

## **REGULATION**

On application of Discount coefficients to the Airport charges to be collected at Boryspil International Airport when operating international charter flights

### **1 General terms**

1.1 This regulation is developed based on the Order of the Ministry of Transport and Communications of Ukraine of 26.03.2008 No.337 «About establishing airport charges for aircraft and passengers handling at Boryspil International Airport State Enterprise» (with changes and amendments).

1.2 This Regulation (hereinafter «Regulation») has been developed to reach the following goals:

- Acceleration of the air transportation market recovery at Boryspil International Airport;
- Development of charter route network to/from Boryspil International Airport;
- Increasing competitiveness of Boryspil International Airport;
- Increasing revenues of Boryspil International Airport;

1.3 Boryspil International Airport applies Discount coefficients under the principles recommended by the International Civil Aviation Organization (ICAO):

- Transparency means open publication of this Regulation to ensure clear and transparent criteria for the application of discount coefficients;
- Non-discrimination means equal procedure of this Regulation provisions application for all Air Carriers;
- Non-cross-subsidization is ensured by excess of revenues received from each Air Carrier taking into consideration the norms of this Regulation over the cost price of the services provided;
- Limitation of this Regulation validity period;
- Airport cost-effectiveness means ensuring the Airport cost-effectiveness;
- Consultations with Air Carriers on a regular basis.

1.4 In this Regulation the terms and abbreviations are used in the following sense:

An Air Carrier (or an Airline) is an economic entity that provides air transport services for passengers, luggage, cargo and mail, and has the appropriate certificate and license;

Airport charges include:

- Passenger charge means a charge for passenger handling in the airport terminal collected by the Airport from Air Carriers according to the Airport Charges for aircraft and passengers handling at Boryspil International Airport State Enterprise approved by the Order of the Ministry of Transport and

Communications of Ukraine of 26.03.2008 No.337 (hereinafter «the Order 337»);

- Landing charge means a charge for landing/take-off of aircraft collected by the Airport from Air Carriers according to Para. 2.1.2 of the Order 337.

The Airport means Boryspil International Airport State Enterprise, Boryspil airport, Boryspil International Airport;

The Agreement means an agreement (contract) or an additional agreement hereto according to which the Airport services are provided and the Airport charges are collected, responsibility for violation of obligations provided by this Regulation is established and which is concluded between Boryspil International Airport State Enterprise and an Air Carrier on the terms and conditions of this Regulation;

Discount coefficient to the Airport charges application means a reduction of the amount of the Passenger charge and Landing charge by Boryspil International Airport when selling the relevant services to an Air Carrier;

A/C – aircraft;

Agreement for airport services provision in Boryspil airport means an agreement between two or more parties concerning the establishment, alteration or suspension of civil rights and duties and under which the Airport services are provided to an Air Carrier and charges according to the Order 337 are collected (including ground handling agreements in the form of Annex B in accordance with the IATA Standard Ground Handling Agreement).

1.5 This Regulation is effective from 01.12.2021 till 31.12.2022.

## **2 Application of Discount coefficients to the Airport charges**

2.1 Application of Discount coefficients is carried out on the basis of the Agreement signed between the Airport and an Air Carrier, by multiplying the amount of Discount coefficient by the amount of the relevant Airport charge.

This Agreement is to be concluded on the written request of an Air Carrier (hereinafter «Request») the template of which is provided in Appendix 1 to this Regulation that contains obligations of an Air Carrier set out in the Order 337.

2.2 Application of Discount coefficients according to this Regulation shall be possible only under the condition of making amendments to the existing agreements, which concern termination of application of any other Discount coefficients to the Airport charges when operating charter flights, which were effective on the date of this Regulation approval.

2.3 The Discount coefficients to be applied from the date specified in the Air Carrier's Request, but not earlier than from the first day of the month in which such Request was received by the Airport.

2.4 If on the first day of any month during the validity of this Regulation, an Air Carrier has overdue debt to the Airport for services provided under the Agreement for airport services provision in Boryspil airport, which arose after conclusion of the Agreement, discount coefficients under this Regulation will not apply to the Air Carrier during this month.

### **3. Criteria for applying discount coefficients to the Airport charges**

#### **3.1. Providing significant volume of traffic**

The Discount coefficients according to this Regulation are applied only under the condition of achieving the increase of passenger flow on charter flights at Boryspil International Airport, i.e. the total amount of passengers departed from the Airport by international charter flights by all Air Carriers during the current calendar month must exceed the total amount of passengers departed from the Airport by international charter flights by all Air Carriers during the relevant calendar month of the previous year.

A Discount coefficient, which depends on the number of passengers departed by an Air Carrier by international charter flights within the current calendar month, will be applied to the Passenger charge on international charter flights and to the Landing charge on international charter flights in the current month:

| The total amount of passengers departed by an Air Carrier by international charter flights per calendar month | The amount of the Discount coefficient applied to the Passenger and Landing charge |
|---|--|
| up to 9 999 passengers  | 1,00   |
| from 10 000 to 19 999-ro passengers   | 0,95   |
| from 20 000 to 29 999 passengers  | 0,90   |
| from 30 000 to 39 999 passengers  | 0,85   |
| from 40 000 to 49 999 passengers  | 0,80   |
| from 50 000 to 59 999 passengers  | 0,75   |
| above 60 000 passengers   | 0,70   |

The Discount coefficients according to this Item will be applied to the total amount of passengers departed from the Airport by an Air Carrier on international charter flights within a calendar month and to the total number of international charter flights departed by an Air Carrier within a calendar month.