

## **BL 9-7**

# **Bestemmelser om overflyvningsafgifter (en-route afgifter), København FIR**

**Udgave 3, 2. december 1994**

I medfør af § 71, stk. 2, stk. 3, stk. 4 og stk. 5, § 79 og § 146 i lov om luftfart, jf. lovbekendtgørelse nr. 162 af 7. marts 1994, fastsætter Statens Luftfartsvæsen herved efter bemyndigelse fra Trafikministeriet følgende:

### **1. Referencedokumenter**

1.1 EUROCONTROL, Multilateral Aftale vedrørende En-Route afgifter, seneste udgave, for tiden af 12. februar 1981.

1.2 EUROCONTROL, Conditions of Application of the Route Charges System and Conditions of Payment, seneste udgave, for tiden Document No. 94.60.32, vedlagt som bilag 1.

1.3 EUROCONTROL, Catalogue Distance Factors Part 1 and 2.

1.4 Dokumenterne kan købes ved henvendelse til Statens Luftfartsvæsen, Luftfartsinformationstjenesten, Ellebjergvej 50, 2450 København SV.

### **2. Generelt**

2.1 Denne BL fastsætter bestemmelser for opkrævning af afgifter for flyvning en route inden for Københavns Flyveinformationsregion (København FIR).

2.2 Afgifter opkræves i overensstemmelse med Multilateral Aftale vedrørende en-route afgifter med de undtagelser, der er nævnt i afsnit 4.

2.3 Afgiftsgrundlaget svarer til omkostningerne med de tjenester og hjælpemidler, som den danske stat stiller til rådighed for luftfarten, EUROCONTROL's og Statens Luftfartsvæsens omkostninger herved samt drift af EUROCONTROL's (CRCO) og Statens Luftfartsvæsens opkrævningssystem.

### **3. Beregning af afgifter**

Afgifter pr. flyvning beregnes således, som det fremgår af Conditions of Application of the Route Charges System and Conditions of Payment, jf. pkt. 1.3. Afgifterne offentliggøres i Aeronautical Information Circular (AIC).

### **4. Fritagelse for betaling afgifter**

4.1 Følgende flyvninger i København FIR er afgiftsfritaget i henhold til Conditions of Application of the Route Charges System and Conditions of Payment, artikel 9.1:

- a. Flyvninger, hvor hele flyvningen udføres efter visuelflyvereglerne.
- b. Flyvninger, der afsluttes på den flyveplads, hvorfra luftfartøjet startede,

og hvorunder der ikke er foretaget mellemlandinger (rundflyvninger).

- c. Flyvninger udført med luftfartøjer, hvis maksimale, tilladte startmasse ifølge luftdygtighedsbeviset (MTOM) er under 2 tons.
- d. Flyvninger udført udelukkende for befordring af kongelige personer, stats- og regeringsoverhoveder samt ministre i officielt ærinde.
- e. Flyvninger i forbindelse med eftersøgnings- og redningstjeneste, der er autoriseret af en kompetent SAR-enhed.

For de flyvninger, der er nævnt i litra d og e, er det en betingelse for fritagelse, at særskilt anmeldelse herom indgives til områdekontrolcentralen (ACC) forud for hver flyvning.

4.2 Flyvninger i København FIR med danske eller udenlandske militærluftfartøjer er afgiftsfritaget i henhold til Conditions of Application of the Route Charges System and Conditions of Payment, artikel 9.2.

## 5. Betaling af afgifter m.v.

5.1 Brugeren af luftfartøjet hæfter for afgifternes betaling. Hvis brugerens identitet ikke er kendt, påhviler afgifterne ejeren af luftfartøjet, medmindre ejeren godtgør, hvem der var bruger.

5.2 Opkrævning af afgifter og eventuelle renter, jf. Luftfartslovens § 71, stk. 3, sker ved EUROCONTROL's foranstaltning i overensstemmelse med bestemmelserne i Conditions of Application of the Route Charges System and Conditions of Payment, jf. dog pkt. 5.3.

