

RULES OF PROCEDURE
TERMS OF REFERENCE

APPROVED IN GENERAL ASSEMBLY 2ND SEPTEMBER 2010

**NATIONAL COORDINATION COMMITTEE
RULES OF PROCEDURE**

1. Definitions and interpretation

1.1 In these Rules of Procedure the following expressions shall have the following meanings:

"Air Carrier"	means an air transport undertaking with a valid Operating Licence;
"Airport operator"	means the airport operator of coordinated airports in Portugal;
"Air Traffic Control"	means the provider of air traffic control services in Portugal;
"Annual General Meeting"	means the annual general meeting of the Committee;
"Authorised Representative"	means any person appointed by the Member with significant experience of scheduling for the purpose of providing scheduling expertise attending a meeting on behalf of that Member;
"Chairman"	means the Chairman of the Committee;
"Coordinator"	means the person responsible for slot allocation and schedule coordination in coordinated airports in Portugal from time to time with the meaning of Article 4 of Regulation (EEC) n ^o . 95/93 of 18th January 1993 on common rules for the allocation of slots at Community airports, as amended by Regulation (EC) n ^o . 793/2004, 21 April 2004;
"Committee"	means the National Coordination Committee with the meaning of Decree-Law n ^o . 109/2008, 26 th June;
"Executive Committee"	means the executive body of the National Coordination Committee as regulated in Articles 25 to 31 of Decree-Law n ^o . 109/2008, 26 June;
"Extraordinary General Meeting"	means an extraordinary general meeting of the Committee;
"IATA"	means the International Air Transport Association;

"IATA Worldwide Scheduling Guidelines"	means the Scheduling Guidelines published by IATA from time to time;
"INAC"	means the National Institute of Civil Aviation;
"Meeting"	means either an Annual General Meeting or an Extraordinary General Meeting;
"Member"	means a member recorded in the Membership Register of the National Coordination Committee;
"Membership Register"	means the register maintained in accordance with Clause 4.3 of these procedures;
"New Entrant"	shall have the same meaning as in the Regulation;
"Operating License"	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 Council Regulation (EEC) No 95/93 as amended by Council Regulation 793/2004;
"Secretary"	means the Secretary of the Committee;
"Slot"	shall have the same meaning as in the Regulation;
"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;

2. Object

- 2.1. These Rules of Procedure have been agreed upon in compliance with EC regulation 95/93 article 5(3), as amended by EC regulation 793/2004 and Decree-Law n°. 109/2008, 26 June.
- 2.2. These Rules of Procedure are applicable to the National Coordination Committee.

3. Purpose

- 3.1. The tasks of the Coordination Committee shall be:
 - a) to make proposals concerning or advise the Coordinator and/or the Member State on:
 - the possibilities for increasing the capacity of the airport determined in accordance with Article 3 of the Regulation or for improving its usage;
 - the coordination parameters to be determined in accordance with Article 6 of the Regulation;
 - the methods of monitoring the use of allocated slots:
 - local guidelines for 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;
 - improvements to traffic conditions prevailing in the coordinated airport;
 - serious problems encountered by new entrants, as provided for in Article 10(9) of the Regulation;
 - all questions relating to the capacity of the airport;
 - b) to mediate between all parties concerned on complaints on the allocation of slots as provided for in Article 11 of the Regulation.
- 3.2. In performing its functions the Committee shall take into account the provisions of the IATA World Wide Scheduling Guidelines and any local guidelines.

4. Membership

4.1. Membership of the Committee shall be open to

- a) Air Carriers using coordinated airports on a regular basis;
- b) the representative organisations of Air Carriers using coordinated airports ;
- c) the Air Traffic Control;
- d) the Airport operator;
- e) the two largest companies providing services of ground-handling assistance to third parties with regard to the volume of traffic of the two last years;
- f) the two largest companies of private flight operators with the greatest number of assisted flights.

The undertakings listed in Schedule 1 are Members at the date of the adoption of the Rules of the Procedure.

4.2. The Secretaries of the Board of the General Assembly shall keep register of the Members of the National Coordination Committee.

4.3. Subject to the legal requirements set forth in Decree-Law n°. 109/2008, 26th June, an Air Carrier who is not on the register of members and who wishes to be a member shall apply for membership in writing to the President of the Executive Committee who shall enter its name on the register of members.

