

Fraport Twin Star Airport Management – AD

Airport Charges, Rentals and Commercial Fees of Burgas and Varna Airports

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PAGE CHANGES

CANCELED PAGES	IMPLEMENTED PAGES	CONTENTS

Contents		Page
0.	Contents	3
1.	General Terms and Conditions of Business	4
2.	Airport Services Charges	7
2.1.	Landing Charge	7
2.2.	Passenger Charge	8
2.3.	Parking Charge	9
2.4.	Security Charge	9
2.5.	Noise (environmental) charge	9
2.6.	PRM Charge	10
2.7.	Centralized Infrastructure Charge	10
3.	Chemical Labs Services Charges	13

1. General Terms and Conditions of Business

- 1.1. The above named business conditions are designed for all actual and potential Airports users willing to use Burgas and Varna airports. They are mainly based on the provisions of the following documents from the Bulgarian legislation: Commercial Act, Civil Aviation Act, Ordinance on fees for use of public airports and air navigation services in Bulgaria, Ordinance № 20 of November 24, 2006 for certification of the exploitation adequacy of the civil airports, airfields, systems and facilities for ground handling, licensing of airport operators and ground handling operators, Decree № 296 dated 22 November 2012 issued by the Council of Ministers of the Republic of Bulgaria, in compliance with the Council Directive 96/67/EC of 15 October 1996 on access to the ground handling market at Community airports, and in accordance with the legal rules, governing fees and tariff policy and international legislature and recommendations.
- 1.2. All deliveries made, services rendered and offers submitted by Fraport Twin Star Airport Management AD are based exclusively on these general terms and conditions of business. These conditions therefore also apply to any future business relationships even in the case that they are not agreed upon explicitly.
- 1.3. By virtue of Art. 298 of the Bulgarian Commercial Act this information is designed for all actual and potential Airport users willing to use Burgas and Varna airports. By requesting to use Burgas or Varna airport, the client tacitly accepts the conditions, fixed in the present document, which rules out the need for any further special agreements to be made in individual cases.
- 1.4. Punctual deliveries and services can be guaranteed if the flights are registered in writing and confirmed with the airport flight planning departments at least 48 hours before the scheduled landing. The flight number, type of aircraft, airport of origin and scheduled landing and take-off times should be given.
- If an aircraft that has been registered arrives late and there is as a result an overlap with other aircrafts that are scheduled to be serviced, the airports reserve the right to give priority to such other aircrafts for the provision of ground service. The airports will service alternative landings as is possible, this also applies to flights that are registered and confirmed less than 48 hours before the scheduled landing.
- 1.5. The charges given in the price list are without engagement. All charges stated hereafter are quoted in EUR and net of VAT. Consequently, all companies shall pay VAT in addition to the charges except in the cases defined by the law and Regulations (EU). In the latter case the company shall demonstrate that the statutory prerequisites are fulfilled (Art. 31b, paragraph 8 from Regulations for Implementation of the Law on the Value Added Tax and Regulation 282/2011 of 15 March 2011 laying down implementing measures for Directive 2006/112/EC on the common system of Value Added Tax).
- 1.6. The ability to pay is the requirement that a client has to fulfill in order for Burgas and Varna airports to confirm or carry out a request. If details are disclosed or circumstances arise that give reasons to believe that the client may not be able to pay for the services rendered, Burgas and Varna airports have the right to suspend waiting orders and to enter immediately into negotiations on delivery and payment arrangements.
- 1.7. If the conditions of payment or regulations on execution of payment are not defined otherwise in individual agreements, the air carriers shall pay for rendered services prior to take - off. Burgas and Varna airports accept payments by valid Eurocard/MasterCard, Visa, Dinners club and Discovery credit

cards, Maestro and Visa Electron debit cards, issued by international banks or local Bulgarian banks and all debit cards, issued by local Bulgarian banks. There is an administration of 1% from the total amount of the invoice for clients paying by credit cards, depending on the type of card used.