*Anm.: Rentesats for for sent indbetalte afgifter offentliggøres i Aeronautical Information Circular (AIC).*

5.2.1 EUROCONTROL kan anmode medlemslandene, herunder Danmark, om at medvirke til inddrivelse af EUROCONTROL's udestående afgifter.

5.2.2 Hvis afgifterne med eventuelle påløbne renter og eventuelle gebyrer ikke betales til EUROCONTROL, kan inddrivelse ske ved udpantning,

*Anm.: Tilladelse til flyvning inden for dansk område kan nægtes eller inddrages i overensstemmelse med reglerne i luftfartslovens 146 a, der lyder således:*

*"§ 146 a. En ansøgning om tilladelse efter § 31, § 55 eller § 75 kan afslås, hvis ansøgeren har betydelig forfalden gæld til det offentlige, hvorved forstås beløb i størrelsesordenen 50.000 kr. og derover.*

*Stk. 2. En tilladelse som omhandlet i stk. 1 kan tilbagekaldes, hvis indehaveren har betydelig forfalden gæld til det offentlige, hvorved forstås beløb i størrelsesordenen 100.000 kr. og derover. Tilbagekaldelsen kan ske på tid fra 1 til 5 år eller indtil videre. Afgørelsen skal indeholde oplysning om adgangen efter § 146 b til at begære domstolsprøvelse og om fristen herfor."*

5.3 For flyvninger udført med helikoptere, som finder sted i forbindelse med aktiviteter vedrørende udnyttelse af kontinentalsoklen i det åbne hav i og udenfor København FIR, opkræves afgifter og eventuelle renter af Statens Luftfartsvæsen.

## 6. Dispensation

Statens Luftfartsvæsen kan i ganske særlige tilfælde dispensere fra bestemmelserne i denne BL, når det skønnes foreneligt med de forpligtelser, der følger af Danmarks medlemskab af EUROCONTROL, samt de hensyn, som ligger til grund for de pågældende bestemmelser.

## 7. Klageadgang

Afgørelser truffet af Statens Luftfartsvæsen efter bestemmelserne i denne BL kan påklages til Trafikministeriet.

## **8. Ikrafttræden**

8.1 Denne BL træder i kraft den 1. januar 1995.

8.2 Samtidig ophæves BL 9-7, 2. udgave af 26. juni 1992.

Statens Luffartsvæsen, den 2. december 1994

V.K.H. Eggers

/Sven E. Andresen

**EUROPEAN ORGANISATION FOR THE SAFETY OF AIR NAVIGATION**

**EUROCONTROL**

**CONDITIONS OF APPLICATION OF THE**

**ROUTE CHARGES SYSTEM**

**AND**

**CONDITIONS OF PAYMENT**

[Text framed in pursuance of the Multilateral Agreement relating to Route Charges, in particular Articles 3.2 and 6 thereof and approved by the enlarged Commission by correspondence, on 1 January 1986, incorporating the amendments adopted by the enlarged Commission by correspondence, on 7 December 1989, on 25 November 1991, on 23 and 27 November 1992, on 8 and 23 December 1993, on 4 February 1994 and 10 November 1994.]

**Doc. No 94.60.32**

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**(This version supersedes the January 1990 edition No. 90.60.04)**

