

## **CONFERENCE ON THE ECONOMICS OF AIRPORTS AND AIR NAVIGATION SERVICES**

(Montreal, 19 - 28 June 2000)

### **Agenda Item 5.2: Elements for consideration with regard to ICAO policy**

#### **CONSULTATION BETWEEN AIRPORTS AND USERS**

(Presented by the United Kingdom)

##### **SUMMARY**

This paper suggests changes to paragraphs 22 and 23 of the current ICAO *Statement by the Council to Contracting States on Charges for Airports*, to bring out more clearly the legitimate expectations of airport users for timely and substantive consultation, and two-way flows of information, during the setting of airport charges.

### **1. Introduction**

1.1 Consultation between airports and airport users should be an essential part of the process whereby airport user charges are set and airport development plans devised.

1.2 The United Kingdom, while acknowledging that the current ICAO Statement leaves no doubt over the general principles that should underpin the consultation process, believes that the Statement could be revised, to give greater assurance to airport users that their legitimate expectations will be met.

1.3 It therefore proposes the following text:

“22. The Council recognizes the importance of consultation with airport users before changes in charging systems or levels of charges are introduced. The purpose of consultation is to ensure that the provider gives sufficient information to users relating to the proposed change and gives proper consideration to the views of users and the effect the charges will have on them. The aim should be that, wherever possible, changes should be made in agreement between users and providers. Failing such agreement airport authorities would continue to be free to impose the charges concerned subject to users having the right of appeal to a body independent of the airport authority. It is not possible to lay down a specific procedure for consultations of this kind owing to the diversity in the administrative, financial and legal frameworks within which airports function.

The procedures at individual airports will also need to take account of the size and scale of the airport's business. However, subject to these considerations, the Council recommends that:

- i) When a revision of charges or the imposition of new charges is contemplated by an airport operator or other competent authority, appropriate notice should normally be given to users or their representative bodies at least four months in advance, in accordance with the regulations applicable in each State.
- ii) In any such revision of charges or imposition of new charges the airport users should be given the opportunity to submit their views and consult with the airport operator or competent authority. For this purpose the airport users should be provided with adequate financial, operational and other information to allow them to make informed comments.
- iii) Reasonable advance notice of the final decision on any revision of charges or imposition of new charges should be given to the airport users.

23. The Council furthermore considers it important in the light of the enormous and ever-increasing cost of new airports and major developments at existing airports that users or their representative organizations be consulted before the finalisation of plans for such projects. The purpose of such consultation is to ensure that, wherever possible, the developments concerned meet the needs of users and that users are aware of the financial implications in terms of the charges that would be paid by them. Equally, in order that airport authorities may better plan their future financial requirements ... through their respective representative organizations.”

## **2. Action by the Conference**

2.1 The Conference is invited to consider and endorse the proposed new text.