1.8. Burgas and Varna airports accept also payments in cash. The cash offices at Burgas and Varna airports operate with BGN, and foreign currency only in EUR and USD.

In case of cash payments from customers amounting to more than BGN 10 000 or their equivalent in foreign currency, the customer is requested to fill in Declaration according to the Bulgarian legislation /the Law for the measures against money laundering/.

1.9. Pursuant to the Law for restriction of cash payments, cash payments from customers for more than BGN 10 000 or their equivalent in foreign currency are not allowed. Such payments must be performed via bank transfer or by credit card.

1.10. Payment by means other than cash or by credit card is only possible if the debtor has made an advance payment or Fraport Twin Star Airport Management AD has been given a security in the form of a deposit or a directly enforceable bank guarantee.

1.11. If no contractual agreement stating otherwise has been made, Fraport Twin Star Airport Management AD has the right to charge interest in accordance with the applicable Bulgarian law, should the client fail to keep to the period for payment agreed in the contract. In such a case, Fraport Twin Star Airport Management AD also has the right to demand cash payments in future.

1.12. Complaints about the quality, amount or price of the orders completed must be reported in writing to Fraport Twin Star Airport Management AD 14 days at the latest after the invoice has been issued if it is not defined otherwise in individual agreements. The client shall not be entitled to retain payments because of denied claims, to off-set payments with denied counter-claims and to deduct any payments without justification.

1.13. Fraport Twin Star Airport Management AD is only liable for damage caused willfully or as a result of negligence by its own employees. Fraport Twin Star Airport Management AD is not liable for any consequent damage.

1.14. Business relations between the airport administration of Burgas and Varna airports and the respective debtors are subject to Bulgarian substantive law. The place of delivery for each of the parties is exclusively defined as Burgas and/or Varna airports.

1.15. If any part of these general terms and conditions proves ineffective, this is without prejudice to the effectiveness of remaining terms and conditions.

1.16. The place of performance and jurisdiction is VARNA. All disputes between the parties arising from the supply of goods and services shall be governed exclusively by the Bulgarian law.

1.17. Any counterclaims the user of services may have shall not be set off against Fraport Twin Star Airport Management AD's claims, unless these counterclaims are undisputed or are recognized by declaratory judgment. Nor shall the user of services have the right of retention.

1.18. It is hereby understood that every user of airport services by Burgas and/or Varna Airport has accepted the present Airport Charges, Rentals and Commercial Fees of Burgas and Varna Airports upon their publication and according to the principle of acceptance by virtue of Art. 298 of the Bulgarian Commercial Act.

1.19. The Bulgarian version of these general terms and conditions is authoritative. Translations are provided for information purposes only. In case of disputes arisen they shall be brought for consideration to the Bulgarian courts.

1.20. The Airport Charges, Rentals and Commercial Fees of Burgas and Varna Airports are available to all existing and potential users of Burgas and Varna airports. As per agreement and upon user's request Fraport Twin Star Airport Management AD can deliver the aforementioned regulations.

2. Airport Services Charges

For every landing and take-off at Varna and Burgas Airports a landing fee and respectively passenger, parking, noise (environmental), security, PRM, centralized infrastructure and Chemical Lab Services fees have to be paid to the airport operator. The debtors of landing, passenger, parking, noise (environmental), security, PRM and Chemical Lab Services are as follows:

- The airline under whose airline code/ flight number the respective flight has been carried out;
- The airlines as common debtor, under whose airline code/ flight number the respective flight has been carried out (Code Sharing);
- The person in whose name the aircraft is registered;
- The person who is naturally or legally using the aircraft but is not necessarily the owner or person in whose name the aircraft is registered, such as a person renting or leasing the aircraft.

The debtors of centralized infrastructure fee at Burgas Airport are the airlines.

The debtors of centralized infrastructure fee at Varna Airport are the ground handling operators or the self-handling operators.

