

**CONSTITUTION
HEATHROW AIRPORT USERS' COMMITTEE**

January 2000

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1. DEFINITIONS AND INTERPRETION

- 1.1 In this constitution the following expressions shall have the following meanings:-
- '**Air Carrier**' means an air transport undertaking with a valid Operating Licence for the carriage of passengers mail and or freight from or to LHR.
 - '**Airport Operator**' means Heathrow Airport Limited or such other person as shall from time to time be the airport operator of LHR within the meaning of Section 82 of the Civil Aviation Act 1982.
 - '**Annual General Meeting**' means the annual general meeting of the Committee.
 - '**Appointed Organisation**' means an organisation appointed by an Air Carrier using the Airport regularly to represent it on the Committee.
 - '**Chairman**' means the Chairman of the Committee
 - '**Committee**' means the Heathrow Airport Users' Committee
 - '**Extraordinary General Meeting**' means an extraordinary general meeting of the Committee
 - '**HAL**' means Heathrow Airport Limited
 - '**LHR**' means Heathrow Airport - London
 - '**Meeting**' means either an Annual General Meeting or an Extraordinary General Meeting
 - '**Member**' means a member recorded in the Membership Register of the Heathrow Airport Users' Committee
 - '**Membership Register**' means the register maintained in accordance with Clause 4.3
 - '**Operating Licence**' means an authorisation, issued by a legally competent authority responsible, to an undertaking permitting it to carry out carriage by air of passengers mail and/or cargo, as stated in the operating licence, for remuneration and/or hire
 - '**Directive**' means Council Directive (EEC) No. 96/97 of 15 October 1996
 - '**Secretary**' means the Secretary of the Committee
 - '**Statutory Instrument**' means The Airports (Groundhandling) Regulations 1997
 - '**Undertaking**' means any natural person, any legal person whether profit making or not, or any official body whether having its own legal personality or not
 - '**Template**' means the document listing the considerations for new entrants and must be completed by the handler prior to the presentation by the Ground Handling Manager at the Terminal AOC
- 1.2 Reference to legislation or statutory provisions shall where the context so admits or requires be construed as references to that legislation or those provisions as respectively amended consolidated extended or re-enacted from time to time and shall where the context so admits or requires be construed as including references to the corresponding provisions of any earlier legislation (whether repealed or not) directly or indirectly amended consolidated extended or replaced thereby or re-enacted and shall include any order regulations instruments or other subordinate legislation made under the relevant statute
- 1.3 For the interpretation of the constitution, the Interpretation Act 1978, shall apply as it applies to the interpretation of an Act of Parliament

2. NAME AND OBJECT

- 2.1 The name of the Committee is the Heathrow Airport Users' Committee.
- 2.2 The purpose of the Committee is to be the Airport Users' Committee at Heathrow Airport in compliance with the Directive.
- 2.3 The objective of the Committee is to be the consultative body for all issues and policy relating to ground handling at Heathrow. If the Directive or law changes this is the body that is consulted with
- 2.4 The AUC will delegate its day to day consultative powers to the relevant Terminal Airline Operators Committee (AOC) and the AOC Executive.
- 2.5 The AUC's approved Template for new applicants will be used to facilitate the consultative process

3. PURPOSE AND PRINCIPLES

The Committee shall fulfil the consultative role of the Airport Users' Committee as stipulated in the Directive and the Statutory Instrument and in particular shall:-

- 3.1 Advise on the standard conditions or technical specifications to be met by the supplier of groundhandling services when required by the Airport Operator.
- 3.2 Meet at least once a year with the Airport Operator and Undertakings providing groundhandling services to consult on the application of the Statutory Instrument at LHR

4. MEMBERSHIP

- 4.1 The following shall be entitled to be Members of the Committee:-
Air Carriers using the Airport regularly or their appointed Organisation
- 4.2 The Air Carriers listed in Schedule 1 and the following Appointed Organisations are Members at the date of the adoption of this Constitution:-
- 4.3 There shall be a Register of members and the Secretary shall enter the names of all the above and of any new Members on the Register
- 4.4 An Air Carrier which is not on the register of Members and which wishes to be a Member shall apply for membership in writing to the Secretary who shall enter its name on the register of Members if that Carrier uses LHR regularly
- 4.5 An Appointed Organisation of an Air Carrier which is not on the register of Members and which wishes to be a Member shall apply for membership in writing to the Secretary who shall enter its name on the register of Members
- 4.6 A member shall cease to be a member if:-
 - it resigns or
 - it goes into liquidation or
 - it ceases to use the Airport regularly and has not been to a Meeting for least twenty four months