## CONDITIONS OF APPLICATION OF THE

### ROUTE CHARGES SYSTEM

#### ARTICLE 1

1. A charge shall be levied for each flight performed under Instrument Flight Rules by an aircraft in accordance with the procedures laid down in application of the Standards and Recommended Practices of the International Civil Aviation Organization in the airspace of the Flight Information Regions listed in Annex 1, falling within the competence of the Contracting States. Furthermore, in the Flight Information Regions which fall within its competence, a Contracting State may decide that a charge be levied on any flight conducted in accordance with the visual flight rules (VFR flight). Flights conducted partly in accordance with the visual flight rules and partly in accordance with the instrument flight rules (mixed VFR/IFR flights) in the Flight Information Regions falling within the competence of a given Contracting State are subject, for the entire distance flown within the said Flight Information Regions, to charges levied in that State for IFR flights.
2. The charge shall constitute remuneration for the costs incurred by Contracting States in respect of en route air navigation facilities and services and the operation of the Route Charges System, and for the costs incurred by EUROCONTROL in operating the System.
3. The charges generated in the airspace of the Flight Information Regions falling within the competence of a Contracting State may be subject to tax on the value added. EUROCONTROL may, in that case, recover the said tax under the conditions and in accordance with the Rules agreed with the State concerned.
4. The person liable to pay the charge shall be the person who was the operator of the aircraft at the time when the flight was performed. If the identity of the operator is not known, the owner of the aircraft shall be regarded as the operator unless he proves which other person was the operator.

#### ARTICLE 2

For each flight entering the airspace of the Flight Information Regions falling within the competence of several Contracting States, a single charge (R) shall be collected equal to the sum of the charges accruing in respect of that flight in the airspace of the Flight Information Regions falling within the competence of the individual States concerned:

$$R = \sum_n r_i$$

The individual charge ( $r_i$ ) for flights in the airspace falling within the competence of a Contracting State shall be calculated in accordance with the provisions of Article 3.

### **ARTICLE 3**

The charge for a flight in the airspace of the Flight Information Regions falling within the competence of a given Contracting State (i) shall be calculated in accordance with the following formula:

$$r_i = t_i \times N_i$$

where  $r_i$  is the charge,  $t_i$  the unit rate of charge and  $N_i$  the number of service units corresponding to such a flight. The unit rates may, where appropriate, be set separately for VFR and IFR flights.

### **ARTICLE 4**

For a given flight, the number of service units, designated  $N_i$ , referred to in the foregoing Article shall be obtained by means of the following formula:

$$N_i = d_i \times p$$

where  $d_i$  is the distance factor in respect of the airspace of the Flight Information Regions falling within the competence of the Contracting State (i) and  $p$  the weight factor for the aircraft concerned.

### **ARTICLE 5**

1. The distance factor ( $d_i$ ) shall be obtained by dividing by one hundred (100) the number of kilometres in the great circle distance between:

- the aerodrome of departure within, or the point of entry into, the airspace of the Flight Information Regions falling within the competence of the Contracting State (i)

and

- the aerodrome of first destination within, or the point of exit from, that airspace.

The aforesaid entry and exit points shall be the points at which an air route crosses the lateral limits of the said airspace as set out in the national aeronautical publications. The air route taken shall be that most frequently used between two aerodromes or, where this cannot be determined, the shortest route.

The routes most frequently used shall be reviewed annually, so as to take account of any modifications in route structure or traffic conditions.

2. The distance to be taken into account shall be reduced by twenty (20) kilometres for each take-off from and for each landing on the territory of a Contracting State.

## ARTICLE 6

1. The weight factor shall be the square root of the quotient obtained by dividing by fifty (50) the number of metric tons in the maximum certificated take-off weight of the aircraft as shown in the certificate of airworthiness, the flight manual or any other equivalent official document, as follows:

$$p = \sqrt{\frac{\text{Max. take-off weight}}{50}}$$

Where the maximum certificated take-off weight of the aircraft is not known to the bodies responsible for the collection of the charge, the weight factor shall be calculated by taking the weight of the heaviest aircraft of the same type known to exist.

2. Where, however, an operator has indicated to the bodies responsible for the collection of the charge that he operates two or more aircraft which are different versions of the same type, the average of the maximum take-off weights of all his aircraft of that type shall be taken for the calculation of the weight factor for each aircraft of that type. The calculation of this factor per aircraft type and per operator shall be effected at least once a year.
3. For the purpose of calculating the charge, the weight factor shall be expressed as a figure taken to two decimal places.