4.4. Subject to the legal requirements set forth in Decree-Law n°. 109/2008, 26th June, a representative organization of Air Carriers who is not on the register of members and who wishes to be a member shall apply for membership in writing to the President of the Executive Committee, who shall enter its name on the register of members.

4.5. A Member shall cease to be a member if:

- a) it resigns; or
- b) it goes into liquidation; or
- c) it ceases to use the airport regularly.

- 4.6. 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.

5. Members' Authorised Representatives

- 5.1. Each Member may nominate one person as its Authorised Representative to attend Meetings of the Committee.
- 5.2. In the case that the Airport operator and the Air Traffic Control are the functions of the same entity, such entity may nominate one single person as its Authorized Representative to attend Meetings of the committee on its behalf.
- 5.3. The Secretaries shall keep register of the Members' Authorised Representatives.
- 5.4. The representatives of INAC and the Coordinator shall be invited to the Meetings of the Coordination Committee as observers, without voting rights.

6. Meetings of the Committee

- 6.1. The General Assembly shall meet in ordinary session:
 - a) During the first quarter of each year;
 - b) Every three years, in the second half, functioning as an electoral assembly, for the election of the heads of the organs of the NCC.
- 6.2. The General Assembly shall meet extraordinarily, on the initiative of the president of the board or whenever this is so requested by the Executive Committee or by at least two thirds of the members of the NCC in full enjoyment of their rights. In the latter case, the General Assembly may only meet if at least three quarters of those making the request are present.
- 6.3. The deliberations of the general assembly are taken by majority vote of the members present or represented, under the terms of these statutes, in line with the following distribution of votes between its members, in a total of 1000 votes:
 - a) The air carriers which are members of the NCC participate with 600 votes, with each carrier having a number of votes proportional to the number of slots set out in the list referred to in paragraph 3 of this article, subject to the limit that the votes per air carrier or group of controlling bodies for the same air carrier may not exceed 40% of the votes of

this quota. In this case, the votes are redistributed to the other carriers;

b) The organizations representing the air carriers participate with 100 votes, divided equally between RENA and APORTAR;

c) The two companies providing services of ground-handling assistance participate with 150 votes, with the number of votes of each being proportional to the traffic they assist;

d) NAV, E. P. E., participates with 25 votes;

e) ANA, S. A., participates with 100 votes;

f) ANAM participates with 25 votes.

6.4. Air carriers which are members but which perform less than 52 movements per year shall not be entitled to vote.

7. Executive Committee

7.1. In meetings of the Executive Committee, all members shall have the right to vote.

7.2. The members of the Executive Committee shall appoint a permanent Secretary for each mandate.

7.3. Observers and authorized guests to the Assembly shall not have the right to vote.

7.4. The right to vote in the Executive Committee shall be exercised by hand raising, except in the following cases when voting will be secret:

- When a third of the attendees so request.
- In elections and when deciding on sanctions for individuals.

7.5. In secret votes, the ballots shall be deposited in a ballot box by each member, when named in a roll call by the Secretary. Once voting is completed, the Secretary shall read the ballots and count them.

7.6. In order to be passed, a motion must obtain a simple majority of votes, unless stipulated otherwise. Votes shall be counted as follows:

- a) Votes for.
- b) Votes against.
- c) Blank votes.

The President will have the deciding vote in case of a tie..

7.7. Voting by delegation shall not be valid.

7.8. Any member may record his/her reservations about an approved motion in the Minutes.

8. Motions

8.1. Whoever submits the motion shall have a right to speak first, after which the motion shall be submitted to general discussion.

8.2. No motion shall be discussed outside the corresponding item on the Agenda, unless so authorized by the President.

8.3 The President of the General Assembly Board or of the Executive Committee shall accept procedural motions in the following order of preference:

- a. Put to a vote immediately.
- b. Postpone to a subsequent meeting.
- c. Limit the debate to a specific period of time.
- d. Adjourn the session for a specific period of time.
- e. Discuss the motion in a later item on the Agenda.

8.4. An informative item shall only be interposed at the end of the discussion to provide or request information of a technical nature.

