

AIRPORT AUTHORITY ORDINANCE (Chapter 483)

Notice is hereby given that the Scheme of Airport Charges for the Hong Kong International Airport set out in the Schedule to this Notice has been approved by the Chief Executive in Council and made by the Airport Authority in accordance with section 34 of the Airport Authority Ordinance (Chapter 483) and shall come into force on 1 September 2016.

With effect from 1 September 2016, the Scheme of Airport Charges for the Hong Kong International Airport specified in G.N. 6818 of 2012 published in the Government of the Hong Kong Special Administrative Region Gazette on 19 October 2012 is hereby revoked.

10 June 2016

Simon LI *Director-General of Civil Aviation*

SCHEDULE

AIRPORT AUTHORITY HONG KONG
SCHEME OF AIRPORT CHARGES

1. ENTRY INTO FORCE

This Scheme of Airport Charges shall come into force on 1 September 2016 and shall supersede all schemes which are in force before the said date (save as provided otherwise).

2. DEFINITIONS

Except where specifically defined in this Scheme of Airport Charges ('Scheme'), words and expressions in this Scheme shall have the same meanings as those defined in the Airport Authority Ordinance (Cap. 483) ('Ordinance').

In this Scheme:—

'Aircraft' means any fixed winged or rotary winged aircraft and includes Helicopter.

'Airbridge Charge' means the charge levied by the Authority in accordance with paragraph 9.

'Airport Charges' has the same meaning as defined in the Ordinance and for the avoidance of doubt includes the Landing Charge, Parking Charge, Airbridge Charge and Terminal Building Charge specified in this Scheme.

'Airport Lightning Warning' means the amber or red airport lightning warning signals as described under the Airport Lightning Warning System set out in Section 12 of Part E of the Airport Operations Manual – Airfield Operations of the Authority, as may be amended from time to time, or such similar warning signal or signals as may be described under such other system as may be adopted by the Authority from time to time.

'Business Aviation' means any use of Aircraft by any company, corporation, government, or other persons for the transportation, for their own exclusive purpose, of individuals, officials, associates, and guests but does not include any flight training, leisure flying, scheduled services, programmed chartered services, and ad-hoc chartered services where the transportation is paid directly by the Passengers other than the charterer.

'Business Aviation Designated Apron Area' means the area or areas in the Airport Area designated by the Authority for use by Aircraft engaged in Business Aviation and with a wing span not exceeding 36 metres in the case of a fixed winged Aircraft or a rotor diameter not exceeding 18 metres in the case of a rotary winged Aircraft.

'Code C Aircraft' means an Aircraft with dimensions meeting the specifications in the Aerodrome Reference Code table in Annex 14, Volume I, to the Convention on International Civil Aviation, as may be amended from time to time.

'Freighter' means an Aircraft which carries cargo (including mail) only and shall include a passenger aircraft used to carry cargo (including mail) only.

'Ground Handling Services' means the services for or in connection with the handling of Passengers, baggage, cargo, or mail performed at the Airport Area.

'Helicopter' means a heavier-than-air aircraft supported in flight by the reaction of the air on one or more normally power-driven rotors on substantially vertical axes.

'Hong Kong Dollars' and 'HK\$' means the lawful currency of Hong Kong.

'Landing' means the landing of an Aircraft at the Airport Area and includes the use by the Aircraft of helipads, runways, and taxiways or any other facilities at the Airport Area for landing.

'Landing Charge' means the charge levied by the Authority for a Landing in accordance with paragraphs 4 and 5.

'MTOW' means, in relation to any Aircraft, the greatest of the maximum take-off weights (expressed in tonnes) set out in the flight manual (current at the material time) for the Aircraft concerned or, if this information has not been provided to the Authority, the highest known maximum take-off weight (expressed in tonnes) for the aircraft type.

'Operator' means any person or body of persons, corporate or unincorporate, which for the time being has the management or control of an Aircraft arriving at, parking in, or departing from the Airport Area.

'Other Areas' means the Airport Area other than the Business Aviation Designated Apron Area.

'Parking' means the parking of an Aircraft at a Parking Stand. The use of a Parking Stand for the purpose of this paragraph is deemed to commence from the time of chocks on to the time of chocks off at that Parking Stand and in case the Aircraft is moved from one Parking Stand to another Parking Stand, unless agreed between the Authority and the Operator, the use of the second Parking Stand is deemed to commence from the time of chocks off at the first Parking Stand.