## ARTICLE 7

1. The unit rate of charge shall be recalculated monthly by applying the average monthly rate of exchange between the ECU and the national currency for the month preceding the month during which the flight takes place.
2. The exchange rate applied shall be the rate published in the Official Journal of the European Communities (Information and Notices). Where not indicated in this publication, the exchange rate shall be calculated by reference on the one hand to the rate of exchange between the ECU and the dollar of the United States of America and, on the other, to the rate of exchange between the national currency concerned and the dollar of the United States of America as published by the International Monetary Fund in its "International Financial Statistics".

## ARTICLE 8

1. Notwithstanding the provisions of Article 5, the charge for flights where the aerodrome of departure or of first destination is located in one of the zones listed in Annex 2 (transatlantic flights) shall be calculated by reference to tariffs determined according to weighted average distances and the applicable unit rates of charge.



2. The weighted average distances shall be calculated on the basis of traffic statistics compiled by EUROCONTROL from data supplied by the competent Air Traffic Control bodies.

The entry and exit points of transatlantic flights shall be the points at which such flights cross the boundaries of the Flight Information Regions falling within the competence of the Contracting States.

3. The tariffs as published shall apply to an aircraft having a maximum take-off weight certificated of fifty (50) metric tons. The charge shall be calculated by multiplying the appropriate tariff by the relevant weight factor as defined in Article 6.1.
4. The tariffs shall be determined for specific periods and shall be published in accordance with Article 11.
5. The provisions of paragraphs 1, 2 and 4 shall not apply to flights as referred to in paragraph 1 above where the aerodrome of departure or first destination is not included in Annex 2.

#### **ARTICLE 9**

1. The following flights shall be exempt from the payment of charges:
  - a. mixed VFR/IFR flights shall be exempt only in the airspace of the Flight Information Regions falling within the competence of the Contracting State or States where they are performed exclusively under VFR and where a charge is not made for VFR flights;
  - b. flights terminating at the aerodrome from which the aircraft has taken off and during which no intermediate landing has been made (circular flights);
  - c. flights performed by aircraft of which the Maximum Take-Off Weight Authorised is less than two metric tons;
  - d. flights performed exclusively for the transport of Royalty, Heads of State and Government, Ministers on official mission;
  - e. search and rescue flights authorised by a competent SAR body.
2. Furthermore, a Contracting State may, in respect of the Flight Information Regions falling within its competence, exempt the following from payment of the charge:
  - a. flights performed entirely in the airspace of the Flight Information Regions falling within its competence;
  - b. military flights of any State;

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exemption withdrawn as from 1.1.96



- c. training flights performed exclusively for the purpose of obtaining a licence, or a rating in the case of flight crew, and where this is substantiated by an appropriate remark on the flight plan. Flights must not be for commercial gain and be performed solely within the airspace of the State concerned; flights must not serve for the transport of passengers, nor for positioning or ferrying of the aircraft;
- d. flights performed exclusively for the purpose of checking or testing equipment used or intended to be used as ground aids to air navigation.

#### **ARTICLE 10**

The charge shall be payable at EUROCONTROL's Headquarters, in accordance with the conditions of payment set out in Annex 3. The currency of account used shall be the ECU.

#### **ARTICLE 11**

The Conditions of Application of the Route Charges System, the unit rates and tariffs shall be published by the Contracting States.

FLIGHT INFORMATION REGIONS
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Contracting States

## Flight Information Regions

Federal Republic of Germany

Berlin Upper Flight Information Region  
 Hannover Upper Flight Information Region  
 Rhein Upper Flight Information Region  
 Bremen Flight Information Region  
 Düsseldorf Flight Information Region  
 Frankfurt Flight Information Region  
 München Flight Information Region  
 Berlin Flight Information Region

