

Appendix A

Night flight regulations in Frankfurt/ Main (FRA) ¹

The night flight regulations result from the planning approval ruling on the expansion of Frankfurt/Main Airport (FRA)(PF 66 p-V-) from 18.12.2007. They shall apply for the whole of Frankfurt Main Airport (FRA) from the moment of the parameter increase, as a result of the opening of the Northwest Landing Runway and from the beginning of the scheduling period Winter 2011/2012.

Takeoffs and landings are banned for all aircraft between 22.00 to 6.00 hrs on all days of the week (cf. PFB² 4.) insofar as no exemption regulation intervenes in accordance with the fulfilment of the noise certification values of the ICAO Convention³.

Here below in Sections A and B, the exemption regulations are presented in excerpts⁴ for aircraft which meet the noise certification values

- for Chapter 4 and
- “not just marginally” Chapter 3 (§ 48a No. 4 LuftVZO)

Furthermore, additional restrictions result for the time after 20.00 hrs and before 8.00 hrs for aircraft which only meet the noise certification values

- “marginally” Chapter 3 (§ 48a No. 4 LuftVZO)

resulting from Section C.

Regulation of principle and exemption regulation for other noise certification values are to be seen from Sections D and E.

Attention: Temporary night flight ban for the core night.

From 30th October 2011 onwards, until a final decision has been made by the Federal Administrative Court, the Administrative Court in Kassel has suspended the night flight regulation for the core night between 23.00hrs and 5.00hrs (see paragraph 1.3 below). As a result, all scheduled flights during these night hours have been temporarily halted.

A Noise certification values Chapter 4 ICAO Convention

1.1. Night flight contingent

Between 22.00 and 6.00 hrs, on average 150 scheduled flight movements per night or 54,750 scheduled slots per calendar year for flight movements are permissible. The average value may not be exceeded in each case with reference to the calendar year (cf. PFB 4.1.).

¹ All times are local times

² Planfeststellungsbeschluss Ausbau Flughafen Frankfurt Main [Planning Approval ruling on the Expansion of Frankfurt/Main Airport FRA] (PF 66 p-V-) of 18.12.2007, A Verfügender Teil; II Flugbetriebsbeschränkungen und flughafenbetriebliche Regelungen p. 20 ff

³ ICAO Convention Annex 16, Vol. 1, Part II Chapters 1- 4

⁴ No responsibility will be accepted for the completeness and correctness.

1.2. "Night marginal hours"

Between 22.00 and 23.00 hrs as well as between 5.00 and 6.00 hrs, only the following aircraft may take off and land (cf. PFB 4.1.1.):

- aircraft that meet the provisions of Chapter 4
- the takeoff and landing have been co-ordinated on the previous day at the latest.

1.3. "Core night" contingent

Between 23.00 and 5.00 hrs, aircraft may only take off and land if they meet the following conditions (cf. PFB 4.1.2.):

- aircraft that meet the provisions of Chapter 4
- for the conveyance of freight, passengers and/or mail in scheduled services or schedule-like (charter) services
- the registered owner maintains a business and maintenance base at Frankfurt/ Main Airport recognised by the licensing authority
- the takeoff and landing have been co-ordinated on the previous day at the latest.

For this period, takeoffs and landings are limited to an average number of 17 scheduled flight movements per night. Not more than 6,205 time slots may be allocated per calendar year. The average value may not be exceeded with reference to the calendar year. These flight movements shall be counted as part of the contingent (150 movements per night/54,750 per year) pursuant to subsection 1.1. (cf. PFB 4.1.2.).

1.4. Take-off /Landing ban between 1.00 and 4.00 hrs

Takeoffs and landings of aircraft between 1.00 and 4.00 hrs are not permissible, except for the takeoffs of aircraft in exclusively freight service (only freighters) or air-mail service with home base status in each case (cf. PFB 4.1.2.).

1.5. Business and maintenance base (home base)

A business and maintenance base shall exist if the following prerequisites are met (cf. PFB 4.1.2.):

- Own station at Frankfurt/ Main Airport (FRA)
- Permanent allocation of flying personnel to this station
- Permanent allocation of certain aircraft to this station
- Regular carrying out of servicing works stipulated by statute (from A checks upwards) in approved maintenance operations (§ 13 LuftGerPV) at Frankfurt/Main Airport (FRA).

The compliance with the prerequisites is to be proved to the

Hessisches Ministerium für Wirtschaft, Verkehr und Landesentwicklung
[Hessian Ministry of Economics, Transport, Urban and Regional Development]
Referat V4 [Section V4]
Kaiser-Friedrich-Ring 75
65185 Wiesbaden
Tel.: 0611 - 815-0
Fax: 0611 - 815-2225

in good time before the beginning of the scheduling period. The recognition for the first time of the business and maintenance base is also to be applied for at the aforementioned public authority.

1.6. Priority for only freighters / air mail services

In the time between 23.00 and 5.00 hrs, within the scope of the “core night” contingent in accordance with subsection 1.3. (cf. PFB 4.1.) flights on exclusively air freight service (only freighters) or air-mail service shall have priority over other flights (cf. PFB 4.1.2.). This shall apply for the allocation of slots during the initial co-ordination phase and also during the scheduling period e.g. for slots which have in the meantime reverted to the slot pool. A co-ordinated slot for a freight or air-mail service can not be used for a passenger service by the airline itself or by another airline by way of exchange.

