

Technical Publication – TP 16

# Criteria and Procedure for Issuance of Groundhandling Approval

Acceptable means of compliance with  
CAA Regulation 04/2011, as amended

## Foreword

Pursuant to article 10 of Regulation 4/2011 on access to groundhandling market, as amended by Regulation (CAA) no. 05/2019 on amending and supplementing the regulation no. 4/2011 on access to the groundhandling market, the Civil Aviation Authority of the Republic of Kosovo (CAA) shall make public the criteria for the approval of each airport user wishing to self-handle and of each supplier of groundhandling services at airports without limitations. The purpose of this Technical Publication is therefore, to describe the criteria for issuance of groundhandling approval as well as the procedure for issuance of such approval by the CAA.

The criteria are of a safety and financial nature hence this Technical Publication has been prepared by the Department for Oversight of Air Navigation Services, Aerodromes and Economic Regulation in specific by Aerodromes Division and Economic Regulation Division within the CAA. The application for approval as groundhandling supplier shall undergo review and assessment carried out by CAA.

This publication applies to managing body of the airport interested to provide third party handling, airport users wishing to self-handle and suppliers of groundhandling services on airports in the territory of the Republic of Kosovo subject to the CAA Regulation No. 04/2011 on access to the groundhandling market, as amended.

This manual is accessible by all interested parties at CAA's official website [www.caa-ks.org](http://www.caa-ks.org).

Eset Berisha  
Director General

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## Terms and Definitions

<b>Airport</b>	means any area of land especially adapted for the landing, taking-off and manoeuvres of aircraft, including the ancillary installations which these operations may involve for the requirements of aircraft traffic and services including the installations needed to assist commercial air services
<b>Managing body of the airport</b>	means a body which, in conjunction with other activities or not as the case may be, has as its objective under the Republic of Kosovo law or regulation the administration and management of the airport infrastructures, and the coordination and control of the activities of the different operators present in the airport or airport system concerned;
<b>Airport user</b>	means any natural or legal person responsible for the carriage of passengers, mail and/or freight by air from, or to the airport in question;
<b>Groundhandling</b>	means the services provided to airport users at airports as described in the Annex to the Regulation No. 04/2011, as amended;
<b>Self-handling</b>	means a situation in which an airport user directly provides for himself one or more categories of groundhandling services and concludes no contract of any description with a third party for the provision of such services; for the purposes of this definition, among themselves airport users shall not be deemed to be third parties where: <ul style="list-style-type: none"><li>▪ one holds a majority holding in the other; or</li><li>▪ a single body has a majority holding in each;</li></ul>
<b>Supplier of groundhandling services</b>	means any natural or legal person supplying third parties with one or more categories of groundhandling services;

<b>CAA</b>	means the Civil Aviation Authority of the Republic of Kosovo;
<b>ECAA or ECAA Agreement</b>	means the European Common Aviation Area, or The agreement establishing the ECAA which includes the Main Agreement, its Annexes and Protocols.
<b>PPP Agreement</b>	means the Public Private Partnership Agreement for the Operation and Expansion of Pristina International Airport between the Republic of Kosovo acting by and through its Public-Private-Partnership Inter-Ministerial Steering Committee and Limak Kosovo International Airport J.S.C., dated as of August 12, 2010.

## Chapter 1 - Scope, Purpose and Regulatory Requirements

### 1.1. Scope

This Technical Publication applies to managing body of the airport where it provides third party handling, airport users wishing to self-handle and suppliers of groundhandling services on airports in the territory of the Republic of Kosovo subject to the CAA Regulation No. 04/2011 on access to the groundhandling market, as amended.

### 1.2. Purpose

This Technical Publication is published to establish procedures and criteria for issuing the Approval by the CAA for provision of ground handling services, pursuant to Article 11 of the CAA Regulation No. 04/2011 on access to the groundhandling market, as amended.

### 1.3. Regulatory Requirements

1.3.1 Council Directive 96/67 of 15 October 1996 on access to the groundhandling market at Community airports requires Member States to take all necessary measures to open up the ground handling market at big airports. In turn, it ensures that airlines can select their ground handling supplier according to their needs.

1.3.2 Article 69 of Law No.03/L-051 on Civil Aviation states that groundhandling at airports shall be governed by Council Directive 96/67/EC of 15 October 1996 on access to the ground-handling market at Community airports, and any amendments thereto. Exemptions may be granted by the CAA on the basis of Council Directive 96/67/EC.

Council Directive 96/67/EC has been implemented in the Republic of Kosovo through Article 69 of Law on Civil Aviation and CAA Regulation No. 4/2011 on access to the groundhandling market, as amended.

1.3.3 Article 10 of the Regulation No. 04/2011 on access to the groundhandling market, as amended, defines that the CAA shall specify criteria for issuing approval for provision of groundhandling services for the categories of groundhandling services where the number of suppliers is not limited as well as for self-handling in accordance with Article 6 of the same regulation, as appropriate for the airport falling under the scope of this regulation.