Republic of Austria

Wien Flight Information Region

Kingdom of Belgium - Grand Duchy of Luxembourg

Bruxelles Upper Flight Information Region  
 Bruxelles Flight Information Region

Republic of Cyprus

Nicosia Flight Information Region

Kingdom of Denmark

Copenhagen Flight Information Region

Spain

Madrid Upper Flight Information Region  
 Madrid Flight Information Region  
 Barcelona Upper Flight Information Region  
 Barcelona Flight Information Region  
 Islas Canarias Upper Flight Information Region  
 Islas Canarias Flight Information Region

French Republic

France Upper Flight Information Region  
 Paris Flight Information Region  
 Brest Flight Information Region  
 Bordeaux Flight Information Region  
 Marseille Flight Information Region  
 Reims Flight Information Region

United Kingdom of Great Britain and Northern Ireland

Scottish Upper Flight Information Region  
 Scottish Flight Information Region  
 London Upper Flight Information Region  
 London Flight Information Region

Hellenic Republic

Athina Upper Flight Information Region  
 Athina Flight Information Region

Republic of Hungary

Budapest Flight Information Region

Ireland

Shannon Upper Flight Information Region  
 Shannon Flight Information Region  
 Shannon Oceanic Transition Area enclosed by the following co-ordinates:

51° North 15° West, 51° North 8° West, 48° 30' North 8° West, 49° North 15° West, 51° North 15° West at and above FL55

Malta

Malta Flight Information Region

Kingdom of Norway

Oslo Upper Flight Information Region  
 Stavanger Upper Flight Information Region  
 Trondheim Upper Flight Information Region  
 Bodø Upper Flight Information Region  
 Oslo Flight Information Region  
 Stavanger Flight Information Region  
 Trondheim Flight Information Region  
 Bodø Flight Information Region  
 Bodø Oceanic Flight Information Region

Kingdom of the Netherlands

Amsterdam Flight Information Region

Portuguese Republic

Lisboa Upper Flight Information Region  
 Lisboa Flight Information Region  
 Santa Maria Flight Information Region

Republic of Slovenia

Ljubljana Flight Information Region

Swiss Confederation

Switzerland Upper Flight Information Region  
 Switzerland Flight Information Region

Turkey

Ankara Flight Information Region  
 Istanbul Flight Information Region

as from the date of accession of Slovenia

LISTE DES ZONES ET DES AERODROMES VISES A L'ARTICLE 8  
DES CONDITIONS D'APPLICATION

LIST OF THE ZONES AND AERODROMES REFERRED TO IN ARTICLE 8  
OF THE CONDITIONS OF APPLICATION

Aerodromes of departure (or of first destination) situated	Aerodromes of first destination (or of departure)	
Aérodromes de départ (ou de première destination) situés	Aérodromes de première destination (ou de départ)	
1	2	
<p><b>ZONE I</b></p> <p>- between 14°W &amp; 110°W and North of 55°N</p> <p>- entre 14°O &amp; 110°O et au nord de 55°N</p> <p>with the exception of Iceland / excepté l'Islande</p>	<p>FRANKFURT</p> <p>KØBENHAVN</p> <p>LONDON</p> <p>PARIS</p> <p>PRESTWICK</p>	
<p><b>ZONE II</b></p> <p>- between 40°W &amp; 110°W and 28°N &amp; 55°N</p> <p>- entre 40°O &amp; 110°O et 28°N &amp; 55°N</p>	<p>ABIDJAN</p> <p>AMMAN</p> <p>AMSTERDAM</p> <p>ATHINAI</p> <p>BALE - MULHOUSE</p> <p>BANJUL</p> <p>BARCELONA</p> <p>BELFAST</p> <p>BERLIN</p> <p>BIRMINGHAM</p> <p>BORDEAUX</p> <p>BRISTOL</p> <p>BRUXELLES</p> <p>BUCURESTI</p> <p>BUDAPEST</p> <p>CAIRO</p> <p>CARDIFF</p> <p>CASABLANCA</p> <p>DAKAR</p> <p>DUBLIN</p> <p>DÜSSELDORF</p> <p>EAST MIDLANDS</p> <p>FRANKFURT</p> <p>GENEVA</p> <p>GLASGOW</p> <p>HAMBURG</p> <p>HELSINKI</p> <p>ISTANBUL/ATATÜRK</p> <p>JEDDAH</p> <p>JOHANNESBURG, JAN SMUTS</p> <p>KIEV</p> <p>KOBENHAVN</p> <p>KÖLN - BONN</p> <p>LAGOS</p> <p>LAS PALMAS, GRAN CANARIAS</p> <p>LEEDS AND BRADFORD</p> <p>LILLE</p> <p>LISBOA</p>	