9. Minutes

9.1. The appointed Secretaries of the General Assembly and of the Executive Committee shall draw minutes of each meeting.

9.2. The Minutes must be submitted 30 calendar days before the opening of the next Assembly or Executive Committee.

9.3. The accuracy or inaccuracy of the Minutes shall be approved in the subsequent meeting.

9.4. Minutes shall have the following format:

9.4.1. The beginning of the first page shall mention the following:

- Meeting number;
- Place of meeting;
- Date.

9.4.2. In addition, the first page of the beginning of each part (referring to each session) shall contain the following elements:

- Identification of the Assembly meeting session or of the Executive Committee meeting;
- Session number;
- Session date.

9.4.3. This information on each session shall be included, in abbreviated form, at the beginning of each page.

9.4.4. All minutes must include the following information:

- The times that each session begins and ends.
- The opening roll call of each session as well as roll calls taken during each session for recesses or breaks.
- The Agenda items that are discussed in each session shall be clearly indicated.

9.4.5. Motions presented shall have the following format:

- Numbering: all motions shall be clearly numbered in an orderly manner, regardless of the type of motion (normal, procedural, recommendation, etc.), and the session in which they are proposed shall also be indicated.
- Heading: The motion heading shall be as follows:

Ex. MOTION 26 NORMAL

- Vote Counting: the results of votes taken shall be indicated, enumerating the votes for, against and blank, as well as the result, which may be as follows:
 - Approved by acclamation.
 - Unanimously approved.
 - Approved.
 - Rejected.
 - Withdrawn

10. Complaints and Problems for new entrants

10.1. 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 these Rules of Procedure setting out the steps to be followed:

- a) where complaints (“Slot Complaints”) are made about the allocation of slots as provided in Article 11 of the Regulation and
- b) where the Committee is required to advise on serious problems for new entrants as provided in Article 10(9) of the Regulation.

10.2. Where the Committee is notified of a Slot Complaint it shall not meet to consider the Slot Complaint unless:

- a) the complaint has first made a written submission to the Coordinator setting out the reasons for the Slot Complaint; and
- b) the Coordinator has responded in writing to that submission or has had a reasonable time to do so; and
- c) the complainant has not accepted the Coordinator’s response where one has been made.

10.3. At a Meeting 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.

10.4. The Secretary shall notify the complainant and INAC of the problems or complaints which remain unresolved after consideration by the Committee.

11. Language

Meetings will be conducted in Portuguese. English may be used as a second language, when necessary. Minutes will be prepared in Portuguese and translated into English.

12. Costs and expenses

All reasonable and proper administration premises and catering expenses of the Committee shall be met by the Airport operator.

13. Alteration to the Rules of Procedure

13.1. Any alteration of these Rules of Procedure must be approved by at least two thirds of the votes cast at a Meeting specially called for that purpose.

13.2. Written requests for a Meeting to change the Rules of Procedure must be received by the President of the Board of the General Assembly not less than fifteen days before the Meeting at which the alteration is to be considered.

SCHEDULE 1: LIST OF MEMBERS AS OF 31/01/2010

TRANSPORTADORAS AÉREAS / AIR CARRIERS	
2U	SUN D'OR
4R	HAMBURG INTERNATIONAL AIRLINES
4U	GERMANWINGS
6Y	SMARTLYNX
8F	STP AIRWYAS
9U	AIR MOLDOVA
AB	AIR BERLIN
ABR	AIR CONTRACTORS
AEA	AIR EUROPA
AEU	ASTRAEUS LTD
AF	AIR FRANCE
AT	ROYAL AIR MAROC
AY	FINNAIR
BA	BRITISH AIRWAYS
BCS	EUROPEAN AIR TRANSPORT
BD	BRITISH MIDLAND AIRWAYS BMI
BE	FLYBE
BJ	NOUVELAIR TUNISIE
CJ	BA CITIFLYER
CO	CONTINENTAL AIRLINES
DE	CONDOR FLUGDIENST
DK	THOMAS COOK A/L
DT	TAAG ANGOLA AIRLINES
DY	NORWEGIAN AIR SHUTTLE
EA	EUROPEAN AIR EXPRESS
ECA	EUROCYPRIA AIRLINES
EF	FAR EASTERN AIR TRANSPORT Corp
EI	AER LINGUS
EZS	EASY JET SWITZERLAND, SA
EZY	EASYJET AIRLINE
FAH	FARNAIR HUNGARY
FB	BULGARIA AIR
FPO	EUROPE AIRPOST
FQ	THOMAS COOK AIRLINES (BELGIUM)
FR	RYANAIR
FX	FEDERAL EXPRESS
GRR	AGROAR

