Commission Regulation (EC) No 1358/2003 of 31 July 2003 implementing Regulation (EC) No 437/2003 of the European Parliament and of the Council on statistical returns in respect of the carriage of passengers, freight and mail by air and amending Annexes I and II thereto (Text with EEA relevance)

COMMISSION REGULATION (EC) No 1358/2003

of 31 July 2003

implementing Regulation (EC) No 437/2003 of the European Parliament and of the Council on statistical returns in respect of the carriage of passengers, freight and mail by air and amending Annexes I and II thereto

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 437/2003 of the European Parliament and of the Council of 27 February 2003 on statistical returns in respect of the carriage of passengers, freight and mail by air[(1)], and in particular Article 10 thereof,

Whereas:

(1) In accordance with Article 10 of Regulation (EC) No 437/2003, the Commission should lay down the arrangements for implementing that Regulation.

(2) It is necessary to establish the list of Community airports, apart from those having only occasional commercial traffic, and the derogations to be provided.

(3) It is necessary to specify the format in which the data are to be transmitted, in sufficient detail to ensure that such data can be processed rapidly and in a cost-effective way.

(4) The arrangements concerning the dissemination of the statistical results should be drawn up.

(5) In accordance with the first indent of Article 10 of Regulation (EC) No 437/2003, the Commission should also adapt the specifications in the Annexes thereto.

(6) The record structure for data transmission, the codes and the definitions set out in Annexes I and II to Regulation (EC) No 437/2003 need to be adapted.

(7) Regulation (EC) No 437/2003 should therefore be amended accordingly.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Statistical Programme Committee set up by Decision 89/382/EEC/Euratom[(2)],

HAS ADOPTED THIS REGULATION:

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EC) No 1358/2003. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Article 1

For the purposes of Article 3(2), (4) and (5) of Regulation (EC) No 437/2003, the list of Community airports, apart from those having only occasional commercial traffic, and the derogations, shall be as specified in Annex I to this Regulation.

Article 2

For the purposes of Article 7 of Regulation (EC) No 437/2003, the results shall be transmitted according to the description of the data files and transmission medium defined in Annex II to this Regulation.

Article 3

For the purposes of Article 8(1) of Regulation (EC) No 437/2003, the Commission shall disseminate all data not declared as confidential by the Member States, on any medium and with any data structure.

Article 4

Annexes I and II to Regulation (EC) No 437/2003 are replaced by the text set out in Annex III to this Regulation.

Article 5

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EC) No 1358/2003. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

ANNEX I

AIRPORT CATEGORIES, LISTS OF COMMUNITY AIRPORTS AND DEROGATIONS

I.Airport categories and reference periods taken into account

Four categories of Community airports can be defined:

— category 0: Airports with less than 15 000 passenger units per year are considered as having only ‘occasional commercial traffic’, so have, according to Article 3(3), no obligation to report,

— category 1: Airports with between 15 000 and 150 000 passenger units per year shall transmit only table C1,

— category 2: Airports with more than 150 000 passenger units and less than 1 500 000 passenger units per year shall transmit all tables listed in Annex I, but may, according to the terms of Article 3(4), benefit from complete or partial derogations until year 2003, 2004 or 2005,

— category 3: Airports with at least 1 500 000 passenger units per year shall transmit all tables listed in Annex I, but may, according to the terms of Article 3(5), benefit from a complete or partial derogation on table B1, in year 2003 only.

For the purpose of defining the airport category in year N, the reference year taken into account for the calculation of the passenger units is:

— for category 0, 1 and 2 airports: year N-2,

— for category 3 airports: year N (except for the reporting of year 2003 tables where 2001 passenger units are taken into account and for the reporting of year 2004 tables where 2003 passenger units are taken into account).

Airports for which passenger units decreased between year N-2 and year N-1 may use year N-1 as the reference year for their classification.

II. Permitted derogations

Summary table by reporting year and according to the Community airport size category.

