

Constitution
COORDINATION COMMITTEE
NETHERLANDS

1 DEFINITIONS

1.1 In this constitution the following expressions and abbreviations shall have the following meaning:

“AAS”	means airport operator of Amsterdam Airport Schiphol
“Air Carrier”	means an air transport undertaking with a valid operating license;
“Airport Operator”	means the body which has the task of administering and managing the airport facilities of a coordinated airport;
“Air Traffic Control”	means Air Traffic Control Netherlands, known as LVNL (Luchtverkeersleiding Nederland), providing air traffic control services;
“Authorised Representative”	means any employee of a member attending a meeting on behalf of that member;
“Committee”	means the Coordination Committee Netherlands;
“Coordinated Airport”	any airport in the Netherlands designated by the Minister of Transport, Public Works and Watermanagement to be a coordinated airport in accordance with Article 3 of the Regulation;
“Coordinator”	means the person responsible for the allocation of slots designated by the Minister of Transport, Public Works and Watermanagement, known as SACN (Stichting Airport Coordination Netherlands);
“(Deputy) Chairman”	means the (deputy) chairman of the Committee;
“DGTL”	means the department of the Ministry of Transport, Public Works and Watermanagement responsible for civil aviation matters;

“Extraordinary General Meeting”	means an extraordinary general meeting of the Committee;
“General Aviation”	means all aviation except commercial aviation;
“IACA”	means the International Air Carrier Association
“IATA”	means the International Air Transport Association;
“IATA WSG”	means the Worldwide Scheduling Guidelines published by IATA;
“LVNL”	see “Air Traffic Control”
“Meeting”	means either an annual general meeting or an extraordinary general meeting of the Committee;
“Member”	means a member recorded in the membership register of the Committee;
“New Entrant”	shall have the same meaning as in the Regulation;
“Observer”	means an observer at a meeting with no vote;
“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;
“Regulation”	means the Regulation (EEC) no. 95/93 as amended, a.o. by Regulation (EC) 793/2004 of 30 April 2004;
“Secretary”	means the secretary of the Committee;
“Slot”	shall have the same meaning as in the Regulation;

“Slot Allocation Resolution”	Resolution declared in Royal Decree dated 24th November 1997 (Stb.1997, no.635), concerning slot allocation under the terms of the Regulation;
“SSPC”	means the Scheduling and Slot Performance Committee, advisory subcommittee of the Committee.

1.2 This constitution is based on the Royal Decree dated 24th of November 1997 (Stb.1997, no. 635) in accordance with the Regulation.

2 NAME AND OBJECT

2.1 The name of the Committee is the Coordination Committee Netherlands.

2.2 The object of the Committee is to be the Coordination Committee of coordinated airports in accordance with the Regulation and the Slot Allocation Resolution.

2.3 This constitution is only applicable at coordinated airports.

3 PURPOSE AND PRINCIPLES

3.1 The Committee shall assist the Coordinator in a consultative capacity and in particular shall make proposals concerning or advise the coordinator and/or DGTL on:

3.1.1 possibilities for increasing the capacity of coordinated airports in accordance with Article 3 of the Regulation or for improving its usage;

3.1.2 improvements to traffic conditions prevailing at coordinated airports;

3.1.3 coordination parameters to be determined in accordance with Article 6 of the Regulation;

3.1.4 methods of monitoring the use of allocated slots;

3.1.5 local guidelines for the allocation of slots or the monitoring of the use of allocated slots, taking into account, inter alia, possible environmental concerns, as provided for in Article 8(5) of the Regulation;

3.1.6 serious problems for new entrants as provided for in Article 10(9) of the Regulation;

3.1.7 all questions relating to the capacity of coordinated airports.

3.2 The Committee shall mediate between all parties concerned on complaints on i.a. the allocation of slots, as provided for in Article 11(1) of the Regulation.

3.3 In performing its functions set out in clause 3.1 the Committee shall have regard to the provisions of the IATA WSG and the Regulation as well as applicable regional and local rules.