Exempted from payment of landing, passenger, noise (environmental), security and centralized infrastructure fees shall be:

- Aircraft in search and rescue flights;
- Aircraft engaged in humanitarian missions;
- State aircraft while engaged in state flights;
- Aircraft in distress or subject to unlawful interference;
- Aircraft used for check flights of air navigation facilities;
- Aircraft which have been returned to the airport due to technical reasons or adverse weather conditions, provided that the flight is accomplished with take - off and landing at the same airport with no intermediate landing at another airport;
- Aircraft flying in special circumstances specified in an Act of the Council of Ministers.

2.1. Landing charge - Calculation: Maximum Take-off Weight

The obligation for payment of landing fee arises at the moment of touch down of the aircraft.

The amount of the landing fee shall be calculated on the basis of the maximal take-off weight (MTOW) of the aircraft as indicated in the registration certificate irrespective of the operational criteria. Every part of a ton of the maximal take-off weight (MTOW) shall be rounded up to a whole ton.

Proof of the MTOW in IATA AHM560 or IATA AHM565 format or other official document has to be submitted at least 10 days prior beginning of operation to Burgas Airport and/or Varna Airport. If these documents have not been presented within the specified period, the highest known MTOW for aircraft type/s will be used as a basis for calculation.

Every increase in the MTOW of an aircraft in its registration papers is to be advised to the airport administration without delay supported with respective documentation. Burgas and Varna Airports can levy retroactive charges for the aircrafts movements for the time during which the increased MTOW was certified.

Every decrease in the MTOW of an aircraft in its registration papers is to be advised to the airport administration without delay supported with respective documentation. Burgas and Varna Airports will not grant backdated reimbursements. The landing fee amounts to:

MTOW of aircraft (tons)	International Flights	Domestic Flights
up to 3 t	20 EURO	10 EURO
above 3 t up to 10 t	40+14 EURO for each ton above 3 t	20 EURO
above 10 t up to 20t	180+14 EURO for each ton above 10 t	60 EURO
above 20 t up to 40 t	320+4 EURO for each ton above 20 t	80 EURO
above 40 t up to 60 t	400+7 EURO for each ton above 40 t	100 EURO
above 60 t up to 80 t	540+5 EURO for each ton above 60 t	120 EURO
above 80 t up to 100t	640+5 EURO for each ton above 80 t	140 EURO
above 100t	740+5 EURO for each ton above 100 t	160 EURO

The aforementioned charges shall be increased with:

- 25% for landing on Saturdays, Sundays and on official holidays;
- 25% for landing between 22:00-06:00 local time;

A single landing fee is payable by the operators for operation of training flights regardless of the number of the actual take-offs and landings of one and the same aircraft at the same airport for 24 hour period. The rate of the landing fee for a training flight at Burgas and Varna airports is equal to the rate of the landing fee payable for a domestic flight.

No landing fee is payable for aircraft performing:

- Check flights for their airworthiness (calibration flights);
- Emergency medical flights.

2.2. Passenger charge - Calculation: Departing Passengers

The rate of the passenger charge, for each passenger commencing a travel from Burgas and Varna airports, payable by the operator to the airport administration is equal to:

Passenger Type	Passenger Service Charge	
	Adult	Child
International passenger	8 EURO	4 EURO
Domestic passenger	1,5 EURO	0,75 EURO

Adult is every person over the age of 12 years. Children are aged from 2 to 12 years old.

No passenger service charge is payable when the passengers are:

- infants up to the age of two;
- transit passengers;

2.3. Parking charge - Calculation: Percentage from the Landing Charge

A parking charge is payable by the operators to the airport operator for using parking space. The free parking time is defined as follows:

- Aircraft for transportation of passengers and mail up to 3 hours on a remote or contact stand;
- Aircraft for transportation of cargo - up to 6 hours on a remote stand;

The rate of the parking charge is equal to 20% of the landing charge for each 24 hour period or part thereof for the time of parking which exceeds the free parking time.

When an international flight is performed followed by a domestic one the parking charge payable is the same as for international flights.

When a domestic flight is performed followed by an international one the parking charge payable is the same as for domestic flights.

The rate of the parking charge for airports used as a base (permanent and temporary) for 24 hour period is 5% of the landing charge for a domestic flight for each 24 hour period or part thereof.