1.3.4 Article 10 of the Regulation No. 04/2011 on access to the groundhandling, as amended, market states that for the categories of groundhandling services where the number of suppliers is not limited, as well as for self-handling in accordance with



Article 6 of this Regulation, each supplier of groundhandling and each self-handler shall apply in writing to the CAA for approval, prior to engaging in groundhandling activities at an airport. The approval is issued upon request from a supplier of groundhandling or the airport user wishing to self-handle based on the determined criteria. CAA specifies these criteria and makes them public.

1.3.5 In cases of limitation/exemption, provider needs to, in addition to obtaining approval, act in accordance with provisions stipulating the conditions of the tender procedure. Selection of suppliers is indicated in Article 11 of the Regulation No. 04/2011, as amended.

## Chapter 2 - Criteria for issuance of groundhandling approval

In order to obtain the Approval, the applicant should fulfill the following minimum criteria:

- a) To prove organizational competence and capacity for safe and timely performance of requested scope of ground handling activities at each requested airport – obtained through assessment by CAA based on applicable national and international requirements and IATA Standards - ISAGO program.
- b) To prove technical competence by submitting adequate operations manual (paper and electronic copy). Operations manual shall contain as minimum: organization chart, management personnel, description of responsibilities and duties, list of equipment in use, qualification requirements for personnel, corresponding training requirements and training plan, safety and quality management procedures, standard handling procedures, specific handling procedures related to specific operators-customers, procedures for emergency situations on aerodromes, security measures.
- c) To be natural or legal person registered in the Republic of Kosovo, or natural or legal person registered for provision of ground handling services with business address in the territory of the ECAA states with a branch office registered in the Republic of Kosovo, or in other States provided that reciprocity is ensured in line with Article 18 of Regulation 04/2011 as amended. Certificate of Business Registration issued by Kosovo authorities shall be submitted.
- d) To prove financial capability – by submission of the following documents:
  - i. Suppliers of groundhandling services
    - Audited annual financial statements for the two most recent financial years (if applicable);
    - Statement from the auditor on the fulfillment of requirement deriving from Article 4 of CAA Regulation no. 4/2011, as amended (if applicable);
    - The last quarterly financial reports on business results (if applicable);
    - Annual business plan for the next three years;
    - The investment report and investment plan for current and next three years;

- Creditworthiness and solvency information (Evidence showing that the applicant is not blocked for past six months and/or is not undergoing the bankruptcy procedure);
  - Tax compliance evidence.
- ii. Airport users wishing to self-handle:
- Valid operating license, if applicable.
- e) To provide adequate insurance policy, valid for a period of minimum one year, depending on location of providing groundhandling services to cover supplier's liability for such damages as they may inflict on a third party during execution of the service. For services, as listed in the Annex to the Regulation 4/2011, as amended, which provision implies both airside and landside, the insurance coverage limit for airside applies. The minimum insurance requirement shall be:
- i. 2.5 million Euro for groundhandling services provided on the landside;
  - ii. 50 million Euro for groundhandling services provided on the airside;
  - iii. 250 million Euro for fuel and oil handling services.

Airport users wishing to self-handle are obliged to submit their corporate insurance policy.

If the applicant does not have market access at an airport before applying for approval than they need not to provide the insurance policies stipulated above, respectively. In such a case a pre-approval, provided the other necessary conditions are met, will be issued which should suffice to request market access at an airport. After obtaining market access then they will be required to present the adequate insurance policies specified above, prior to obtaining the final approval.

- f) Other requirements for fuel and oil handling service providers:
- i. License for business in petroleum sector - License for deposit issued by Ministry of Trade and Industry or other authorized state institution;
  - ii. License for business in petroleum sector - License for import of kerosene, issued by Ministry of Trade and Industry or other authorized state institution;
  - iii. License for international road transport of dangerous goods, issued by Ministry of Infrastructure and Transport or other authorized state institution.
- g) Where the applicant has previous experience in operating as a supplier of ground handling services or as a self-handler in an ECAA state, it shall:

- i. Specify the State/s and airport/s involved indicating whether the applicant holds or has held approval or authorization from the competent national authorities of such State/s;
  - ii. Specify the type of ground handling activities and the length of time such activities were engaged in;
  - iii. Submit copy of the Approval or any other evidence of experience.
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- h) Proof of good repute. By showing references of good work, if possible from the customers/clients.

## Chapter 3 - Procedure for issuance of groundhandling approval

### 3.1 Introductory meeting

The applicant shall ask for a formal meeting with CAA regarding its intentions prior to any other activity<sup>1</sup>. During this meeting, the applicant should present to CAA its plans with regard to the aerodrome. CAA shall provide general information to the applicant about the applicable requirements for the aerodrome, copies of the applicable requirements, application forms, and describe the procedures of the certification process.