4 MEMBERSHIP

- 4.1 The following shall be entitled to be a member of the Committee:
- air carriers using a coordinated airport regularly;
 - representative organisations of air carriers using a coordinated airport regularly;
 - representatives of general aviation companies using a coordinated airport regularly;
 - the airport operator(s);
 - Air Traffic Control “LVNL”.
- 4.2 The coordinator and the representative of the DGTL shall be invited to the meetings as observers. At their request to the secretary, air carriers that have expressed a serious and concrete intention to start using a coordinated airport regularly, will be allowed to attend the meetings as observers.
- 4.3 The secretary shall enter the names of all that indicated an interest to participate in conformity with 4.1 in a register of members.
- 4.4 A member/observer shall cease to be a member/observer if:
- it resigns or
 - it goes into liquidation or
 - it loses its operating license or
 - it ceases to use the coordinated airport(s) regularly or
 - it has not been attending, either directly or by proxy, at least three consecutive meetings.
- 4.5 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.
- 4.6 The members shall decide on disputes about membership by a majority vote at a meeting.

5 MEMBERS REPRESENTATIVES

- 5.1 Each member shall either delegate an individual or authorise by proxy any other member with the provision that a member may not exercise more than 3 proxies.
- 5.2 The authorised representative may vary from meeting to meeting but shall be a member’s employee in the case of airports concerned and of Air Traffic Control, a member’s employee in the case of an air carrier or a general aviation company and in the case of a representative organisation shall be an employee or retained representative or a member of that organisation.
- 5.3 In the case of an air carrier or a general aviation company the authorised representative shall where practicable have responsibility for and experience of scheduling and shall in the case of an air carrier preferably be the member’s delegate

to the then most recent IATA Scheduling Conference.

- 5.4 The authorised representative of an air carrier or a general aviation company may bring to a meeting as observers not more than two other employees or retained representatives of that air carrier or that company and the authorised representative of a representative organisation may bring to a meeting as observers not more than two representatives of that organisation.
- 5.5 The authorised representatives of the airports concerned and of Air Traffic Control may each bring to a meeting as observers not more than two employees of their respective 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 he/she represents 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.
- 6.2 Extraordinary general meetings may be held as and when circumstances dictate.
- 6.3 The chairman or at least five members may in writing request a meeting. Within seven days of receiving a written request signed by the chairman or by the authorised representatives of at least five members giving reasons for the request, the secretary shall call a meeting.
- 6.4 Meetings shall generally be held at Schiphol and shall be conducted in English.
- 6.5 The secretary shall give at least seven working days written notice of meetings to each member, DGTL and the coordinator.
- 6.6 If a meeting is convened for the purposes of clause 3.1.6 the secretary shall invite the European Commission.
- 6.7 The quorum for a meeting shall be at least five members.
- 6.8 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 members present and voting at a meeting determine provided that such are consistent with this constitution.

7 SUB-COMMITTEES

- 7.1 The Committee may appoint sub-committees.
- 7.2 The Scheduling and Slot Performance Sub Committee (SSPC) shall advise on day-to-day issues related to the subjects under paragraph 3.1 and 3.2, in particular on scheduling, slot and slot performance issues.
- 7.2.1 This sub-committee will consist of representatives of 3 air carriers based in the Netherlands, representatives of 3 air carriers based outside the Netherlands, 1 representative of the coordinated airports and 1 representative of LVNL. The air carrier representation shall preferably reflect the various relevant categories of air carriers using the coordinated airports (legacy carriers, low cost low fare carriers, freight carriers, etc.). In case a point of relevance to general aviation will be discussed, a representative of general aviation may be invited. The coordinator shall be invited to the meetings as observer.
- 7.2.2 Members of the SSPC, after being nominated by (a) member(s) of the Committee, shall be elected at the annual general meeting of the Committee for a period of three years and shall be eligible for re-election.

8 COMPLAINTS AND PROBLEMS FOR NEW ENTRANTS

- 8.1 The Committee may from time to time send to its members, the coordinator and other interested parties written procedural requirements approved by a majority of votes at a meeting and consistent with this constitution setting out the steps to be followed:
- Where complaints in conformity with Article 11(1) of the Regulation are submitted for mediation to the Committee regarding the application of Articles 7(2), 8, 8a, 10 and 14(1) to (4) and (6) of the Regulation and
 - Where the Committee is required to advise on serious problems for new entrants as provided in Article 10(9) of the Regulation.
- 8.2 Where the SSPC is notified of a slot complaint it shall meet to advise on the slot complaint in accordance with the following procedure:
- the complainant has first made a written submission to the coordinator setting out the reasons for the slot complaint and
 - the coordinator has responded in writing to that submission or has had a reasonable time to do so, and
 - the complainant has not accepted the coordinator's response where one has been made.
- 8.3 At a meeting of the SSPC to consider a slot complaint, the complainant shall be entitled to attend the meeting even if it is not a member and (in addition to the authorised representatives of members) the complainant and the coordinator shall be entitled to address the meeting.