No parking charge is payable in case of delay of take - off due to:

- Activities concerning the safety and/or security of the flight;
- Force majeure;
- Emergency medical flights.

2.4. Security charge - Calculation: Departing Passengers

The security charge is intended solely to cover the costs for security related activities at Burgas and Varna airports. The basis for calculation of security charge is the total number of departing passengers per flight. The security charge amounts to:

Airport	Security Charge
Burgas Airport	4,32 EURO
Varna Airport	5,42 EURO

No security charge is payable when the passengers are:

- transit passengers

2.5. Noise (environmental) charge – Calculation: Maximum Take-off Weight and Aircraft's Certified Noise Levels

The Noise (environmental) charge is intended to cover the costs to limit the adverse impact on the environment, such as noise, gas emissions, soil, water and air in the area of Burgas and Varna airports. This charge is determined based on the maximum takeoff weight and the noise characteristics of each individual aircraft.

Methodology for calculation of noise (environmental) charge for Burgas and Varna airports is as follows:

$$C_{tot} = C * (10^{[(La-Ta)/10]} + 10^{[(Ld-Td)/10]}),$$

where:

C tot – Charge for one take-off;

C – Unit noise (environmental) charge, in €;

La – Approach level of the individual aircraft;

Ta – Minimum threshold at approach = 91 EPN dB;

Ld – Average of the sideline and take –off levels of the individual aircraft;

Td – Minimum threshold at departure = 86 EPN dB.

If **La-Ta** or **Ld-Td** is 0 or negative, the factors counts as 1 (one).

The Noise (environmental) charge is applied only to aircraft with MTOW that exceeds 9 tonnes.

As of **01st of January 2013** the unit noise (environmental) charge is to be introduced at Burgas and Varna airports at level **3,74 Euro**;

2.6. PRM charge - Calculation: Departing Passengers

The assessment basis for the PRM charges is the number of departing passengers. The charge refunds any assistance for disable passengers and passengers with reduced mobility (PRM) according to the EU Regulation (EG) 1107/2006. The PRM charge amounts to:

Airport	PRM Charge
Burgas Airport	0,22 EURO
Varna Airport	0,24 EURO

No PRM charge is payable when the passengers are:

- infants up to the age of two;
- transit passengers;

2.7. Centralized infrastructure charge

2.7.1. Burgas Airport

Calculation: Used Elements of Centralized Infrastructure and Maximum Take-off Weight

The centralized infrastructure charge is a cost based usage fee and includes provision, administration and operation of the following central infrastructure facilities according to the implementation of the EC Directive/96/97/EC at Burgas Airport:

- Check-in and gate counters and their facilities (check-in counters and gate counters including their information displays, queuing area, IT hardware installed at the counters, communication network used at each counter);
- Baggage sorting areas;
- Baggage conveyor system;
- Baggage reconciliation system;
- Communication system TETRA;
- Garbage facilities;
- Fresh Water Supply Facilities & Toilet Waste Facilities;
- De-icing infrastructure;
- Centralized Infrastructure facilities management.

These costs are not compensated through the collection of any airport fee or in any other manner.

The amount of the Centralized Infrastructure charge is calculated on the basis of combination from used elements of central infrastructure and maximum take-off weight (MTOW) of the aircraft as indicated in the registration certificate irrespective of the operational criteria. Every part of a ton of the maximum take-off weight (MTOW) shall be rounded up to a whole ton. The centralized infrastructure charge amounts to:

Flight Type	Centralized Infrastructure Charge
Regular	1,03 EURO
Charter	1,03 EURO
General Aviation	0,18 EURO
Cargo	0,18 EURO
Military	0,18 EURO
Technical Stop	0,18 EURO
Others	0,18 EURO

2.7.2. Varna Airport

Calculation: Used Elements of Centralized Infrastructure and Maximum Take-off Weight

The centralized infrastructure charge is a cost based usage fee and includes specific installations and/or facilities at Varna airport which cannot, for technical, environmental, cost or capacity reasons, be divided or duplicated and whose availability is essential and necessary for the performance of subsequent ground handling services.