'Parking Charge' means the charge levied by the Authority for each Parking of an Aircraft in accordance with paragraph 6, 7, or 8 and for the avoidance of doubt includes the charge for the use of the services provided by the Authority to the Operator relating to the use of the Parking Stand for Parking of the Aircraft but excludes the Airbridge Charge and the charges for services provided by ground handlers and other third parties relating to the use of the Parking Stand.

'Parking Stand' includes a helipad, an aircraft parking stand or any other area used for the parking of an Aircraft at the Airport Area.

'Parking Unit' means a parking unit to be calculated as specified in paragraph 6.4, 7.4, 8.4 or 9.2.

'Parking Unit Rate' means the rate for each Parking Unit for the Parking of an Aircraft as specified in paragraph 6.3, 7.3, or 8.3.

'Passenger' means any person carried on an Aircraft other than a member of the flight crew or cabin staff operating the flight of the Aircraft.

'Plan' means the plan to be provided to the Authority by an Operator in accordance with paragraph 3.5(1) which shall include the following information relating to the Operator:—

- (1) details of the proposed flight schedules including arrival and departure times, flight numbers, destination, and details of all Aircraft types; and
- (2) details of the Operator's Aircraft to be operated on the flight schedules (including their identification, MTOW, cargo capacity, seating configuration and, in case of Aircraft engaged in Business Aviation, measurement of wing span or rotor diameter).

'TBC' means the Terminal Building Charge levied by the Authority for the use of the passenger terminal buildings and related facilities and services therein provided directly by the Authority in connection with the facilitation of Passengers and crews including their baggage in accordance with paragraph 11.

'Technical Stop' means the landing of an Aircraft for the sole purpose of changing crew or refuelling, or solely for technical reasons (inclusive of aircraft maintenance, but for the avoidance of doubt excluding the taking on or discharging of Passengers, cargo, baggage, or mail).

'Test Flight' means a flight made solely for the purpose of determining whether an Aircraft is airworthy following inspection, overhaul, repair, or modification of the Aircraft or the overhaul, repair, modification, or replacement of any of its equipment.

'Transit Passengers' means Passengers arriving and departing on the same Aircraft under the same flight number without passing through arrival immigration controls at the Airport Area.

'Tropical Cyclone Warning' means the warning signals as declared by the Hong Kong Observatory.

3. GENERAL CONDITIONS

- 3.1 Each Operator shall be responsible for the Airport Charges in respect of its Aircraft at the Airport Area.
 - 3.2 The Operator shall pay to the Authority, or through the Authority's collection agent as printed on the invoice, in strict accordance with the Authority's demand for payment, all Airport Charges. Unless otherwise specified in the Authority's demand, such payment shall be made no later than 14 days from the date of such demand.
 - 3.3 Without prejudice to any other rights or remedies to which the Authority may be entitled, if the Operator fails to pay any Airport Charges within the time limit specified in paragraph 3.2 to the Authority, the amount for the time being outstanding shall (as well after as before judgement) bear interest (immediately due and payable by the Operator in the same manner as the overdue payment) as from the expiry of the applicable time period and until actual payment to the Authority (such interest being compounded by adding accrued interest to principal every month) at the rate of 3% above the best lending rate for the time being for Hong Kong Dollars published in Hong Kong by The Hongkong and Shanghai Banking Corporation Limited.
 - 3.4 All Airport Charges are expressed in Hong Kong Dollars.
 - 3.5 The Operator or its appointed handling agent shall provide to the Authority upon request from the Authority:—
 - (1) (a) for Aircraft other than Helicopters to be parked at the Other Areas, a Plan for each flight scheduling season no later than 90 days, or such other period as may be specified by the Authority, prior to the commencement of the flight scheduling season;
 - (b) for Helicopters to be parked at the Other Areas, a Plan no later than 24 hours, or such other period as may be specified by the Authority, prior to the proposed date of arrival of a Helicopter at the Airport Area; and
 - (c) for Aircraft (including Helicopters) to be parked at the Business Aviation Designated Apron Area, a Plan no later than 7 days, or such other period as may be specified by the Authority, prior to the proposed date of arrival of the Aircraft at the Airport Area.
 - (2) information in such form as the Authority may determine from time to time relating to the movements of its Aircraft, including but not limited to information relating to the number of Passengers, Transit Passengers and crew; and
 - (3) as soon as practicable such information as the Authority may reasonably require to verify or substantiate the accuracy or completeness of information received from the Operator for billing purpose, including without limitation for each Aircraft its flight manual (current at the material time) and certificate of airworthiness (current at the material time), provided that the Operator is informed of such a requirement within 60 days of the use giving rise to the Airport Charges in question.
- 3.6 (1) No reduction of or exemption from any Airport Charges for an Aircraft shall be allowed:—
 - (a) by reason of the unavailability of any airport services, assistance, or other facilities; or
 - (b) when an Aircraft is diverted or obliged to land in exceptional circumstances, for example by reason of bad weather or traffic congestion.