- in the case of an Appointed Organisation it ceases to be appointed as a representative of an Air Carrier
- 4.7 The Secretary shall make a note in the register of the names of Members who have ceased to be Members together with the date of such cessation
- 4.8 The Members shall decide all disputed issues about membership by a majority vote at a Meeting

5. MEMBERS REPRESENTATIVES

- 5.1 Each Member shall delegate an individual to be its Nominated Representative (“the Nominated Representative”) at Meetings
- 5.2 No Member shall be represented by more than one Nominated Representative
- 5.3 The Nominated Representative may vary from meeting to meeting but shall be a Member’s employee in the case of an Air Carrier and in the case of an Appointed Organisation shall be an employee or a member of that organisation
- 5.4 In the case of an Air Carrier the Nominated Representative shall where practicable have responsibility for an experience of ground handling
- 5.5 The Nominated Representative of an Air Carrier may bring to a Meeting as observers not more than two other employees of that Air Carrier and the Nominated Representative of a representative organisation may bring to a Meeting as observers not more than two representatives of that organisation
- 5.6 The Committee may invite other persons to its meetings as observers at its discretion
- 5.7 Each person at a Meeting shall if requested by the Chairman or the Secretary state the organisation they represent and in what capacity

6. GENERAL MEETINGS OF THE COMMITTEE

- 6.1 An Annual General Meeting shall be held at least once in each calendar year and during that Annual General Meeting the Committee shall consult with the Airport Operator and Undertakings providing groundhandling as to the application of the Directive
- 6.2 Extraordinary General Meetings may be held as and when business dictates
- 6.3 Meetings shall generally be held at or near LHR in premises provided by HAL
- 6.4 The Secretary shall give at least seven clear days written notice of Meetings to each Member
- 6.5 Each Annual General Meeting shall elect a Chairman and transact such other business as may from time to time be necessary
- 6.6 The Chairman or (five) Members may in writing request a Meeting

- 6.7 Within five working days of receiving a written request signed by the Chairman or by the Nominated Representatives of at least five Members giving reasons for the request, the Secretary shall call a Meeting
- 6.8 The quorum for a Meeting shall be at least (five) Members
- 6.9 The Committee may receive advice from whomever it wishes on any matters under consideration and shall establish such ad hoc rules of procedure as the Member present and voting at a Meeting determine provided that such rules are consistent with this constitution

7. CHAIRMAN AND SECRETARY

- 7.1 The Chairman shall be elected at Each Annual General Meeting
- 7.2 The Chairman shall hold office until the conclusion of the next Annual General Meeting after election and shall be eligible for re-election
- 7.3 The Secretary shall be HAL's Ground Handling Manager
- 7.4 Nominations for Chairman must be made in writing and must be in the hands of the Secretary the day before the Annual General Meeting

8. VOTING

- 8.1 All questions arising at any meeting shall be decided by a majority of the votes of those Members present and entitled to vote at the Meeting
- 8.2 In the event of a vote there shall always be 1,000 votes and the Air Carriers and the Appointed Organisations present at the Meeting shall collectively have 1,000 votes
- 8.3 The number of votes which each individual Air Carrier or Appointed Organisation may exercise shall be calculated in accordance with Schedule 2
- 8.4 In case of an equality of votes the Chairman shall have a casting vote
- 8.5 Minute books shall be kept by the Committee and a proper record shall be kept of all proceedings resolutions the persons present and the capacity in which they attended the meeting

