound and outbound messages for the preparation of the flight reports and statistics for Brussels Airport Company must be secured by the Users.

Typical messages of that kind are Load Data Messages (LDM), Passenger Transfer Messages (PTM), Movement (MVT), Inbound Connection List (ICL), Container Pallet Messages (CPM), Statistical Load Summary (SLS) and others.

These messages must include the point of departure, the point of destination and the respective flight numbers. Passenger names included in these messages should not be passed to Brussels Airport Company.

Brussels Airport Company uses the system FLIRT for electronic data entry and transmission to produce both the Flight Report and for the official statistics to fulfil the EU Law. This application is made available to the handling companies operating at Brussels Airport free of any extra charge.

§ 4. Brussels Airport Company has the right to communicate the data supplied on the traffic form to Skeyes for the purpose of the collection of the charges referred to in article 172 of the law of 21 March 1991 on the reform of certain economic state enterprises.

**Art. 12.**

This document is not a publication directed towards the general public. This document is intended for Users. The Dutch version of this document is the sole official version of the terms and conditions for Tariffs for regulated aeronautical activities at Brussels National Airport. The English and French versions are added for information purposes only. If certain formulations in this document can be interpreted differently depending on the language of the document, then the wording in the Dutch version of this document prevails the English and French versions.

Zaventem, 13 May 2022

## Annex 1

### Aircraft noise categories for Brussels Airport

#### 1. Basic principle

The aircraft categorization into eight categories of noise performance, ranging from R1 to R8, applies to aircraft certificated under ICAO Annex 16 Chapters 2, 3, 4 and 5 (or a more recent chapter), and uses the corresponding noise certification data.

The categorization combines cumulative reductions with reductions at the three measurement points:

- The individual margins relative to ICAO Annex 16 Chapter 3 can be calculated as the differences between the ICAO Annex 16 Chapter 3 limits and certificated data for the three the individual measurement points.
- The cumulative margin relative to ICAO Annex 16 Chapter 3 is the sum of the three single margins.

The ICAO Annex 16 Chapter 3 limits for the three measurement points "Flyover" (TKO) "Sideline" (LAT) and "Approach" (APP) noise can be calculated from the formulas contained in ICAO Annex 16 Volume I, and are described below.

A theoretical reference is calculated according to the maximum authorised take-off weight expressed in tons (MTOWTON) and the number of engines per parameter:

#### LAT parameter

Weight	0 - 35 tons	35 - 400 tons	400 tons and more
	LAT = 94	LAT = 80.87 + 8.51 log MTOWTON	LAT = 103

#### APP parameter

Weight	0 - 35 tons	35 - 280 tons	280 tons and more
	APP = 98	APP = 86.03 + 7.75 log MTOWTON	APP = 105

#### TKO parameter 1 or 2 engines

Weight	0 - 48.1 tons	48.1 - 385 tons	385 tons and more
	TKO = 89	TKO = 66.65 + 13.29 log MTOWTON	TKO = 101

#### TKO parameter 3 engines

Weight	0 - 28.6 tons	28.6 - 385 tons	385 tons and more
	TKO = 89	TKO = 69.65 + 13.29 log MTOWTON	TKO = 104

#### TKO parameter 4 engines and more

Weight	0 - 20.2 tons	20.2 - 385 tons	385 tons and more
	TKO = 89	TKO = 71.65 + 13.29 log MTOWTON	TKO = 106

The following formula ( $PRED = LAT + APP + TKO$ ) gives the reference value in EPNdB (Effective Perceived Noise Level) for a given aircraft.

The determination of the noise category of an aircraft is based on the data of its noise certificate established according to ICAO provisions.

In order to determine the noise category of an aircraft, cumulative reductions (the sum TOTNOISE of the noise levels expressed in EPNdB for the lateral noise, the takeoff and landing noise, mentioned on the noise certificate of the aircraft, is compared with the PRED-value which corresponds to the characteristics of this aircraft), as well as individual reductions at the three measurement points, are calculated.

To obtain the top A classification in the ACI system a cumulative margin of at least 20 EPNdB was required. However since the introduction of this system some new aircraft types were certified, with cumulative noise margins better than 25 EPNdB (B788, A380, CRJ2,...).