- (2) No exemption from or rebates of any Airport Charges shall be allowed other than those which are specifically provided for under the provisions of the Ordinance or this Scheme.
- 3.7 The Authority may, in exceptional circumstances, decide on the amount of Airport Charges not exceeding such amounts as are specified in this Scheme or such amounts as are ascertained by reference to such scales that are specified in this Scheme, provided that:—
- (1) such Airport Charges are of application for a limited period of time as the Board of the Authority may decide;
 - (2) the implementation of such Airport Charges would not, or would not be likely to, result in a breach of an international obligation relating to civil aviation applicable to Hong Kong or hindrance of the implementation of such an obligation; and
 - (3) such Airport Charges are approved by the Board of the Authority.
4. LANDING CHARGE FOR THE LANDING OF AN AIRCRAFT OTHER THAN A HELICOPTER
- 4.1 Subject to paragraph 10.1, a Landing Charge to be calculated in accordance with paragraphs 4.2 and 4.3 shall be charged for each Landing of an Aircraft other than a Helicopter.
- 4.2 Subject to paragraphs 4.3, the Landing Charge for each Landing shall be calculated as follows:—
- (1) For period from 1 September 2016 and including 31 August 2017,
 - (a) where the MTOW of the Aircraft is 20 tonnes or less, a sum of HK\$2,800; or
 - (b) where the MTOW of the Aircraft exceeds 20 tonnes, a sum being the aggregate total of HK\$2,800 plus \$67 for each tonne in excess of 20 tonnes.
 - (2) For period from 1 September 2017 and including 31 August 2018,
 - (a) where the MTOW of the Aircraft is 20 tonnes or less, a sum of HK\$3,000; or
 - (b) where the MTOW of the Aircraft exceeds 20 tonnes, a sum being the aggregate total of HK\$3,000 plus \$72 for each tonne in excess of 20 tonnes.
 - (3) From 1 September 2018 onwards,
 - (a) where the MTOW of the Aircraft is 20 tonnes or less, a sum of HK\$3,150; or
 - (b) where the MTOW of the Aircraft exceeds 20 tonnes, a sum being the aggregate total of HK\$3,150 plus \$74 for each tonne in excess of 20 tonnes.
- For the purpose of determining the number of tonnes, if it is 0.5 tonne or above but less than 1 tonne, the number of tonnes shall be rounded up to the nearest tonne and if it is less than 0.5 tonne, it shall be rounded down to the nearest tonne.
- 4.3 An Aircraft (other than a Helicopter) carrying out a Test Flight with the prior written approval of the Authority shall be charged a Landing Charge at 50% of the rates stipulated in paragraph 4.2.
5. LANDING CHARGE FOR THE LANDING OF A HELICOPTER
- 5.1 Subject to paragraph 10.1, a Landing Charge to be calculated in accordance with paragraphs 5.2 and 5.3 shall be charged for each Landing of a Helicopter.
- 5.2 Subject to paragraph 5.3, the Landing Charge for each Landing shall be calculated as follows:—
- (1) where the MTOW of the Helicopter is 3 tonnes or less, a sum of HK\$331.5;
 - (2) where the MTOW of the Helicopter exceeds 3 tonnes but is 20 tonnes or less, a sum being the aggregate total of HK\$331.5 plus HK\$110.5 for each tonne in excess of 3 tonnes; or
 - (3) where the MTOW of the Helicopter exceeds 20 tonnes, a sum being the aggregate total of HK\$2,210 plus HK\$63 for each tonne in excess of 20 tonnes.

For the purpose of determining the number of tonnes, if it is 0.5 tonne or above but less than 1 tonne, the number of tonnes shall be rounded up to the nearest tonne and if it is less than 0.5 tonne, it shall be rounded down to the nearest tonne.

5.3 A Helicopter carrying out a Test Flight with the prior written approval of the Authority shall be charged a Landing Charge at 50% of the rates stipulated in paragraph 5.2.