9. SUB-COMMITTEES

The Committee may appoint sub-committees

10. STATUS

The Committee is an unincorporated association

11. ALTERATIONS TO THE CONSTITUTION

- 11.1 Any alterations of this Constitution must be approved by at least two thirds of the votes cast at a Meeting specially called for that purpose, where the voting procedures are those set out in Clause 8
- 11.2 Written requests for a Meeting to alter the Constitution must be received by the Secretary not less than fifteen clear days before the Meeting at which the alteration is to be considered
- 11.3 At least ten clear working day's notice in writing of such a Meeting setting out the terms of the alteration to be proposed shall be sent by the Secretary to each Member

12. DISSOLUTION

- 12.1 The Committee cannot be dissolved as long as the Directive or any directive replacing it which requires an Airport Users' Committee at LHR is in force
- 12.2 If once the Directive or any directive replacing it which requires an Airport Users' Committee at LHR has ceased to be in force at least two-thirds of those present and voting, in accordance with the procedure set out in Clause 8 at a Meeting may resolve to dissolve the Committee. The Committee shall thereupon be dissolved and the members shall have the power to dispose of any assets held by or on behalf of the Committee. Any assets remaining after the satisfaction of any proper debts and liabilities shall be distributed to the members if the Committee who are Air Carriers in equal shares

13. COSTS AND EXPENSES

- 13.1 Whilst European community legislation requires an Airport Users' Committee at LHR all reasonable and proper administration premises and catering expenses of the Committee shall be met by HAL.

SCHEDULE 2
VOTING PROCEDURE - AIR CARRIERS

1. The following procedures shall apply where a vote is required.
2. On 1 January each year the Committee shall cause there to be calculated the total number of slots from the previous 1 January to 31 December at LHR for each Air Carrier as identified in the computer system of Airport Co-ordination Limited or other available evidence.
3. The Chairman of the Meeting shall determine the 1,000 votes of the Air Carriers and Appointed Organisations between them in proportion with the number of slots calculated under paragraph 2. Such a calculation may include fractions. In the case of Appointed Organisations they shall have the number of votes attributable on this basis to the Air Carriers for whom they hold written appointments.
4. An Air Carrier may vote for itself in the election of Chairman.
5. Disputes about voting procedures or the number of votes a Member is entitled to cast shall be settled at the meeting.

SCHEDULE 1

LIST OF AIR CARRIERS WHO ARE MEMBER OF THE AIRPORT USERS COMMITTEE

Adria Airways	Aer Lingus
Aeroflot	Air Algerie
Air Canada	Air China
Air France (Air France Servisair)	Air Freight Express
Air India	Air Jamaica
Air Lanka	Air Malta
Air Mauritius	Air Namibia
Air New Zealand	Alitalia
All Nippon Airways	American Airlines
Arkia Israeli Airlines	Austrian Airlines
Avianca	Balkan Bulgarian Airlines
Bangladesh Biman	British Airways
British Midland	British West Indian Airways
Canadian Airlines	Cathay Pacific Airways
Croatia Airlines	Cronus Airlines
Crossair	Cyprus Airways
Czech Airlines	DHL
Egyptair	El Al Israel Airlines
Emirates	Ethiopian Airlines
Eva Air	Finnair
Ghana Airways	Gulf Air
Iberia Airlines	Icelandair
Iran Air	Istanbul Airlines
Japan Airlines	Kenya Airways
KLM Royal Dutch Airlines	Korean Airlines
Kuwait Airways	Libyan Arab
Lithuanian Airlines	Lot Polish Airlines
Lufthansa German Airlines (Lufthansa Ground Services)	Luxair
Malaysian Airline System	Malev - Hungarian Airlines
Manx Airlines	Middle East Airlines
Nigeria Airways	Olympic Airways
Pakistan International Airline	Quantas Airways
Qatar Airways	Royal Air Morac
Royal Brunei Airlines	Royal Jordanian Airlines
SA Alliance Air	Sabena World Airlines
Saudi Arabian Airlines	Scandinavian Airlines System
Singapore Airlines Ltd.	South African Airways
Sudan Airways	Swissair (Swissport)
Syrian Arab Airlines	Tap Air Portugal
Tarom	Thai International Airways
Tunis Air	Turkish Airlines
Turkmenistan Airlines	United Airlines
Uzbekistan Airlines	Varig
Virgin Atlantic Airways (Plane Handling)	Virgin Express

NB. Companies in brackets indicate handlers accredited by the airline