Community Airports categories by size	**Year 2003**	**Year 2004**	**Year 2005**
(0) **Less than 15 000 passenger units**	No obligation to report	No obligation to report	No obligation to report
(1) **Between 15 000 and 150 000 passenger units**	C1 (possible derogation)	C1 (possible derogation)	C1 (possible derogation)
(2) **More than 150 000 and less than 1 500 000 passenger units**	A1 (possible derogation) B1 (possible derogation) C1 (possible derogation)	A1 (possible derogation) B1 (possible derogation) C1 (possible derogation)	A1 (possible derogation) B1 (possible derogation) C1 (possible derogation)

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EC) No 1358/2003. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(3) **At least 1 500 000 passenger units**	**A1 (no derogations)** B1 (possible derogation) **C1 (no derogations)**	**A1(no derogations)** **B1 (no derogations)** **C1 (no derogations)**	**A1(no derogations)** **B1 (no derogations)** **C1 (no derogations)**

Derogations can be either partial or total.

Partial derogations can only be granted for the following fields: ‘airline information’ and ‘passenger seats available’.

In case a partial derogation is granted for these fields, an ‘unknown code’ shall be reported instead of the expected code (for the ‘Passenger seats available’ field, the unknown code to be used is ‘999999999999’).

If a derogation was granted for an airport in year N but the airport changes category in year N, then the derogation is no longer valid for that year.

III. List of Community airports covered and derogations

Community airports having only occasional commercial traffic (category 0) have no obligation to report. They are therefore excluded from the following lists.

Category 1 airports are mentioned in italic font in the following lists.

Category 2 airports are mentioned in normal font in the following lists.

Category 3 airports are mentioned in bold font in the following lists.

Category 3 airports for which a derogation for table B1 is granted in 2003 are marked with an X in column (4) in case of a total derogation and a P in column (4) in case of a partial derogation.

Category 2 airports for which a derogation for table A1 and/or B1 is granted until year N (year 2003, 2004 or 2005) are marked with ‘year N’ in column (5.1) and/or (5.2). In case only a partial derogation is granted, a ‘P’ follows the year.

Category ‘1’ or ‘2’ airports for which a derogation for table C1 is granted until year N (year 2003, 2004 or 2005) are marked with ‘year N’ in column (5.3). In case only a partial derogation is granted, a ‘P’ follows the year.

Details related to partial derogations (if any) follow the tables.

[F1BELGIUM: LIST OF COMMUNITY AIRPORTS

ICAO airport code	Airport name	Airport category in 2007
EBAW	Antwerpen/Deurne	2
EBBR	**Bruxelles/National Brussel/Nationaal**	**3**
EBCI	**Charleroi/Brussels South**	**3**
EBLG	**Liège/Bierset**	**3**
EBOS	Oostende	2

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EC) No 1358/2003. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

F1 Substituted by Commission Regulation (EC) No 158/2007 of 16 February 2007 amending Commission Regulation (EC) No 1358/2003 as regards the list of Community airports (Text with EEA relevance).

BULGARIA: LIST OF COMMUNITY AIRPORTS

ICAO airport code	Airport name	Airport category in 2007
LBBG	**Burgas**	**3**
LBPD	*Plovdiv*	*1*
LBSF	**Sofia**	**3**
LBWN	**Varna**	**3**

CZECH REPUBLIC: LIST OF COMMUNITY AIRPORTS

ICAO airport code	Airport name	Airport category in 2007
LKKV	*Karlovy Vary*	*1*
LKMT	Ostrava/Mošnov	2
LKPR	**Praha/Ruzyně**	**3**
LKTB	Brno-Tuřany	2

DENMARK: LIST OF COMMUNITY AIRPORTS

ICAO airport code	Airport name	Airport category in 2007
EKAH	Århus	2
EKBI	**Billund**	**3**
EKCH	**Copenhagen Kastrup**	**3**
EKEB	Esbjerg	2
EKKA	Karup	2
EKRK	*Copenhagen Roskilde*	*1*
EKRN	Bornholm	2
EKSB	*Sønderborg*	*1*
EKYT	Aalborg	2

GERMANY: LIST OF COMMUNITY AIRPORTS

ICAO airport code	Airport name	Airport category in 2007
EDAC	*Altenburg-Nobitz*	*1*
EDDB	**Berlin-Schönefeld**	**3**
EDDC	**Dresden**	**3**