6. PARKING CHARGE FOR THE PARKING OF AN AIRCRAFT OTHER THAN A HELICOPTER IN OTHER AREAS

6.1 Subject to paragraphs 8.7 and 10.2, a Parking Charge to be calculated in accordance with paragraphs 6.2, 6.3, 6.4, 6.5 and 6.6 shall be charged for the Parking of an Aircraft other than a Helicopter in the Other Areas.

6.2 Subject to paragraphs 6.5 and 6.6, the Parking Charge for each Parking of an Aircraft other than a Helicopter in the Other Areas shall be calculated by the applicable Parking Unit Rate times the number of applicable Parking Units for which the Aircraft has parked at the Parking Stand.

6.3 The rate for each Parking Unit for the Parking of an Aircraft other than a Helicopter at the following Parking Stands in the Other Areas shall be:—

<i>Parking Stand</i>	<i>Rate per Parking Unit HK\$</i>
(1) Terminal building frontal parking stands	183
(2) Terminal building frontal parking stands for Code C Aircraft	165
(3) Remote parking stands	147
(4) Cargo apron parking stands	117
(5) Direct taxi-in/taxi-out parking stands for Code C Aircraft	117
(6) Maintenance apron parking stands	94
(7) Other parking areas	94

6.4 A Parking Unit for Parking at a Parking Stand in the Other Areas is each period of 15 minutes.

6.5 Any Parking at a Parking Stand in the Other Areas for less than a Parking Unit shall be charged for the entire Parking Unit.

6.6 For Parking at all types of Parking Stands in the Other Areas between mid-night and 07.00 (or any part thereof), an Aircraft other than a Helicopter shall be charged a Parking Charge equal to:—

(1) in the case where no Ground Handling Services are required at any time during the entirety of that period, the lower of:—

- (a) the Parking Charge calculated in accordance with paragraph 6.2; and
- (b) the Parking Charge for 3 hours at a maintenance apron parking stand; and

(2) in any other cases, the lower of:—

- (a) the Parking Charge calculated in accordance with paragraph 6.2; and
- (b) the total of:—

- (i) the Parking Charge for 3 hours at a maintenance apron parking stand; plus
- (ii) the Parking Charge calculated in accordance with paragraph 6.2 for the period in which any Ground Handling Services are required.

7. PARKING CHARGE FOR THE PARKING OF A HELICOPTER IN OTHER AREAS

7.1 Subject to paragraphs 8.7 and 10.2, a Parking Charge to be calculated in accordance with paragraphs 7.2, 7.3, 7.4, 7.5 and 7.6 shall be charged for the Parking of a Helicopter in the Other Areas.

7.2 Subject to paragraphs 7.5 and 7.6, the Parking Charge for each Parking of a Helicopter at a Parking Stand in the Other Areas shall be calculated by the applicable Parking Unit Rate

times the number of applicable Parking Units for which the Helicopter has parked at the Parking Stand.

- 7.3 The rate for each Parking Unit for the Parking of a Helicopter at any Parking Stand in the Other Areas shall be HK\$40 per Parking Unit.
- 7.4 A Parking Unit for Parking at a Parking Stand in the Other Areas shall be each period of 15 minutes.
- 7.5 Any Parking at a Parking Stand for less than a Parking Unit shall be charged for the entire Parking Unit.
- 7.6 For Parking at all types of Parking Stands in the Other Areas between mid-night and 07.00 (or any part thereof), a Helicopter shall be charged a Parking Charge equal to:—
 - (1) in the case where no Ground Handling Services are required at any time during the entirety of that period, the lower of:—
 - (a) the Parking Charge calculated in accordance with paragraph 7.2; and
 - (b) the Parking Charge for 3 hours; and
 - (2) in any other cases, the lower of:—
 - (a) the Parking Charge calculated in accordance with paragraph 7.2; and
 - (b) the total of:—
 - (i) the Parking Charge for 3 hours, plus
 - (ii) the Parking Charge calculated in accordance with paragraph 7.2 for the period in which any Ground Handling Services are required.