Aerodromes of departure (or of first destination) situated	Aerodromes of first destination (or of departure)	
Aérodromes de départ (ou de première destination) situés	Aérodromes de première destination (ou de départ)	
1	2	
<p><b>ZONE II (suite / continued)</b></p> <p>- between 40°W &amp; 110°W and 28°N &amp; 55°N</p> <p>- entre 40°O &amp; 110°O et 28°N &amp; 55°N</p>	<p>LONDON</p> <p>LUXEMBOURG</p> <p>LYON</p> <p>MAASTRICHT</p> <p>MADRID</p> <p>MALAGA</p> <p>MANCHESTER</p> <p>MANSTON</p> <p>MARSEILLE</p> <p>MILANO</p> <p>MONROVIA</p> <p>MOSKVA</p> <p>MÜNCHEN</p> <p>NANTES</p> <p>NAPOLI - CAPODICHINO</p> <p>NEWCASTLE</p> <p>NICE</p> <p>OOSTENDE</p> <p>OSLO</p> <p>PARIS</p> <p>PONTA DELGADA, AÇORES</p> <p>PORTO</p> <p>PRAHA</p> <p>PRESTWICK</p> <p>RIYADH</p> <p>ROMA</p> <p>SAL I., CABO VERDE</p> <p>SANTA MARIA, AÇORES</p> <p>SANTIAGO, ESPAÑA</p> <p>SHANNON</p> <p>SOFIA</p> <p>STOCKHOLM</p> <p>STUTTGART</p> <p>TEL-AVIV</p> <p>TENERIFE</p> <p>TIMISOARA/GIARMATA</p> <p>TORINO</p> <p>TOULOUSE-BLAGNAC</p> <p>WARSZAWA</p> <p>WIEN</p> <p>ZÜRICH</p>	



Aerodromes of departure (or of first destination) situated Aérodromes de départ (ou de première destination) situés	Aerodromes of first destination (or of departure) Aérodromes de première destination (ou de départ)	
1	2	
<p><b>ZONE III</b></p> <p>- West of 110°W and between 28°N &amp; 55°N</p> <p>- à l'ouest de 110°O et entre 28°N &amp; 55°N</p>	<p>AMSTERDAM DÜSSELDORF FRANKFURT GENEVA GLASGOW KØBENHAVN LONDON LUXEMBOURG MADRID MANCHESTER MILANO MÜNCHEN PARIS PRESTWICK ROMA SHANNON ZÜRICH</p>	
<p><b>ZONE IV</b></p> <p>- West of 40°W and between 20°N &amp; 28°N including Mexico</p> <p>- à l'ouest de 40°O et entre 20°N &amp; 28°N incluant le Mexique</p>	<p>AMSTERDAM BARCELONA BERLIN BRUXELLES DÜSSELDORF FRANKFURT HAMBURG HELSINKI KÖLN - BONN LAS PALMAS, GRAN CANARIA LISBOA LONDON MADRID MANCHESTER MILANO MÜNCHEN PARIS PRAHA ROMA SAL I., CABO VERDE SANTA MARIA, AÇORES SANTIAGO-ESPAÑA SHANNON WIEN ZÜRICH</p>	