- 8.4 Problems for new entrants may be considered at any meeting whether extraordinary or general.
- 8.5 The Committee shall not put a matter to a vote where it is required to give advice on remedying problems for new entrants but shall ensure any advice given to the coordinator sets out a fair summary of the feeling of the meeting and of the views of any members who dissent from the majority viewpoint.
- 8.6 The secretary shall notify the complainant, DGTL, the chairman of the IATA Scheduling Procedure Committee of problems or complaints which remain unresolved after consideration by the SSPC.

9 (DEPUTY) CHAIRMAN AND SECRETARY

- 9.1 The chairman and the deputy chairman shall be elected at the annual general meeting for a period of 3 years. The deputy chairman shall act as chairman in case of absence of the chairman.
- 9.2 The chairman and the deputy chairman shall hold office until the conclusion of the last annual general meeting in the 3-years period of his/her (deputy) chairmanship and shall be eligible for re-election.
- 9.3 The secretary shall be an employee of AAS but shall be a different person from AAS's authorised representative.
- 9.4 Nominations for chairman and deputy chairman must be made in writing and must be in the hands of the secretary latest at the day before the annual general meeting on which the election of the chairman will take place.

10 VOTING

- 10.1 All questions arising at any meeting except for matters arising under clause 8.5 shall be decided by a majority of those members present or represented and entitled to vote at the meeting.
- 10.2 In the event of a vote,
- the air carriers shall collectively have a maximum of 900 votes;
 - general aviation representatives shall together have 10 votes;
 - AAS shall have 40 votes;
 - other coordinated airports shall each have 10 votes;
 - Air Traffic Control (LVNL) shall have 20 votes;
 - IATA and IACA shall have 20 votes each.

- 10.3 The number of votes which each individual air carrier may exercise shall be calculated in accordance with Appendix 1.
- 10.4 In case of an equality of votes the chairman shall have a casting vote.
- 10.5 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. A report of the discussions in the Committee shall be submitted to the DGTL with an indication of the respective positions within the Committee.

11 ALTERATIONS TO THE CONSTITUTION

- 11.1 Any alteration of this constitution must be approved by at least two thirds of the votes cast at a meeting specially called for that purpose.
- 11.2 Written requests for a meeting to alter the constitution must be received by the secretary not less than three weeks before the meeting at which the alteration is to be considered.
- 11.3 At least two weeks 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 Regulation or any regulation replacing it which requires a Coordination Committee at coordinated airports is in force.
- 12.2 If, once the regulation or any regulation replacing it which requires a Coordination Committee at coordinated airports has ceased to be in force at least two-thirds of those present and voting may resolve to dissolve the Committee, the Committee shall thereupon be dissolved.

13 COSTS AND EXPENSES

Whilst European community legislation requires a Coordination Committee at coordinated airports all reasonable and proper administration premises and catering expenses of the Committee shall be met by AAS.

APPENDIX 1; VOTING PROCEDURE AIR CARRIERS

1. The following procedure shall apply where a vote is required at a meeting.
2. On 1st April each year the coordinator shall calculate the total number of previous winter season and current summer season allocated slots at each coordinated airport for each air carrier, member of the Committee, as identified in the computer system of Airport Coordination Netherlands.
3. The secretary of the Committee shall determine the 900 votes of the air carriers between them in proportion with the number of slots calculated under paragraph 2. Such a calculation may include fractions.
4. If one carrier will get more than 40% of the votes of the air carriers, their share of votes will be limited to 40% of the votes of the air carriers. In that case the secretary will recalculate the votes of the other carriers.
5. A list specifying the number of votes of each registered member will be published.
6. An air carrier may vote for itself in the election of chairman or deputy chairman.
7. Disputes about voting procedures or the number of votes a member is entitled to cast shall be settled in the meeting.