List of Centralized infrastructure at Varna Airport

- Check-in and gate counters and their facilities (check-in counters and gate counters including their information displays, queuing area, IT hardware installed at the counters, communication network used at each counter);
- Baggage sorting areas;
- Baggage conveyor system;
- Baggage reconciliation system;
- Communication system TETRA;
- Garbage facilities;
- Fresh Water Supply Facilities & Toilet Waste Facilities;
- De-icing infrastructure;

- Centralized Infrastructure facilities management.

These costs are not compensated through the collection of any airport fee or in any other manner.

The amount of the Centralized Infrastructure charge shall be calculated on the basis of combination from used elements of central infrastructure and maximum take-off weight (MTOW) of the aircraft as indicated in the registration certificate irrespective of the operational criteria. Every part of a ton of the maximum take-off weight (MTOW) shall be rounded up to a whole ton. The centralized infrastructure charge amounts to:

Flight Type	Centralized Infrastructure Charge
Regular	1,09 EURO
Charter	1,09 EURO
General Aviation	0,08 EURO
Cargo	0,08 EURO
Military	0,08 EURO
Technical Stop	0,08 EURO
Others	0,08 EURO

3. Chemical Labs Services Charges

The following listed chemical lab analyses will be performed on request as far as available and the conditions for analysis and delivery are met.

A legal claim to the rendering of these chemical analyses does not exist unless there are contractual obligations between actual Burgas and Varna Airports users and Fraport Twin Star Airport Management AD.

Performed chemical analyses or made deliveries of reagents not included in this list will be charged separately. Minimum unit and method for every chemical analysis as mentioned respectively. Partially performed analysis will be charged as completely performed analysis. For avoidance of doubt, the partially performed analysis has different volume of characteristics from the volume of characteristics of full analysis (Rules for quality control of JET fuel and working procedures for transport, storage and refuelling of aircrafts with fuel and greasing materials, Ministry of transport, 2005, Chapter 3, Paragraph 1, Table 3)

Description	Method	Unit	Price in EUR
Presence water and Particulate Contamination	Visual	per analysis	6
Density			
- Hydrometer Method	ASTM D 1298	per analysis	21
- with Digital Density Meter	ASTM D 4052	per analysis	17
Total Acidity	ASTM D 3242	per analysis	19
Level of active sulphur compounds (Doctor's test)	ASTM D 4952	per analysis	9
Distillation temperature	ASTM D 86	per analysis	86
Flash point	ASTM D 56	per analysis	26
Water Reaction Interface Rating	ASTM D 1094	per analysis	31
Colour	Visual	per analysis	4
Electrical Conductivity	ASTM D 2624	per analysis	22
Presence Particulate Contamination with Membrane Colour Ratings	ASTM D 2276	per analysis	273
Viscosity Dynamic(Brookfield method)	ASTM D2196	per analysis	83
Refractive index	ASTM D 1747; ASTM D 1218	per analysis	32
Freezing point of de-icing fluid	ASTM D 1747	per analysis	3
Concentration de-/anti-icing fluid	ASTM D 1747	per analysis	3
Content of the additive "Nicosol 37M"	Lab test	per analysis	32
p H	ASTM E 70	per analysis	10
Chemical sample	БДС ISO 3170	per analysis	30
Freezing point*	ASTM D 2386	per analysis	77

Viscosity at -20°C*	ASTM D 445	per analysis	102
Net heat of combustion*	ASTM D 4529	per analysis	28
Smoke point*	ASTM D 1322	per analysis	10
Lunometric figure*	ASTM D 1322	per analysis	12
Existent gum*	ASTM D 381	per analysis	250
Microseparometer Rating*	ASTM D 3948	per analysis	104
Copper corrosion strip 2h at 100°C*	ASTM D 130	per analysis	90
Microbial Contamination*	Lab test	per analysis	44

**All analyses with asterix are applicable only for Varna airport*