To distinguish further between the different aircraft in this class A, ACI added in 2010 two new classes to their classification system: one with a cumulative margin of at least 25 EPNdB (R7) and one with a cumulative margin of at least 30 EPNdB (R8).

The definition of the old categories F until A were retained but their names were changed in categories R1 until R6 to make future additional classes possible without a necessary name change of the existing classes.

## 2. Determination of noise categories

An aircraft needs to meet 2 criteria concurrently in order to qualify for the corresponding noise category.

The 8 categories are determined as follows:

Criteria to be met concurrently	Categories (and Former Categories)							
	R1 (F)	R2 (E)	R3 (D)	R4 (C)	R5 (B)	R6 (A)	R7	R8
Cumulative EPNdB reduction from ICAO Chapter 3 standard of at least:	Less than 0	0 or more	5 or more	10 or more	15 or more	20 or more	25 or more	30 or more
Individual EPNdB reduction from ICAO Chapter 3 Standard at each noise measurement point of at least:	Not applicable	0	1	2	3	4	5	6

## 3. Procedure for classification into noise categories

For a given aircraft the sum TOTNOISE is made on the basis of three noise certification data (lateral, landing and take-off).

The corresponding PRED-value is calculated by means of the above-mentioned formula on the basis of the MTOWTON-value (maximum authorised take-off weight expressed in tons) and the number of engines.

The noise category is determined on the basis of the criteria mentioned in point 2 above.

In principle, the determination of the TOTNOISE-value is based on the results obtained according to ICAO provisions for noise certification of "Chapter 3" aircraft, i.e. at 2,000 metres from the landing threshold underneath the descent path, at 6,500 metres from the start of roll underneath the climb-out flight path at take-off, at 450 metres from the runway centre line for the lateral value.

As the lateral measurements for "Chapter 2" aircraft, are carried out at 650 m, the lateral value for these types of aircraft has to be increased by 2.1 dB.

In default of certification data according to ICAO provisions, the certification data according to F.A.A. provisions may also be used.

Small propeller aircraft (MTOW <8616 kg) with a proper noise certificate fall into category R6.

#### 4. Data delivery

The information is to be provided to BRU using the "[CDB\\_FleetData\\_Template](#)" published by Brussels Airport Company on the BHB or on its website.

In case this template is not made available to the airlines for any reason, airlines are still expected to provide the following information for all aircrafts operating at BRU

1	<b>Registration</b>	Aircraft registration	Mandatory
2	<b>Serial Nr</b>	Serial number	Mandatory
3	<b>Address</b>	Aircraft address (24bit ICAO-hexadecimal)	Mandatory
4	<b>Owner ICAO</b>	ICAO Aircraft operator	Mandatory
5	<b>ICAO Chapter</b>	Chapter ICAO, annex 16 Chapter	Mandatory
6	<b>Type ICAO</b>	ICAO aircraft type	Mandatory
7	<b>Subtype IATA</b>	IATA aircraft subtype	Mandatory
8	<b>MTOW(kg)</b>	Maximum take-off weight(kg)	Mandatory
9	<b>Seating</b>	Seating	Mandatory
10	<b>Takeoff(Flyover)</b>	Aircraft noise values take-off	Mandatory
11	<b>Sideline(Lateral)</b>	Aircraft noise values sideline	Mandatory
12	<b>Approach</b>	Aircraft noise values approach	Mandatory

The completed fleet data template, along with all relevant justification documentation, is to be provided to Brussels Airport Company via the following mailbox:  
[ops.datamanagement@brusselsairport.be](mailto:ops.datamanagement@brusselsairport.be)

**Annex 2**  
**Method used at Brussels Airport to establish**  
**the noise quota count per movement (QC) of aircraft**

For the movement of subsonic civil jet aircraft, the Quota Count (QC) is calculated using the formula

$$QC = 10^{[(G-85)/10]}$$

whereby "G" equals:

- for landing: the certified approach noise level in EPNdB of the aircraft at its maximum landing weight, minus 9 EPNdB
  
- for take-off: half the sum of the certified fly-over and sideline noise levels in EPNdB of the aircraft at its MTOW, conform the ICAO annex 16

With the exception of exempted movements, all movements of subsonic civil jet aircraft, which have not been certified in accordance with the standards of ICAO Annex 16, book 1, part II, chapter 3 (or a more recent chapter), are forbidden between 2300lt and 0559lt at the airport Brussels-National.

