

Pursuant to article 237. point 3) and in reference to article 241. points 3) and 4) of the Air Transport Law („Official Gazette of the Republic of Serbia“, No 73/10) and article 36. paragraph 2. of the Regulation on the amount of charges to be paid to the Civil Aviation Directorate of Republic of Serbia („Official Gazette of the Republic of Serbia“, No 13/11)

The Management Board of the Civil Aviation Directorate of the Republic of Serbia enacted the following

INSTRUCTIONS

in reference to the method of calculation and payment of the charges for the development of air transport

1. Subject of this instruction. These instructions detail the methodology of calculation and payment of charges, for the development of air transport, which shall by means of the aerodrome operator, to be paid to the Civil Aviation Directorate of the Republic of Serbia (herein after referred to as: Directorate) and are as follows:

- 1) charges paid by passengers in departure in commercial air transport (herein after referred to as: CAD passenger charge) and
- 2) charges paid by the aircraft operators per tone of mail and cargo in departure in air transport (herein after referred to as: CAD cargo charge).

2. Exemptions from payment of charges. CAD passenger charges shall not be paid for :

- 1) Transit passengers;
- 2) Passengers with service tickets (ID 00) ;
- 3) Children up to 2 years old (INF).

CAD cargo charges shall not be paid for:

- 1) Transit and transfer shipments of mail/cargo;
- 2) Shipments of mail/ cargo exempted from paying of transport service.

3. Reports on number of passengers in departure in commercial air transports in departure The aerodrome operator shall provide to the Directorate information on number of passengers in departure in commercial air transport from the aerodrome, per individual air carrier, in a way to separately show in a report template passengers :

- 1) Of air-carriers from which the aerodrome operator collects payment of services periodically based on a contract,
- 2) Of air-carriers from which the aerodrome operator collects payment of services separately for each individual flight.

The reports from paragraph 1 of this point contain overview of transported passengers in departure in public air transport, shown per categories:

- 1) passengers with starting point at that airport ;
- 2) transfer passengers in that airport;
- 3) transit passengers in that airport;
- 4) passengers with service tickets (ID 00);
- 5) children up to two years old (INF).

4. Reports on carried mail/cargo in departure in air transport The aerodrome operator delivers to the Directorate information on carried mail/cargo in departure in air transport (actual weight expressed in kilos) per individual air carrier (aircraft operator), in a way to separately show in a template of the report mail/cargo:

- 1) Of air carriers (aircraft operator) from which the aerodrome operator collects payment of services periodically based on a contract;
- 2) Of air carriers (aircraft operator) from which the aerodrome operator collects payment of services separately for each individual flight.

Reports from paragraph 1. of this point contain details of carried mail/cargo in departure shown per categories:

- 1) mail/cargo with starting point of carriage in that airport;
- 2) mail/cargo in transfer in that airport;
- 3) mail/cargo in transit in that airport;
- 4) mail/cargo exempted from paying the transport service.

5. Content and template of reports. The content and template of the reports from points 3. and 4. of these instructions, as well as the for the inputs for their filling in and delivery shall be determined by the Director of the Directorate and together shall be available on the web site of the Directorate www.cad.gov.rs.

6. Accounting period and delivery of reports. Reports from points 3. and 4. of these instructions for daily movements (daily report) are delivered to the Directorate in electronic form, in dynamics as agreed with airport operator, and they represent basis for creating a monthly report.

A monthly report for the entire accounting period, which comprises movements for a calendar month, signed and sealed by the authorized person of the operator of the aerodrome, shall be delivered to the Directorate at the latest within 7 days from the day of the expiry of the accounting period.

7. Invoices for CAD passenger and CAD cargo charges. On the basis of the monthly reports from points 3. and 4. of these instructions the Directorate shall deliver to the air carriers (aircraft operators) and aerodrome operators an invoice for effecting of payment of the calculated amount of CAD passenger and CAD cargo charges.

To the domestic air carriers (aircraft operators) and aerodrome operators the CAD passenger charge and CAD cargo charge in an invoice for the accounting period shall be recalculated and expressed in RSD (Serbian dinars) calculated at the average exchange rate of the National Bank of Serbia, while these charges shall be recalculated and expressed in an invoice to a foreign air carrier (aircraft operator) in EUR.

8. Payment of CAD passenger and CAD cargo charges. On the basis of the issued invoices the domestic air-carriers (aircraft operators) and aerodrome operators shall effect payment in dinars to the bank account of the Directorate, while the foreign air-carriers (aircraft operators) shall effect payment in euros (EUR) to the foreign currency account of the Directorate pursuant to the instructions for payment stated on the issued invoice, within 15 days from the date of issuing the invoice.

CAD passenger and CAD cargo charges are non-taxable and they do not constitute the revenue of air-carrier (aircraft operators) or aerodrome operator but it is a VAT exempted pass-through item which the air-carriers (aircraft operators) or aerodrome operators charge on their behalf, but for the account of the Civil Aviation Directorate, organized in a legal form of a public agency, exercises entrusted state

administration function as set out under the provisions of the Air Transport Law (“Official Gazette the Republic of Serbia” No. 73/10) .

It shall be deemed that the Directorate has received the payment on the day of receipt of the effected payment on its dinars i.e. foreign currency account stated in the instructions for payment.

Air-carriers (aircraft operators) and aerodrome operators are obliged to, in the effecting of payment, abide by all the stated instructions for payment and in the order for payment to state the number of the invoice which is basis for paying.

9. Decrease of owed for DCV passenger and DCV cargo charge If any basis for the decrease of owed amount stated in an issued invoice should occur, which has not been reconciled with the Directorate, the air-carriers (users of aircraft) and aerodrome operators should pay the total calculated amount from the invoice and should in reference to any disputed amount inform the Directorate at the latest on the day of payment of the debt, so that a reconciliation can be made on this basis, within 15 days from the date of notification.

If it is determined that there is valid basis for the decrease of the debt the Directorate shall issue a credit note in favor of the debtor, which shall be taken into account for the next accounting period.

10. Non-payment or belated payment In case of non-payment or belated payment of CAD passenger and CAD cargo charges the Directorate retains the entitlement to claim its due and uncollected payment by way of initiating procedure before the competent courts in accordance with the applicable laws.

The Directorate is entitled to in cases of belated payment calculate statutory legal interest, for every day of overdue payment, with the official rate of statutory interest of Republic of Serbia to be applied.

11. Entry into force These Instructions enter into force on the day following the date of publication in the „Official Gazette of the Republic of Serbia“.