

Island of  Guernsey

Ordinance of the States **V**

1978

Made ... .. 29th March, 1978.  
Coming into Operation ... 1st April, 1978.

**The Airport Fees Ordinance, 1978**

ARRANGEMENT OF SECTIONS

Section

PART I

*General airport fees*

1. Passenger aircraft: long haul.
2. Passenger aircraft: short haul.
3. Cargo aircraft: long haul.
4. Cargo aircraft: short haul.
5. Mixed aircraft: long haul.
6. Mixed aircraft: short haul.
7. Local flights.
8. Private aircraft.
9. Test, familiarisation and training flights.
10. Additional fees outside promulgated hours.
11. Arrivals due to weather, etc.
12. Parking fees.
13. Exceptions.
14. Exemptions.

## PART II

*Commuted airport fees*

15. Commuted fee payable by an operator.

## PART III

*General*

16. Payment and recovery of fees.
17. Interpretation.
18. Repeals.
19. Extent.
20. Citation.
21. Commencement.

## FIRST SCHEDULE:

- PART I —Aircraft in passenger configuration fees: long haul.
- PART II —Aircraft in passenger configuration fees: short haul.
- PART III —Aircraft in cargo configuration fees: long haul.
- PART IV —Aircraft in cargo configuration fees: short haul.
- PART V —Aircraft in mixed configuration fees: long haul.
- PART VI —Aircraft in mixed configuration fees: short haul.
- PART VII —Local flights fees.
- PART VIII—Private aircraft fees.
- PART IX —Test, familiarisation and training flights fees: airport.
- PART X —Test, familiarisation and training flights fees: simulated landing.

SECOND SCHEDULE: Additional fees for availability of Airport outside promulgated hours.

THIRD SCHEDULE: Parking fees.

FOURTH SCHEDULE: Ordinances repealed.

## The Airport Fees Ordinance, 1978

THE STATES, in pursuance of their Resolution of the twenty-second day of February, nineteen hundred and seventy-eight, and in exercise of the powers conferred upon them by section one of the Alderney (Application of Legislation) Law, 1948(a), and of all other powers enabling them in that behalf, hereby order:—

### PART I

#### *General airport fees*

1. (1) There shall be payable in respect of each arrival at the Airport of an aircraft in passenger configuration of either of the classes set out in the left hand column of Part I of the First Schedule to this Ordinance which last departed from a place outside a radius of fifty-five nautical miles from the Airport, an airport fee:—

Passenger  
aircraft:  
long haul.

- (a) calculated, during the months of April, May, June, July, August, September and October in any year, in accordance with the rates set out in Table 1 of the right hand column of the said Part of the said Schedule in relation to those classes respectively;
- (b) calculated, during the months of January, February, March, November and December in any year, in accordance with the rates set out in Table 2 of the right hand column of the said Part of the said Schedule in relation to those classes respectively.

(2) In addition to the airport fee payable in pursuance of the provisions of the last preceding

---

(a) Ordres en Conseil Vol. XIII, p. 448.

subsection there shall be payable in respect of each arrival at the Airport of an aircraft in passenger configuration, a passenger fee:—

- (a) calculated, in the case of such an aircraft which last departed from a place outside a radius of fifty-five nautical miles from the Airport but in the United Kingdom or the Isle of Man, by multiplying one pound by the number of passengers on board the aircraft at the time of its arrival as aforesaid;
- (b) calculated, in the case of such an aircraft which last departed from a place outside a radius of fifty-five nautical miles from the Airport and outside the United Kingdom, the Isle of Man and the Channel Islands, by multiplying two pounds and twenty new pence by the number of passengers on board the aircraft at the time of its arrival as aforesaid.

Passenger  
aircraft:  
short haul.

2. (1) There shall be payable in respect of each arrival at the Airport of an aircraft in passenger configuration of either of the classes set out in the left hand column of Part II of the First Schedule to this Ordinance which last departed from a place within a radius of fifty-five nautical miles from the Airport, an airport fee calculated in accordance with the rates set out in the right hand column of the said Part of the said Schedule in relation to those classes respectively.