### Annex 3

#### Method used at Brussels Airport to define the NO<sub>x</sub> contributions

The airline shall provide Brussels Airport Company the information to calculate the NO<sub>x,aircraft</sub> emission value:

- Option 1 : UID No of the ICAO Aircraft Engine Emission database (<https://www.easa.europa.eu/domains/environment/icao-aircraft-engine-emissions-databank>). The **"NO<sub>x</sub> LTO Total mass (g)/engine"** and **"HC Dp/Foo Characteristic (g/kN)"** values in the most recent version of the database will be used in the calculation.
- Option 2 : Certification data (**"NO<sub>x</sub> LTO Total mass (g)/engine"** and **"HC Dp/Foo Characteristic (g/kN)"**) for the installed engines on the aircraft.
- Option 3 : Information on the type of engines installed on the aircraft. In the case the specified engine type is included in the ICAO Aircraft Engine Emission database the corresponding values for **"NO<sub>x</sub> LTO Total mass (g)/engine"** and **"HC Dp/Foo Characteristic (g/kN)"** will be used. If the database contains more than one record for the specified engine, the record with the highest NO<sub>x</sub> emission value is used. In the case of no matching record in the database, the standard value for NO<sub>x,aircraft</sub> will be used (see Art. 1).

Brussels Airport Company reserves itself the right to define the NO<sub>x</sub> aircraft calculation when the data cannot be retrieved in the ICAO Aircraft Engine Emission database based on the UID or the data provided by the company is ambiguous with the ICAO Aircraft Engine Database.

The information is to be provided to BRU using the **"CDB\_FleetData\_Template"** published by Brussels Airport Company on the BHB and/or on its website.

In case this template is not made available to the airlines for any reason, airlines are still expected to provide the following information for all aircrafts operating at BRU

<b>1</b>	<b>Registration</b>	Aircraft registration	Mandatory
<b>2</b>	<b>Serial Nr</b>	Serial number	Mandatory
<b>3</b>	<b>Address</b>	Aircraft address (24bit ICAO- hexadecimal)	Mandatory
<b>4</b>	<b>Owner ICAO</b>	ICAO Aircraft operator	Mandatory
<b>5</b>	<b>ICAO Chapter</b>	Chapter ICAO, annex 16 Chapter	Mandatory
<b>6</b>	<b>Type ICAO</b>	ICAO aircraft type	Mandatory
<b>7</b>	<b>Subtype IATA</b>	IATA aircraft subtype	Mandatory
<b>8</b>	<b>MTOW(kg)</b>	Maximum take-off weight(kg)	Mandatory
<b>9</b>	<b>UID No</b>	Unique Identification Number for an EEDB entry	Optional
<b>10</b>	<b>Engine Identification</b>	Engine Identification	Mandatory
<b>11</b>	<b>Combustor Description</b>	Type of combustor where more than one type available on an engine	Optional
<b>12</b>	<b>NO<sub>x</sub> LTO Total mass (g)/engine</b>	The total mass of oxides of nitrogen emitted during the LTO cycle (sum of time	Optional if "9-UID No" is provided



		in mode x fuel flow x EI at each of the four power settings)	
<b>13</b>	<b>HC Dp/Foo Characteristic (g/kN)</b>	Hydrocarbon characteristic Dp/Foo value expressed as a percentage of the regulatory limit (divided by 100)	Optional if "9-UID No" is provided

NB: In case different engine types are installed on the aircraft, the engine with the highest NO<sub>x</sub> value will be used for the NO<sub>x</sub> calculation of all engines.

The completed fleet data template, along with all relevant justification documentation, is to be provided to Brussels Airport Company via the following mailbox:  
[ops.datamanagement@brusselsairport.be](mailto:ops.datamanagement@brusselsairport.be)

The initial NO<sub>x,aircraft</sub> value or a change of this value is effective on the first day of the month following receipt of the required documents.