GXL	XL AIRWAYS GERMANY
HG	NIKI LUFTHART
HV	TRANSAVIA AIRLINES
IB	IBERIA
IWD	IBERWORLD
JAF	JETAIRFLY
JOR	BLUE AIR-TRANSPORT AERIEN
JTG	JET TIME
KL	KLM ROYAL DUTCH AIRLINES
LG	LUXAIR
LH	LUFTHANSA
LLC	SMALL PLANET AIRLINES UAB
LM	LIVINGSTON
LO	LOT POLISH AIRLINES
LS	JET2.COM
LX	SWISS
MMZ	EUROATLANTIC AIRWAYS
MON/ZB	MONARCH AIRLINES
MS	EGYPT AIR
NO	NEOS
NT	BINTER CANARIAS
OAV	OMNI AVIACAO & TECNOLOGIA LDA
OBS	ORBEST
OHY	ONUR AIR
OR	TUI AIRLINES NEDERLAND
OS	AUSTRIAN AIRLINES
PF	PRIMERA AIR SCANDINAVIA
PGT	PARTNER JET
PS	UKRAINE INTERNATIONAL AIRLINES
QI	CIMBER AIR
QS	TRAVEL SERVICE AS
RAE	REGIONAL COMPAGNIE AERIENNE
RVP	AEROVIP
S3	SBA AIRLINES
S4	SATA INTERNACIONAL
SHY	SKY AIRLINES
SK	SAS SCANDINAVIAN AIRLINES
SN	BRUSSELS AIRLINES
SP	SATA AIR ACORES
SRR	STAR AIR
SWT	SWIFTAIR SA

TAY	TNT AIRWAYS
TK	TURKISH AIRLINES
TM	LAM LINHAS AEREAS DE MOCAMBIQUE
TO	TRANSAVIA FRANCE
TOM	THOMSON AIRWAYS
TP	TAP AIR PORTUGAL
TSC	AIR TRANSAT
TU	TUNISAIR
UN	TRANSAERO AIRLINES
US	US AIRWAYS
VIK	VIKING AIRLINES
VLG	VUELING AIRLINES
VR	TACV - CABO VERDE AIRLINES
WHT	WHITE
WK	EDELWEISS
WW	BMI BABY
X3	HAPAG LLOYD EXECUTIVE
XLF	XL AIRWAYS FRANCE
XQ	SUNEXPRESS
YW	AIR NOSTRUM
ZI	AIGLE AZUR

ENTIDADES GESTORAS AEROPORTUÁRIAS / AIRPORT MANAGING BODY
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ANA, SA

LISBOA

PORTO

FARO

ANAM, S.A

MADEIRA

AUT. RESPONSÁVEL PELO CONTROLO DE TRÁFEGO AÉREO/ AIR TRAFFIC CONTROL AUTH.

NAVEGAÇÃO AÉREA DE PORTUGAL- NAV PORTUGAL, E.P.E. (NAV)

ORG. REPRESENTATIVAS DAS TRANSPORTADORAS AÉREAS / AIR CARRIERS REPRESENTATIVE
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INTERNATIONAL AIR TRANSPORT ASSOCIATION (IATA)
--

INTERNATIONAL AIR CARRIER ASSOCIATION (IACA)
--

ASSOC. REPRESENTATIVA DAS EMPRESAS DE NAVEGAÇÃO AÉREA (RENA)
--

ASSOC. PORTUGUESA DE TRANSPORTE AÉREO (APORTAR)

ASSISTÊNCIA EM ESCALA A 3ºS / GROUND HANDLING ASSISTANCE

GROUNDFORCE

PORTWAY

OPERADORES VOOS PRIVADOS / PRIVATE FLIGHT OPERATORS
--

NETJETS

OMNI