### 3.2 Application process

- Submission of the expression of interest,
- Assessment of the expression of interest,
- Submission of formal application with the documents and proof of payment of the of 50% fee,
- Review/assessment of the application and the documents, (if no market access granted than insurance policy/ies may be exempted)
- Onsite compliance audit,
- Recommendation for issuing of certificate/ approval and payment of the other 50% fee,
- Issue the approval

### 3.3 Application for approval

Applicant shall submit completed Application Form along with the information/documentation listed under Chapter 2. All types of applications (initial, for extension or for amendment of approval) should be made to CAA minimum 6 weeks in advance of the commencement of operations as it is important that CAA has adequate time to process applications. Proof of applicable fee should be also attached to the Application dossier.

Application Form with reference no. AACK/AGA/FRM/11 (Application for approval as a supplier of groundhandling services or a self-handler) can be found on [www.caa-ks.org](http://www.caa-ks.org).

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<sup>1</sup> Applicants are encouraged to contact the airport authority in order to coordinate the application procedure

### **3.4 Verification of submitted documents**

CAA shall verify application documents for completeness and adequacy. In case of incompleteness or inadequacy of documents, applicant will be requested to supplement documentation or to perform necessary corrections. Applicant shall respond to additional requests from CAA within given timeframe, defined by CAA, otherwise application for approval will be rejected.

### **3.5 Compliance audit**

CAA shall perform an onsite audit to verify organizational competence and capacity for safe ground handling operations in accordance with IATA Standards – ISAGO Program (IATA Fuel Quality Pool standards).

### **3.6 Issuance of approval**

Upon verification of all necessary documents and satisfactory completion of the audit, the CAA shall issue an Approval to the applicant. The approval form will contain general data of approved self-handler/supplier of groundhandling services as well as airports to which approval is applicable, approved categories of groundhandling services and approval expiry date.

### **3.7 Validity of approval**

Approval is issued with validity of up to 7 years. Validity of the approval for the airport managing body as supplier of groundhandling services may be issued in accordance with the PPP agreement, for the whole time during which this agreement is in force.

### **3.8 Extension of the approval**

Approval can be extended upon satisfactory completion of the audit or assessment by the CAA. The applicant shall submit the Application Form for the purpose of extending the approval. Upon receipt of the application, the CAA shall perform an audit or assessment. In addition, the CAA will examine all relevant documents stated under Chapter 2 for currency and adequacy. The CAA shall issue an Audit Report stating all non-conformities found while in parallel applicant has to develop adequate corrective action plan and implement it within agreed period of time in order for the CAA to close its findings. Failure to do so may create ground for enforcement action by the CAA.

Upon successful accomplishment of the procedure defined in this paragraph, the CAA shall issue new Approval to the applicant with the new validity date.

### **3.9 Amendment of approval**

Approval may be amended at any time upon request of the approval holder in order to add new airport to the approval schedule or to increase/decrease volume or scope of approved ground handling or self-handling activities. The approval holder shall submit the application form stating desired amendment of approval. In cases where amendment involves services at a new airport, the whole procedure for initial approval has to be followed for new location. Otherwise, when the amendment implies only increase/decrease of the scope of approved ground handling or self-handling activities, the CAA shall perform an audit or assessment upon receipt of the application form. In addition, the CAA will examine all relevant documents stated under Chapter 2 for currency and adequacy. The CAA shall issue an Audit Report stating all non-conformities found while in parallel applicant has to develop adequate corrective action plan and implement it within agreed period of time in order for the CAA to close its findings. Failure to do so may create ground for enforcement action of the CAA.

Upon successful accomplishment of the procedure defined in this paragraph, the CAA shall issue new approval to the applicant with the new approved scope of groundhandling or self-handling activity or new airport as appropriate.

## Chapter 4 - Oversight of approved groundhandlers

The CAA shall regularly verify if the conditions of the approval, including the performance of groundhandling activities are met by the supplier or airport user. The CAA will perform audit or assessment, based on IATA Standards - ISAGO program, and related to the safety of services provided by the supplier or airport user. Depending on the company's size and scope of groundhandling activities, this may involve a full scale audit in duration of one week or it may be only short verification in case of very limited scope of small scale activities. The CAA shall issue an audit/assessment report stating all non-conformities found while in parallel applicant has to:

- a) Develop adequate corrective action plan
- b) Verify adequacy of planned corrective actions with the CAA
- c) Rectify stated non-conformities as per verified corrective action plan
- d) Inform CAA about corrective actions performed and
- e) After being satisfied, the CAA shall close its findings.

### Obligations of the Approval holder

Latest by 30th of June every year, the Approval holder has to submit to CAA the evidence of financial capability for the previous calendar year by submission of the following documents:

- Annual audited financial reports;
- Creditworthiness and solvency information;
- Tax compliance information;
- Renewed certificates and licences that were submitted during the Approval process;
- The investment report and investment plan for current and next three years;
- Other documentation, upon CAA request.

The Approval holder has to submit to CAA the insurance coverage by submission of the following document:

- Renewed insurance policy two weeks before existing one expires and commitment to notify CAA in case of any change to the policy.