## Annex 4

# Terms and conditions of the Brussels Airport Company Incentive System running from 1 January 2023 until 31 December 2027

## Introduction

Brussels Airport Company SA/NV ("Brussels Airport" or "BRU") offers a series of incentives to encourage airlines to develop their services at Brussels Airport. The objective of the incentives is to reward the development of new destinations departing from Brussels Airport and to encourage growth together with the airlines, especially after the Covid-19 crisis.

The incentive schemes consist of four parts:

- a credit entry to the passenger airline that serves a **new destination**.
- a credit entry to the passenger airline that realizes **passenger growth**.
- a credit entry to the passenger airlines that has **based aircraft** at Brussels Airport and that realizes **passenger growth (VGI – Value Growth Incentive)**
- a credit entry on the landing & take off charges and aircraft parking charges to cargo airlines that serve extra frequencies of **cargo flights**.

The size and extent of the incentives is subject to the terms and conditions as mentioned in this document.

## Terms and conditions

### 1 General principles<sup>7</sup>

- 1.1 The incentives are only granted to the users of Brussels Airport (hereafter the "airline(s)") that serve as operating carrier. Codeshare partners or wet lease operators are not entitled to receive an incentive.
- 1.2 New destinations or passenger growth or additional cargo frequencies resulting from developments such as but not limited to mergers, acquisitions, joint ventures, restructurings, codeshares or route transfers are not entitled to receive an incentive.
- 1.3 The incentive amounts for passenger flights (i.e., new destinations, passenger growth, VGI) are not subject to the formula for tariff control.
- 1.4 The incentive system starts on 1 January 2023 and ends on 31 December 2027 (following the entire calendar years instead of the period starting on 1 April 2023).
- 1.5 Charter operations and business aviation are excluded and are not subject to any incentive scheme. Scheduled charter operations are eligible for the incentive scheme if they have a published schedule at the start of the IATA season and for which 'flight only' tickets can be directly purchased by the passenger via distribution channels other than the tour operator alone.
- 1.6 Brussels Airport reserves the right to grant any incentives for excluded operations (like for example charter operations) in case of structural added value for the airport.

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<sup>7</sup>This incentive system is an integral part of the tariff proposal and tariff formula proposal of Brussels Airport for QQ4. For that reason, Brussels Airport makes a reservation in case its proposal is modified as a result of a decision of the regulator and/or the Court of Appeal ("Marktenhof").

- 1.7 An incentive will only be granted when the eligible airline respects Brussels Airports' payment terms of standard invoices and when no overdue exists. If the airline has arrears of payment of any kind toward Brussels Airport, Brussels Airport may, at its own discretion, either defer the issuance of the credit note until the outstanding debt of the airline is paid, either set off against each other mutual claims and debts that exist between Brussels Airport and the airline, even after a situation of composition with creditors has surfaced for any reason whatsoever such as composition following the bankruptcy of the airline. This set-off may be undertaken irrespective of the form and subject of the claims and debts and irrespective of whether or not the mutual claims are due and payable.
- 1.8 The airline must fully comply with the terms and conditions published in the Brussels Airport Charges & Fees terms and conditions.
- 1.9 Brussels Airport shall not be liable for any costs, expenses or damages in relation to or resulting from the above program.
- 1.10 In this document, a "calendar year" means a year running from 1 January to 31 December.
- 1.11 The Terms and Conditions of the Incentive System 2023-2027 substitute and prevail over the Incentive System 2016-2020 that was in place until 31 December 2021 and the Incentive System 2022 that was in place until 31 December 2022. Existing incentive programs under the previous Incentive System will remain in place, provided that it is not allowed to accumulate incentives under both Incentive Systems.

## 2 Incentive schemes related to passenger flights

### 2.1. General:

The incentive schemes related to passenger flights are calculated as a fixed amount per departing passenger.