(2) In addition to the airport fee payable in pursuance of the provisions of the last preceding subsection there shall be payable in respect of each arrival at the Airport of an aircraft in passenger configuration which last departed from a place within a radius of fifty-five nautical miles from the

Airport but outside the Channel Islands, a passenger fee calculated by multiplying one pound by the number of passengers on board the aircraft at the time of its arrival as aforesaid.

3. There shall be payable in respect of each arrival at the Airport of an aircraft in cargo configuration of either of the classes set out in the left hand column of Part III of the First Schedule to this Ordinance which last departed from a place outside a radius of fifty-five nautical miles from the Airport, an airport fee calculated in accordance with the rates set out in the right hand column of the said Part of the said Schedule in relation to those classes respectively.

Cargo  
aircraft:  
long haul.

4. There shall be payable in respect of each arrival at the Airport of an aircraft in cargo configuration of either of the classes set out in the left hand column of Part IV of the First Schedule to this Ordinance which last departed from a place within a radius of fifty-five nautical miles from the Airport, an airport fee calculated in accordance with the rates set out in the right hand column of the said Part of the said Schedule in relation to those classes respectively.

Cargo  
aircraft:  
short haul.

5. (1) There shall be payable in respect of each arrival at the Airport of an aircraft in mixed configuration of either of the classes set out in the left hand column of Part V of the First Schedule to this Ordinance which last departed from a place outside a radius of fifty-five nautical miles from the Airport, an airport fee calculated in accordance with the rates set out in the right hand column of the said Part of the said Schedule in relation to those classes respectively.

Mixed  
aircraft:  
long haul.

(2) In addition to the airport fee payable in pursuance of the provisions of the last preceding subsection there shall be payable in respect of each arrival at the Airport of an aircraft in mixed configuration, a passenger fee:—

- (a) calculated, in the case of such an aircraft which last departed from a place outside a radius of fifty-five nautical miles from the Airport but in the United Kingdom or the Isle of Man, by multiplying one pound by the number of passengers on board the aircraft at the time of its arrival as aforesaid;
- (b) calculated, in the case of such an aircraft which last departed from a place outside a radius of fifty-five nautical miles from the Airport and outside the United Kingdom, the Isle of Man and the Channel Islands, by multiplying two pounds and twenty new pence by the number of passengers on board the aircraft at the time of its arrival as aforesaid.

Mixed  
aircraft:  
short haul.

6. (1) There shall be payable in respect of each arrival at the Airport of an aircraft in mixed configuration of either of the classes set out in the left hand column of Part VI of the First Schedule to this Ordinance which last departed from a place within a radius of fifty-five nautical miles from the Airport, an airport fee calculated in accordance with the rates set out in the right hand column of the said Part of the said Schedule in relation to those classes respectively.

(2) In addition to the airport fee payable in pursuance of the provisions of the last preceding subsection there shall be payable in respect of each arrival at the Airport of an aircraft in mixed configuration which last departed from a place within

a radius of fifty-five nautical miles from the Airport but outside the Channel Islands, a passenger fee calculated by multiplying one pound by the number of passengers on board the aircraft at the time of its arrival as aforesaid.

7. There shall be payable in respect of each arrival at the Airport of an aircraft of either of the classes set out in the left hand column of Part VII of the First Schedule to this Ordinance after a flight, not being a flight which, in the opinion of the Board, is a bona fide test flight or a familiarisation or training flight on which only personnel for carrying out the test, familiarisation or under training, as the case may be, are carried, which began at the Airport and during which the aircraft did not land at any other place, an airport fee calculated in accordance with the rates set out in the right hand column of the said Part of the said Schedule in relation to those classes respectively. Local flights.

8. (1) There shall be payable in respect of each arrival at the Airport of a private aircraft not exceeding three metric tons maximum permissible weight of any of the classes set out in the left hand column of Part VIII of the First Schedule to this Ordinance, an airport fee:— Private aircraft.