Insofar as the “Core night/ 23.00-5.00” contingent in accordance with subsection 1.3. is not exhausted either by freight and/or mail flights or by passenger flights by airlines with home base status, if required the remaining capacity will be allocated within the scope of the total contingent (22.00 – 6.00) in accordance with 1.1 and 1.2. outside of the “Core night”.

1.7. Historical rights as of the scheduling season Winter 2011/12 and Summer 2012

Historical rights pursuant to Art 8 Par 2 EU Reg. No. 95/93 can only be acquired for slots in the period 23.00 to 5.00 hrs by exclusive freight services (only freighter) and air mail services, and only for the duration of its undertaking's home base status in accordance with subsection 1.5. The passenger services of an undertaking with home base status will be taken into account anew – if they flew regularly in the comparable previous season in the period from 23.00 to 5.00 hrs and have been displaced by a freight/mail service – as an alternative from the capacity that has flowed into the slot pool,

Slots which were still available on account of a failure to exhaust the “Core night (23.00-5.00)” contingent in accordance with subsection 1.3, and were therefore allocated within the scope of the total contingent (22.00 – 6.00) in accordance with subsections 1.1. and 1.2, shall not make any acquisition of historical rights possible pursuant to Art 8 Par. 2 EU Reg. No. 95/93.

However, it is intended to allocate these slots to the same airlines again – insofar as they are again at the disposal of the total contingent in the following comparable scheduling season – in the case of compliance with the statutory prerequisites. This intention will be notified through the so-called Slot Historical List.

Delayed / early services

1.8. Delayed/ early landings

Delayed landings are possible until 0.00 hrs, provided the following prerequisites are met (cf. PFB 4.1.3.2.):

- aircraft that meet the provisions of Chapter 4
- planned slot (landing) between 22.00 and 23.00 hrs
- delay does not already result from the schedule planning (§ 25 LuftVO).

Early landings before 5.00 hrs are forbidden (cf. PFB 4.1.3.2.).

1.9. Delayed takeoffs

All delayed takeoffs in the period from 22.00 to 6.00 hrs shall require – insofar as they are not permissible as scheduled flights in this period (22.00 – 23.00 hrs or 5.00 – 6.00 hrs and 23.00 – 5.00 hrs) – the permission of the local aviation authority in each individual case. The permission may only be given if the reasons for the delay lie outside of the respective airline's field of influence (cf. PFB 5.).

Delayed takeoffs of aircraft between 0.00 and 5.00 hrs shall be permissible if the aircraft belongs to the special "Core night" contingent and thus fulfils the conditions stated under subsection 1.3 (cf. PFB 5.).

B Noise certification values "not just marginally" Chapter 3 ICAO Convention

Delayed/ early services

2.1. Delayed/ early landing

Delayed or early landings are possible until 0.00 hr or as of 5.00 hrs, provided the following prerequisites have been fulfilled (cf. PFB 4.1.3.1.):

- aircraft with better noise certification values than just "marginally" fulfilling the provisions of Chapter 3" (§ 48a No 4 LuftVZO)
- planned slot (landing) until 22.00 or as of 6.00 hrs
- delayed/ early service does not already result from schedule planning (§ 25 LuftVO).

2.2. Delayed takeoffs

All delayed takeoffs in the period from 22.00 to 6.00 hrs shall require the permission of the local aviation authority in each individual case. The permission may only be given if the reasons for the delay lie outside of the respective airline's field of influence (cf. PFB 5.).

C Noise certification values "marginally" Chapter 3 ICAO Convention

3.1. All weekdays

Takeoffs and landings are not permissible between 20.00 hrs in the evening to 8.00 hrs in the morning on all weekdays (cf. PFB 3.1.). An exemption shall apply only if there is an

- exceptional permission to hand pursuant to § 48f Par. 1 LuftVZO or
- permission for an individual case pursuant to § 48f Par. 2 LuftVZO.

3.2. Weekend

Takeoffs and landings are not permissible from Friday 20.00 hrs in the evening until Monday 8.00 hrs in the morning (cf. PFB 3.2.). An exemption shall apply only if there is an

- exceptional permission to hand pursuant to § 48f Par. 1 LuftVZO or
- permission for an individual case pursuant to § 48f Par. 2 LuftVZO.

3.3. Delayed/ early landings

Delayed or early landings are possible until 22.00 hrs or as of 6.00 hrs, provided the delayed/ early service does not already result from schedule planning (§ 25 LuftVO). (cf. PFB 3.3.)

D Noise certification values Chapter 2 ICAO Convention

4.1. Certification of exemption

By way of exception, aircraft meeting the noise certification values in accordance with Chapter 2 ICAO Convention may take off and land during the airport's operating hours, if they can prove approval of exemption by a certificate (§ 11c Par. 7 and 8 LuftVO) (cf. PFB 2.).

E No noise certification (or only Chapter 1) in accordance with the ICAO Convention

5.1. Principle

Takeoffs and landings of aircraft without a noise licence in accordance with Annex 16, Vol. 1, Part II ICAO Convention are impermissible at all times during the airport's entire operating hours (cf. PFB 1.)

4.4.2011