For passenger flights there are three incentive schemes:

- incentives on initiatives for **new destinations**
- incentives on the realized **passenger growth**
- incentives on the realized **passenger growth** for airlines with **based aircraft** at Brussels Airport (VGI – Value Growth Incentive)

The new destination scheme for passenger operations and the passenger growth incentive scheme and VGI are not cumulative – for new destinations the passenger growth incentive system takes effect after the new destination incentive program has been terminated. The increase of passengers on existing destinations remains eligible for the passenger growth incentive scheme.

Airlines that are entitled for the VGI – Value Growth Incentive cannot cumulate incentives for new destinations and/or passenger growth.

### 2.2. New destination incentive scheme:

2.2.1. A new destination is a destination served by a passenger airline that, at the time of the start-up of the route, has not been served from Brussels Airport for the last thirty-six months prior to the start-up of the new destination as a regular operation. The route shall expand the network coverage from Brussels Airport.

2.2.2. The new destination incentive scheme for passenger operations will apply to initiatives for which the operations commence on, or after 1 January 2023 and will last for three years, under the conditions as set out below.<sup>8</sup>

2.2.3. A new destination incentive shall only be granted if the new initiative results in an increase in total passengers at Brussels Airport (BRU) by the passenger airline (versus the previous corresponding calendar year).

2.2.4. If a new destination is opened and operated, the new destination incentive scheme remains eligible to other passenger airlines commencing services to the same destination within the calendar year during which the services to the new destination from the first airline have started (subject to the other conditions).

2.2.5. In multi-airport systems, each airport of the system will be considered as the same destination.

2.2.7. IATA regions Europe (Western Europe, Eastern/Central Europe) and North Africa, are considered short haul destinations. All other IATA regions are considered long haul destinations.

2.2.8. The new destination incentive scheme shall begin on the first day of the month following the commencement of the initiative.

2.2.9. The new destination incentives shall be credited or set off according to article 1.7 after the end of each calendar year. Brussels Airport will inform the airline in January of each year whether the airline has met the conditions of the new destination incentive scheme and inform it of the amount that will be credited to the airline at that time (or set off the incentive according to article 1.7).

2.2.10. If, during the course of the incentive period, the operating airline changes the characteristics of, or stops, the initiative, Brussels Airport has the right to stop or revise the incentives according to the new situation.

2.2.11. The following incentive system is applicable to new destinations per departing local boarding passenger on flights to the new destination:

New destination	Incentive per departing passenger <sup>9</sup>					
	Originating passengers			Transfer passengers		
	Year 1	Year 2	Year 3	Year 1	Year 2	Year 3
Long haul	€20	€15	€15	€10	€7.5	€7.5
Short haul	€10	€10	€10	€5	€5	€5

### 2.3. Passenger growth incentive scheme:

2.3.1. For the calculation of the total passenger growth, a departing transfer passenger will be calculated for as 50% of a departing originating passenger (1 transfer pax = 0.5 originating pax).

<sup>8</sup> Routes from and to a destination which was subject to specific sanctions cannot be regarded as a new destination and are not eligible for this incentive.

<sup>9</sup> Except for crew on duty and passengers under 2 years.

2.3.2. Passenger growth will be based on the year with the highest departing passenger numbers during the period starting 1 January 2019 until 31 December 2027 (click-mechanism).

2.3.3. **To support the recovery of airlines after the Covid-19 crisis**, passenger growth will be based on a **baseline of 75%** of departing passenger numbers during the period starting 1 January 2019 until 31 December 2019.

Example:

Calendar year	Originating pax	Transfer pax	Calculated departing pax	Passenger growth	Incentives?	New baseline
2019	8,000	2,000	9,000			
<b>Baseline 75%</b>			<b>6,750</b>			
2023	7,000	2,000	8,000	1,250	Yes	8,000
2024	7,000	1,500	7,750	0	No	
2025	10,000	1,000	9,500	1,500	Yes	9,500
2026	9,000	1,000	9,500	0	No	
2027	11,000	1,000	11,500	2,000	Yes	11,500

2.3.4. The passenger growth incentive scheme shall begin on 1 January 2023. Brussels Airport will inform the airlines in January of the following year whether the airline has met the conditions of the passenger growth incentive scheme and inform them of the amount that will be credited to the airline (or that will be set off according to article 1.7).