Aerodromes of departure (or of first destination) situated Aérodromes de départ (ou de première destination) situés	Aerodromes of first destination (or of departure) Aérodromes de première destination (ou de départ)	
1	2	
<p><b>ZONE V</b></p> <p>- West of 40°W and between the Equator &amp; 20°N</p> <p>- à l'ouest de 40°O et entre l'équateur &amp; 20°N</p>	<p>AMSTERDAM</p> <p>BARCELONA</p> <p>BORDEAUX</p> <p>BRUXELLES</p> <p>DÜSSELDORF</p> <p>FRANKFURT</p> <p>GLASGOW</p> <p>HAMBURG</p> <p>HELSINKI</p> <p>KÖLN - BONN</p> <p>LAS PALMAS, GRAN CANARIAS</p> <p>LISBOA</p> <p>LONDON</p> <p>LYON</p> <p>MADRID</p> <p>MANCHESTER</p> <p>MARSEILLE</p> <p>MILANO</p> <p>MÜNCHEN</p> <p>NANTES</p> <p>PARIS</p> <p>PORTO</p> <p>PORTO SANTO, MADEIRA</p> <p>PRESTWICK</p> <p>ROMA</p> <p>SANTA MARIA, AÇORES</p> <p>SANTIAGO, ESPAÑA</p> <p>SHANNON</p> <p>TENERIFE</p> <p>TOULOUSE - BLAGNAC</p> <p>WIEN</p> <p>ZÜRICH</p>	



## CONDITIONS OF PAYMENT

### CLAUSE 1

1. The amounts billed shall be payable at EUROCONTROL's Headquarters in Brussels.
2. EUROCONTROL will nevertheless consider payment into the accounts opened in its name with banking establishments in the Contracting or other States designated by the competent bodies of the Route Charges System as a discharge of the payer's liability.
3. The amount of the charge is due on the date of performance of the flight. The date by which payment must be effected shall be shown on the bill.

### CLAUSE 2

1. Except as provided in paragraph 2 of this clause, the amount of the charge shall be paid in ECU.
2. Any user who is a national of a Contracting State may, whenever payment is made by him into a designated banking establishment situated in the State of which he is a national, discharge the debt in the convertible currency of that State.
3. Where a user avails himself of the facility referred to in the foregoing paragraph, the conversion into national currency of the ECU amount shall be effected at the daily exchange rates quoted for commercial transactions for the date and place of payment.

### CLAUSE 3

1. Payment shall be deemed to have been made on the date on which the amount of the charge was credited by a banking establishment designated by EUROCONTROL.
2. Payment by cheque shall be deemed to have been made on the date on which the cheque was received by EUROCONTROL, subject to its being honoured by the drawer's bank.

### CLAUSE 4

1. Payments shall be accompanied by a statement giving the references, dates and ECU amounts in respect of bills paid and of any credit notes deducted. The requirement to show the amounts of bills in ECU shall apply also to users availing themselves of the facility to pay in national currency.

2. Where a payment is not accompanied by the details specified in paragraph 1 above so as to allow its application to a specific bill or bills, EUROCONTROL will apply the payment:
- first to interest, and then
  - to the oldest bills unpaid.

#### CLAUSE 5

1. Claims against bills must be submitted to EUROCONTROL in writing. The final date for the submission of claims shall be shown on the bill.
2. The date of submission of claims shall be the date on which the claims are received by EUROCONTROL.
3. Claims must be detailed and should be accompanied by any relevant supporting evidence.
4. Submission of a claim by a user shall not entitle him to make any deduction from the relevant bill unless so authorised by EUROCONTROL.
5. Where EUROCONTROL and a user are mutually debtor and creditor no compensation payments shall be effected without EUROCONTROL's prior agreement.

#### CLAUSE 6

1. Any charge which has not been paid by the due date of the bill may be increased by the addition thereto of interest at a rate decided by the competent bodies and published annually, in accordance with Article 11 of the Conditions of Application.
2. The interest will be calculated and billed in ECU.

#### CLAUSE 7

Where a debtor has not paid the amount due, measures may be taken to enforce recovery.