(a) if payment of the fee is made immediately on the arrival of the aircraft at the Airport, of the amounts set out in Table 1 of the right hand column of the said Part of the said Schedule in relation to those classes respectively;

(b) if payment of the fee is not made immediately on the arrival of the aircraft at the Airport, of the amounts set out in Table 2 of the right hand column of the said Part of the said Schedule in relation to those classes respectively.

(2) There shall be payable in respect of each arrival at the Airport of a private aircraft exceeding three metric tons maximum permissible weight, an airport fee whether payment is made immediately on the arrival of the aircraft at the Airport or later at the rate of four pounds per metric ton of the aircraft or part thereof.

Test,  
familiarisa-  
tion and  
training  
flights.

9. (1) There shall be payable in respect of each arrival at the Airport of an aircraft of either of the classes set out in the left hand column of Part IX of the First Schedule to this Ordinance on a flight which is, in the opinion of the Board, a bona fide test flight or a familiarisation or training flight on which only personnel for carrying out the test, familiarisation or under training, as the case may be, are carried, an airport fee calculated in accordance with the rates set out in the right hand column of the said Part of the said Schedule in relation to those classes respectively.

(2) In the case of an aircraft of either of the classes set out in the left hand column of Part X of the First Schedule to this Ordinance on a flight which is, in the opinion of the Board, a bona fide test flight or a familiarisation or training flight on which only personnel for carrying out the test, familiarisation or under training, as the case may be, are carried, there shall be payable, if the aircraft approaches the runway of the Airport for the purposes of making a simulated landing but does not land at the Airport, a fee calculated in accordance with the rates set out in the right hand column of the said Part of the said Schedule in relation to those classes respectively in respect of each such approach to the runway.

(3) Any person who is desirous that a flight should, for the purposes of either of the last two

preceding subsections, be treated by the Board as a bona fide test flight or a familiarisation or training flight shall, before the flight is to take place, supply the Board with such information, including the circumstances in which it is to take place, as the said Board may require.

10. Where the Airport is made available for the arrival thereat or the departure therefrom of an aircraft before the commencement or after the expiration of the promulgated hours on any day, there may be payable at the discretion of the Board, in addition to any other fee payable in pursuance of the provisions of this Ordinance, an airport fee calculated in accordance with the provisions of the Second Schedule to this Ordinance.

Additional fees outside promulgated hours.

11. (1) Where after the departure of an aircraft from the Airport the aircraft is unable to reach its destination through stress of weather or other circumstances beyond the control of the operator and returns to the Airport without having landed at any place during the flight, an airport fee in respect of the arrival on return shall not be payable under the provisions of this Ordinance if, as soon as may be after such arrival, the aircraft departs for its original destination without any passenger or any freight not carried in the aircraft on its arrival as aforesaid.

Arrivals due to weather, etc.

(2) Where an aircraft not bound for the Airport, through stress of weather or other circumstances beyond the control of the operator, arrives at the Airport, an airport fee in respect of such arrival shall not be payable under the provisions of this Ordinance if, as soon as may be after such arrival, the aircraft departs for its original destination without any passenger or any freight not carried in the aircraft on its arrival as aforesaid.

(3) Where an aircraft bound for the Airport, through stress of weather or other circumstances beyond the control of the operator, is diverted to another place at which no landing fee, navigational services fee, passenger fee or other similar fee by whatever name called is paid, then on the arrival of that aircraft at the Airport from that other place there shall be payable in respect of such arrival at the Airport the appropriate airport fees payable in pursuance of the provisions of this Ordinance as if the aircraft had arrived from its original place of departure on the flight concerned and had not been diverted.

Parking fees. 12.(1) Subject to the provisions of this section and to any agreement between the Board and an operator of an aircraft, there shall be payable in respect of the parking of any aircraft at the Airport a parking fee calculated in accordance with the provisions of the Third Schedule to this Ordinance.