8. PARKING CHARGE FOR THE PARKING OF AN AIRCRAFT (INCLUDING HELICOPTER) AT THE BUSINESS AVIATION DESIGNATED APRON AREA

- 8.1 Subject to paragraph 10.2, a Parking Charge to be calculated in accordance with paragraphs 8.2, 8.3, 8.4, 8.5, and 8.6 shall be charged for the Parking of an Aircraft at the Business Aviation Designated Apron Area.
- 8.2 Subject to paragraph 8.5, the Parking Charge for each Parking of an Aircraft at the Business Aviation Designated Apron Area shall be calculated by the applicable Parking Unit Rate times the number of applicable Parking Units for which the Aircraft has parked at the Parking Stand.
- 8.3 Subject to paragraph 8.6, the rate for each Parking Unit for the Parking of an Aircraft at the Parking Stands in the Business Aviation Designated Apron Area shall be:—

<i>Aircraft Size</i>		<i>Rate per Parking Unit HK\$</i>
(1)	For an Aircraft with wing span not exceeding 15 metres or with rotor diameter not exceeding 7.5 metres	176
(2)	For an Aircraft with wing span exceeding 15 metres but not exceeding 24 metres or with rotor diameter exceeding 7.5 metres but not exceeding 12 metres	846
(3)	For an Aircraft with wing span exceeding 24 metres but not exceeding 36 metres or with rotor diameter exceeding 12 metres, but not exceeding 18 metres	1,128

- 8.4 Subject to paragraph 8.6, a Parking Unit for all Parking Stands in the Business Aviation Designated Apron Area is each period of 6 hours.
- 8.5 Any Parking at a Parking Stand in the Business Aviation Designated Apron Area for less than a Parking Unit shall be charged for the entire Parking Unit.
- 8.6 In the event that an Aircraft which is not engaged in Business Aviation is directed by the Authority for operational reasons to be parked at the Business Aviation Designated Apron Area, the Parking Stand occupied by that Aircraft shall be regarded as a maintenance apron parking stand under paragraph 6.3(6) and the Parking Charge for the Parking of the Aircraft

shall be calculated in accordance with the provisions of paragraph 6 as if the Aircraft were parked at a maintenance apron parking stand in the Other Areas.

8.7 In the event that an Aircraft which is engaged in Business Aviation is directed by the Authority for operational reasons to be parked at a Parking Stand in the Other Areas, the Parking Charge for the Parking of the Aircraft shall be calculated in accordance with the provisions of paragraphs 8.2, 8.3, 8.4 and 8.5 as if the Aircraft were parked at the Business Aviation Designated Apron Area.

9. AIRBRIDGE CHARGE

9.1 Subject to paragraph 10.3, an Airbridge Charge of HK\$500 per Parking Unit shall be charged for the Parking of an Aircraft at a Parking Stand equipped with an airbridge for all Parking Units after the first 4 consecutive hours between 07.00 and mid-night each day, provided that in respect of any period between 07.00 and mid-night each day during which an Airport Lightning Warning or Tropical Cyclone Warning signal number 8 or above is hoisted, such period shall not be included in the calculation of any 4 hour consecutive period.

9.2 A Parking Unit for Airbridge Charge is each period of 15 minutes.

9.3 Airbridge Charge of any Parking for less than a Parking Unit shall be charged for the entire Parking Unit.

10. EXEMPTION OF LANDING CHARGE, PARKING CHARGE AND AIRBRIDGE CHARGE

10.1 For the avoidance of doubt, no Landing Charge shall be levied in respect of an Aircraft certified as waived from Landing Charge by the Authority as required by a direction given by the Director-General of Civil Aviation under the Ordinance.

10.2 For the avoidance of doubt, no Parking Charge shall be levied in respect of an Aircraft certified as waived from Parking Charge by the Authority as required by a direction given by the Director-General of Civil Aviation under the Ordinance.

10.3 For the avoidance of doubt, no Airbridge Charge shall be levied in respect of an Aircraft certified as waived from Airbridge Charge by the Authority as required by a direction given by the Director-General of Civil Aviation under the Ordinance.

11. TERMINAL BUILDING CHARGE ("TBC")

11.1 The Operator shall be charged a TBC to be calculated in accordance with paragraphs 11.2, 11.3, and 11.4.

11.2 Subject to paragraphs 11.3 and 11.4, the TBC shall be calculated as follows:—

HK\$23 times the number of Passengers on the Aircraft departing from the Airport Area and who are not Transit Passengers.

11.3 No TBC shall be charged in respect of an Aircraft engaged in Business Aviation unless any one of the Passengers uses any of the passenger terminal buildings and related facilities and services therein provided directly by the Authority in connection with the facilitation of Passengers and crews including their baggage in which event a TBC shall be charged for each such Passenger.

11.4 No TBC shall be levied in respect of:—

- (1) a Freighter or a Technical Stop provided that the Aircraft does not load or unload any Passenger at the Airport Area; or
- (2) any other Aircraft certified as waived from TBC by the Authority as required by a direction given by the Director-General of Civil Aviation under the Ordinance.