

The Airports (Groundhandling) Regulations 1997 – Information for applicants for determinations from the CAA

The Airports (Groundhandling) Regulations 1997 transpose Council Directive 96/67/EC of 15 October 1996 on access to the groundhandling market at Community airports into UK law. Airports within scope of the Regulations must not prevent ground handling service providers or self-handling airport users from operating at the airport unless the CAA has authorised them to do so. In the most restricting circumstances, such as a single provider of services or a ban on self-handling, approval from the European Commission is also required.

The freedoms and limitations in the Regulations are set out in the tables below.

Table 1: Third party handling

<i>Airports up to 2m passengers per annum or 50k tonnes of freight per annum</i>	<i>Airports above 2m passengers per annum or 50k tonnes of freight per annum</i>
Landside handling services	
No general freedom of access. Airport decides policy.	General freedom of access but airport may limit to no less than two suppliers if approved by the CAA and with time limited exemption from the European Commission.
Airside handling services (baggage, freight and mail, ramp, fuel and oil handling)	
No general freedom of access. Airport decides policy.	General freedom of access but airport may: (a) limit to no less than two suppliers if approved by the CAA; or (b) limit to one supplier if approved by the CAA and with time limited exemption from the European Commission.

Table 2: Self-handling

<i>Airports up to 1m passengers per annum or 25k tonnes of freight per annum</i>	<i>Airports above 1m passengers per annum or 25k tonnes of freight per annum</i>
Landside handling services	
General freedom to self-handle but airport may limit number of self-handling users if approved by the CAA and with time limited exemption from the European Commission.	General freedom to self-handle but airport may limit number of self-handling users if approved by the CAA and with time limited exemption from the European Commission.
Airside handling services (baggage, freight and mail, ramp, fuel and oil handling)	
No general freedom of access. Airport decides policy.	General freedom to self-handle but airport may: (a) limit to no less than two named self-handling users if approved by the CAA; or (b) limit to one self-handling user or ban self-handling if approved by the CAA and with time limited exemption by the European Commission.

The CAA can also, on application from the airport:

- a) Reserve for the airport managing body, or for another person, the management of centralised infrastructures used for the supply of ground handling services whose, complexity, cost or environmental impact does not allow for division or duplication of service. The directive and Regulations mention baggage sorting, de-icing, water purification and fuel-distribution systems as possible such infrastructures.
- b) Prohibit a supplier of ground handling services or a self-handling user, for a period of time, from supplying a ground handling service.. The CAA can only prohibit a handler if it is satisfied that the handler has failed to comply with a rule imposed upon it to ensure the proper functioning of an airport, and the rule does not, in practice, reduce market access or the freedom to self-handle to a level below that provided for in the Regulations.

Applications from an airport to the CAA for determinations to limit the number of self-handling users or third party handlers, to reserve centralised infrastructures or prohibit a handler should include the following information:

For applications under Regulation 9 (Self-handling)

- (a) the name of the airport;
- (b) the number of self-handling airport users for which the application is made;
- (c) the identity of self-handling airport users for which application is made;

- (d) the parts of the airport to which the determination would apply;
- (e) categories of handling service to which the determination would apply;
- (f) the number and identity of airport users which self-handle in these categories at the time of the application;
- (g) reasons for the application, including the criteria for the choice of self-handling airport users;
- (h) the number of passengers at the airport in the previous year to 31 December, or if the airport only meets the freight threshold the amount of freight through the airport in the year to 31 December, or if applicable the number of passengers or amount of freight in the six months to 1 April or 1 October;
- (i) the proposed effective date of the determination;
- (j) the proposed expiry date of the determination.

For applications under Regulation 10 (Groundhandling for third parties)

- (a) the name of the airport;
- (b) the number of suppliers authorised to provide handling services to third parties for which the application is made;
- (c) the parts of the airport to which the determination would apply;
- (d) categories of handling service to which the determination would apply;
- (e) the number and identity of suppliers authorised to provide handling services in these categories to third parties at the time of the application;
- (f) reasons for the application;
- (g) the number of passengers at the airport in the previous year to 31 December, or if the airport only meets the freight threshold the amount of freight through the airport in the year to 31 December, or if applicable the number of passengers or amount of freight in the six months to 1 April or 1 October;
- (h) the proposed effective date of the determination;
- (i) the proposed expiry date of the determination.

For applications under Regulation 11 (Determinations requiring Commission approval)

- (a) the name of the airport;
- (b) the number of self-handling airport users or, as appropriate, of suppliers of groundhandling services for which the application is made;

- (c) for applications to limit the number of self-handling airport users, their identity and the criteria for their choice;
- (d) the parts of the airport to which the determination would apply;
- (e) categories of handling service to which the determination would apply;
- (f) reasons for the application including the specific constraints of available space or capacity;
- (g) a plan of the appropriate measures to overcome the constraints;
- (h) the number of passengers at the airport in the previous year to 31 December, or if the airport only meets the freight threshold the amount of freight through the airport in the year to 31 December, or if applicable the number of passengers or amount of freight in the six months to 1 April or 1 October;
- (i) the proposed effective date of the determination;
- (j) the proposed expiry date of the determination.

For applications under Regulation 14 (Centralised Infrastructures)

- (a) the name of the airport;
- (b) the centralised infrastructures for which the management will be reserved;
- (c) the person who will manage the infrastructures;
- (d) reasons for the application, including the specific reasons of complexity, cost or environmental impact;
- (e) the proposed effective date of the determination.

For applications under Regulation 15 (Prohibition of suppliers and airport users)

- (a) the name of the airport;
- (b) the supplier or airport user who has failed to comply with a rule;
- (c) the rule with which the supplier or airport user has failed to comply;
- (d) the categories of groundhandling service to which the prohibition will apply.

Address for applications

Applications should be sent to economicregulation@caa.co.uk.

Charge for applications

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Applications for a determination are subject to an application fee. The current fee can be found in the [CAA's Official Record Series 5](#) under "Regulation of Airports".

**Civil Aviation Authority
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