(2) In the calculation of any parking fee payable as aforesaid—

- (a) the period during which an aircraft is parked at the Airport on any occasion shall be deemed to have commenced at the time when the aircraft last touched down at the Airport before being parked and to end when the aircraft next takes off from the Airport;
- (b) in respect of the parking of an aircraft other than a private aircraft not exceeding three metric tons maximum permissible weight, the first two hours during which such an aircraft is parked after its last arrival at the Airport shall be disregarded;
- (c) in respect of the parking of a private aircraft not exceeding three metric tons maximum

permissible weight, the first forty-eight hours during which such an aircraft is parked after its last arrival at the Airport shall be disregarded.

(3) The parking fee in respect of the parking of an aircraft payable under the foregoing provisions of this section shall apply whether or not the aircraft is secured to the ground or to any structure.

13. So much of the provisions of this Part of this Ordinance as prescribe the fees which shall be payable in respect of the arrival at the Airport of an aircraft may be varied or suspended during the operation of an agreement between the Board and the operator of that aircraft or during such period and subject to such conditions as may be contained in that agreement. Exceptions.

14. Nothing in the foregoing provisions of this Part of this Ordinance shall apply in relation to the naval, military or air force aircraft of any country or to aircraft owned by a department of the government of any country. Exemptions.

## PART II

### *Commuted airport fees*

15. (1) Notwithstanding any of the provisions of Part I of this Ordinance, there may be payable by an operator in respect of all arrivals at the Guernsey Airport and the Alderney Airport of aircraft owned by the operator during each year a commuted fee of such amount as shall be agreed between the Board and the operator and approved by Resolution of the States of Guernsey as respects each year. Commuted fee payable by an operator.

(2) Any Resolution passed by the States of Guernsey under the provisions of section fourteen of

the Airport Fees Ordinance, 1975(b), and valid immediately before the coming into force of this Ordinance shall be deemed to have effect as though it were a Resolution passed under the provisions of the last preceding subsection.

(3) The power conferred by subsection (1) of this section to pass any Resolution shall be construed as including a power exercisable in the like manner to vary or repeal the Resolution.

### PART III

#### *General*

Payment  
and recovery  
of fees.

16. (1) Any fee payable in pursuance of any of the provisions of this Ordinance shall be paid by the operator of the aircraft concerned.

(2) Any fee payable in pursuance of any of the provisions of this Ordinance may be recovered from the operator concerned as a civil debt due to the States of Guernsey.

Interpreta-  
tion.

17. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“aircraft in cargo configuration” means an aircraft which for the time being is in the opinion of the Board intended to be and is used for the carriage of freight and in which no passengers are carried;

“aircraft in mixed configuration” means an aircraft which is designed or intended and is wholly or mainly used for the carriage of freight;

“aircraft in passenger configuration” means an aircraft, not being an aircraft in mixed configuration, used for the carriage of passengers and operated for hire or reward;

“the Airport” means—

(a) as respects the Island of Guernsey, the Guernsey Airport;

(b) as respects the Island of Alderney, the Alderney Airport;

“air transport service” means the carriage of passengers or of mails or other cargo by air for hire or reward;

“the Alderney Airport” means the premises for the time being used in the Island of Alderney for the landing and departure of aircraft or for purposes ancillary thereto;

“the Board” means the States Board of Administration;

“freight” means any goods or effects whatsoever carried in an aircraft but does not include any fuel, engine cooling fluid, instruments, equipment, apparatus and documents required for or in respect of the operation of that aircraft;

“goods” includes mails and animals;

“the Guernsey Airport” means the premises for the time being belonging to the States of Guernsey and situate at La Villiaze and used from time to time for the landing and departure of aircraft or for purposes ancillary thereto;

“maximum permissible weight” means the maximum permissible take-off weight authorised by the certificate of airworthiness;

“operating crew” in relation to an aircraft includes pilots, flight engineers and flight radio operators and members of the cabin staff;

“operator” in relation to an aircraft means the person for the time being having the business management of that aircraft;