2.3.5. The calculation of the passenger growth incentives will be performed by Brussels Airport.

2.3.6. IATA regions Europe (Western Europe, Eastern/Central Europe) and North Africa, are considered short haul destinations. All other IATA regions are considered long haul destinations.

2.3.7 The following incentive system is applicable to realized passenger growth:

Passenger growth	Incentive per departing passenger <sup>10</sup>	
	Originating passengers	Transfer passengers
Long haul	€15	€7.5
Short haul	€10	€5

## 2.4 VGI – Value Growth Incentive

2.4.1. For the calculation of the total passenger growth, a departing transfer passenger will be calculated for as 50% of a departing originating passenger (1 transfer pax = 0.5 originating pax).

2.4.2. Passenger growth will be based on the year with the highest departing passenger numbers during the period starting 1 January 2019 until 31 December 2027 (click-mechanism).

2.4.3. **To support the recovery of airlines after the Covid-19 crisis**, passenger growth will be based on a **baseline of 75%** of departing passenger numbers during the period starting 1 January 2019 until 31 December 2019.

<sup>10</sup> Except for crew on duty and passengers under 2 years.

Example:

Calendar year	Originating pax	Transfer pax	Calculated departing pax	Passenger growth	Incentives?	New baseline
2019	8,000	2,000	9,000			
<b>Baseline 75%</b>			<b>6,750</b>			
2023	7,000	2,000	8,000	1,250	Yes	8,000
2024	7,000	1,500	7,750	0	No	
2025	10,000	1,000	9,500	1,500	Yes	9,500
2026	9,000	1,000	9,500	0	No	
2027	11,000	1,000	11,500	2,000	Yes	11,500

2.4.4. The VGI – Value Growth Incentive shall begin on 1 January 2023. Brussels Airport will inform the airlines in January of the following year whether the airline has met the conditions of the VGI, i.e. **the number of based aircraft**, and inform them of the amount that will be credited to the airline (or that will be set off according to article 1.7).

2.4.5 The calculation of the VGI – Value Growth Incentive **will include the calendar year 2022** as a starting point for the years until 31 December 2027.

2.4.6. The calculation of the VGI will be performed by Brussels Airport.

2.4.7. All passengers of the airline that are included in the VGI scheme are entitled to the growth incentive; this includes passengers on flights operated by non-based aircraft<sup>11</sup>.

2.4.8 The number of based aircraft determines the number of years that realized passenger growth remains valid for the VGI. To be eligible under this incentive scheme, the airline has to have at least one aircraft based at Brussels Airport for minimum 12 months in one calendar year, including the IATA winter season. It will generate an incentive for one year. For two based aircraft, the second aircraft must be based at Brussels Airport for at least 6 months, including the IATA summer season. Four or more based aircraft generate an incentive equal to four years. The validity of the VGI is related to the number of year-round based aircraft.

Based aircraft	12 months	6 months	Validity of VGI
<b>1</b>	<b>1 aircraft</b>	--	<b>1 year</b>
<b>2</b>	<b>1 aircraft</b>	<b>1 aircraft</b>	<b>2 years</b>
<b>3</b>	<b>2 aircraft</b>	<b>1 aircraft</b>	<b>3 years</b>
<b>4</b>	<b>3 aircraft</b>	<b>1 aircraft</b>	<b>4 years</b>
<b>4 or more</b>	<b>4 aircraft</b>	<b>1 aircraft</b>	<b>4 years</b>

2.4.9. The definition of a based aircraft, with aircraft and crew returning to the base (i.e. Brussels Airport) at the end of each day or of its normal operation, is related to the start date of the based operation. The aircraft should commence operations at the latest on 30 June of the relevant calendar year to qualify as based aircraft. An airline can apply retroactively for another year of based aircraft operation when a subsequent aircraft commences based aircraft operations before 30 June of the following year.

2.4.10. The following incentive system is applicable to the VGI in relation to the number of based aircraft

Passenger growth	Incentive per departing passenger	
	Originating passengers	Transfer passengers
<b>VGI</b>	<b>€15</b>	<b>€7.5</b>

<sup>11</sup> Except for crew on duty and passengers under 2 years.