“owned” includes chartered;

“passenger” means any person carried in an aircraft and includes a person carried for the purposes of instruction in flying for which payment is made but does not include a member of the operating crew or a passenger in respect of whom a fare has not been paid;

“personnel” in relation to an aircraft includes the operating crew and other persons having any duties to perform in the aircraft;

“private aircraft” means an aircraft which is not used to operate an air transport service;

“the promulgated hours” means the hours for the time being promulgated for or on behalf of the Board as being the hours in any day during which the Airport is available for use;

“test flight” means a flight for the purpose of a mechanical test of an aircraft or of the engine or accessories thereof or of a qualifying test for any member of the crew of an aircraft;

“weight” means weight metric.

(2) For the purposes of this Ordinance—

(a) a passenger who disembarks from an aircraft and who, as soon as may be, departs from the Airport by that aircraft on its next departure or by another aircraft shall not be deemed to have disembarked therefrom provided that he remains within the

precincts of the Airport and departs within the two hours next following the arrival of the first-mentioned aircraft or so soon thereafter as circumstances beyond the control of the operator of the aircraft permit;

- (b) any freight which is unloaded from an aircraft and which, as soon as may be, is taken from the Airport by that aircraft on its next departure or by another aircraft shall not be deemed to have been unloaded therefrom provided that it remains within the precincts of the Airport and is taken away within the two hours next following the arrival of the first-mentioned aircraft or so soon thereafter as circumstances beyond the control of the operator of the aircraft permit.

(3) Any reference in this Ordinance to the carriage of passengers or to the operation of an aircraft for hire or reward includes a reference to the carriage of any passenger or the operation of any aircraft for the purpose of instruction in flying for which payment is made.

(4) Except where the context otherwise requires, any reference in this Ordinance to any other enactment shall be construed as a reference to that enactment as amended, repealed and replaced, extended or applied by or under any other enactment including this Ordinance.

18. The Ordinances set out in the Fourth Schedule Repeals.  
to this Ordinance are hereby repealed.

19. This Ordinance shall have effect in the Islands Extent.  
of Guernsey and Alderney.

**Citation.** 20. This Ordinance may be cited as the Airport Fees Ordinance, 1978.

**Commencement.** 21. This Ordinance shall come into force on the first day of April, nineteen hundred and seventy eight.

## FIRST SCHEDULE

## PART I

## Section one

*Aircraft in passenger configuration fees: long haul*

Classes of aircraft	Rates of airport fee	
	Table 1	Table 2
Aircraft not exceeding three metric tons maximum permissible weight	£2.00 per five hundred kilogrammes or part thereof	£1.80 per five hundred kilogrammes or part thereof
Aircraft exceeding three metric tons maximum permissible weight	£4.00 per metric ton or part thereof	£3.60 per metric ton or part thereof

## PART II

## Section two

*Aircraft in passenger configuration fees: short haul*

Classes of aircraft	Rates of airport fee
Aircraft not exceeding three metric tons maximum permissible weight	£1.10 per five hundred kilogrammes or part thereof
Aircraft exceeding three metric tons maximum permissible weight	£2.20 per metric ton or part thereof

## PART III

## Section three

*Aircraft in cargo configuration fees: long haul*

Classes of aircraft	Rates of airport fee
Aircraft not exceeding three metric tons maximum permissible weight	£1.00 per five hundred kilograms or part thereof
Aircraft exceeding three metric tons maximum permissible weight	£2.00 per metric ton or part thereof

## PART IV

## Section four

*Aircraft in cargo configuration fees: short haul*

Classes of aircraft	Rates of airport fee
Aircraft not exceeding three metric tons maximum permissible weight	70p per five hundred kilograms or part thereof
Aircraft exceeding three metric tons maximum permissible weight	£1.40 per metric ton or part thereof

## PART V

## Section five

*Aircraft in mixed configuration fees: long haul*

Classes of aircraft	Rates of airport fee
Aircraft not exceeding three metric tons maximum permissible weight	£1.00 per five hundred kilograms or part thereof
Aircraft exceeding three metric tons maximum permissible weight	£2.00 per metric ton or part thereof

## PART VI

Section six

*Aircraft in mixed configuration fees: short haul*

Classes of aircraft	Rates of airport fee
Aircraft not exceeding three metric tons maximum permissible weight	70p per five hundred kilograms or part thereof
Aircraft exceeding three metric tons maximum permissible weight	£1.40 per metric ton or part thereof

## PART VII

Section seven

*Local flights fees*

Classes of aircraft	Rates of airport fee
Aircraft not exceeding three metric tons maximum permissible weight	80p per five hundred kilograms or part thereof
Aircraft exceeding three metric tons maximum permissible weight	£1.60 per metric ton or part thereof

## PART VIII

## Section eight

*Private aircraft fees*

Classes of aircraft	Amount of airport fee	
	Table 1	Table 2
Aircraft not exceeding one metric ton maximum permissible weight	£2.00	£4.00
Aircraft exceeding one metric ton but not exceeding one and one half metric tons maximum permissible weight	£3.00	£6.00
Aircraft exceeding one and one half metric tons but not exceeding two metric tons maximum permissible weight	£4.00	£8.00
Aircraft exceeding two metric tons but not exceeding two and one half metric tons maximum permissible weight	£5.00	£10.00
Aircraft exceeding two and one half metric tons but not exceeding three metric tons maximum permissible weight	£6.00	£12.00

## PART IX

## Section nine

*Test, familiarisation and training flights fees—airport*

Classes of aircraft	Rates of airport fee
Aircraft not exceeding three metric tons maximum permissible weight	£1.25 per five hundred kilogrammes or part thereof
Aircraft exceeding three metric tons maximum permissible weight	£2.50 per metric ton or part thereof

## PART X

## Section nine

*Test, familiarisation and training flights fees—simulated landing*

Classes of aircraft	Rates of services fee
Aircraft not exceeding three metric tons maximum permissible weight	£1.00 per five hundred kilogrammes or part thereof
Aircraft exceeding three metric tons maximum permissible weight	£2.00 per metric ton or part thereof

## SECOND SCHEDULE

## Section ten

*Additional fees for availability of Airport outside promulgated hours*

	Aircraft in passenger configuration		Aircraft in cargo or mixed configuration and private aircraft	
	For the first hour or part thereof before or after the promulgated hours	For the second or subsequent hours or part thereof before or after the promulgated hours	For the first hour or part thereof before or after the promulgated hours	For the second or subsequent hours or part thereof before or after the promulgated hours
Airport fee	£25.00	£35.00 per hour	£15.00	£25.00 per hour

## THIRD SCHEDULE

Section twelve

*Parking fees*

Classes of aircraft	For each period of twenty-four consecutive hours or part thereof
Aircraft not exceeding three and one half metric tons maximum permissible weight	50p for each five hundred kilograms or part thereof
Aircraft exceeding three and one half metric tons but not exceeding ten metric tons maximum permissible weight	£4.00
Aircraft exceeding ten metric tons but not exceeding twenty metric tons maximum permissible weight	£7.80
Aircraft exceeding twenty metric tons but not exceeding thirty metric tons maximum permissible weight	£11.60
Aircraft exceeding thirty metric tons but not exceeding one hundred metric tons maximum permissible weight	£11.60 plus £2.50 for each ten metric tons or part thereof in excess of thirty metric tons maximum permissible weight
Aircraft exceeding one hundred metric tons maximum permissible weight	£29.00 plus £2.00 for each ten metric tons or part thereof in excess of one hundred metric tons maximum permissible weight

## FOURTH SCHEDULE

Section eighteen

*Ordinances repealed*

The Airport Fees Ordinance, 1975(c).

The Airport Fees (Amendment) Ordinance, 1977(d).

R. H. VIDELO,

Her Majesty's Greffier.

(c) No. VIII of 1975.

(d) No. VIII of 1977.