2.4.11 The following table is an example of the VGI calculation for originating passengers with subsequently based aircraft until 2027.

Example

Year	Based aircraft	Passenger growth	2022	2023	2024	2025	2026	2027
2022	1	1,000	€15,000					
2023	2	2,000		€30,000	€30,000			
2024	2	1,000			€15,000	€15,000		
2025	3	2,000				€30,000	€30,000	€30,000
2026	3	1,000					€15,000	€15,000
2027	4	2,000						€30,000

2.4.12 The following table is an example of the VGI calculation for originating passengers with a subsequently based aircraft confirmed **before 30 June of the following year**.

Example

Year	Based aircraft	Passenger growth	2022	2023	2024	2025	2026	2027
2022	1	1,000	€15,000	€15,000				
2023	2	2,000		€30,000	€30,000			
2024	2	1,000			€15,000	€15,000	€15,000	
2025	3	2,000				€30,000	€30,000	€30,000
2026	3	1,000					€15,000	€15,000
2027	4	2,000						€30,000

2.4.13 The following table is an example of the VGI calculation for originating passengers with a **reduction in the number of based aircraft in 2026**.

Example

Year	Based aircraft	Passenger growth	2022	2023	2024	2025	2026	2027
2022	1	1,000	€15,000					
2023	2	2,000		€30,000	€30,000			
2024	3	1,000			€15,000	€15,000	€15,000	
2025	3	2,000				€30,000	€30,000	€30,000
2026	2	0						
2027	2	0						

#### 4. Cargo frequency incentive scheme applicable to cargo flights

4.1. The cargo frequency incentive scheme has begun on the first day of the beginning of the incentive scheme 1 April 2016 – 31 March 2021 and has been extended until 31 December 2022. The cargo frequency incentive system and scheme are extended until 31 December 2027.

4.2. The cargo frequency incentive scheme will apply to cargo operators that have extra frequencies from Brussels Airport compared to the calendar year before. As from the moment the cargo airline has more frequencies compared to the previous year, the cargo frequency incentives shall be credited or set off according to article 1.7 after the end of the calendar year.

4.3. Ad hoc flights are not granted incentives.

4.4. The incentive is calculated on the landing and take-off charges and to parking charges.

4.5. The following incentive system is applicable to extra frequencies of cargo flights:

	<b>Incentive on landing, take-off &amp; aircraft parking</b>		
	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>
<b>Additional cargo frequency</b>	<b>75%</b>	<b>50%</b>	<b>25%</b>

## **5. Application for new destination incentives and VGI**

As from the moment the conditions of the new destination incentive scheme and VGI are met, Brussels Airport will send an application form to the airline. The airline must duly countersign and return the application form to Brussels Airport within 30 (thirty) days after having received the application form. Failure to do so will forfeit the right to an incentive. For VGI, the application must be updated on a yearly basis.

For the passenger growth incentive scheme and cargo frequency incentive scheme airlines do not have to fill in nor send an application form, these are automatically granted if the conditions are met.

## **6 Divisibility and conversion**

If any provision of these General Terms and Conditions or of the Contract or any part thereof is held to be invalid, illegal or unenforceable:

- i. the validity, legality and enforceability of the remainder of these Terms and Conditions or remainder of the provision, shall not in any way be affected or impaired thereby; and
- ii. Brussels Airport undertakes to negotiate in good faith to find a clause which comes as close as possible to the purpose and the intention of the invalid, illegal or unenforceable provision or part thereof.

## **7 Transferability of the incentives**

The airline is prohibited from transferring the rights under these Terms and Conditions (in whole or in part) to a third party, unless this is done in the general course of business. Brussels Airport can under no circumstances be forced to accept the transfer of the rights under these Terms and Conditions.

## **8 Applicable law and competent jurisdiction**

These Terms and Conditions are governed by Belgian law, although excluding the Vienna Sales Convention (CISG).

Any dispute which may arise from these Terms and Conditions belongs to the exclusive competence of the Dutch speaking courts of the legal district of Brussels.