



**EU PILOT Ref. No 5578/13**

**Title: Groundhandling at Bromma Airport**



The company Hjelmcö Oil provides groundhandling services, i.e. the supply of fuel and oil, mainly to general aviation, at Bromma Airport. It supplies fuel and oil to third parties but also self-handles its own aircraft. In order to be able to carry out its activities, Hjelmcö Oil has a land-lease agreement with the managing body of Bromma Airport, the state-owned company Swedavia.

According to information submitted by the complainant the managing body of Bromma Airport has now terminated the land-lease agreement of Hjelmcö Oil. If no land is offered to Hjelmcö Oil, the company will not be able to carry out its groundhandling activities and Hjelmcö Oil will need to leave the airport. The complainant claims that there is no shortage of land at Bromma Airport.

The complainant furthermore explains that it addressed the transport authority Transportstyrelsen to take action on this issue and that the authority refused to take any action.

Article 16 of Directive 96/67/EC provides that suppliers of groundhandling services and airport users wishing to self-handle have access to airport installations to the extent necessary for them to carry out their activities. This provision is transposed through § 20 of the Swedish law 2000:150 on groundhandling at airports.

In this context, Sweden is requested to answer the following questions:

1. Is the number of groundhandling suppliers at Bromma Airport limited on the basis of Article 6 of Directive 96/67/EC? In case of such a limitation, at what level is the limitation for the different categories set? In case of such a limitation, who is in charge of organizing the tender procedure for the selection of the suppliers?
2. Is the airport operator also providing groundhandling services? If yes, please specify which categories of groundhandling services.
3. The termination of the land lease agreement by the managing body of the airport without offering any other land could potentially infringe Article 16 of Directive 96/67/EC as it would prevent Hjelmcö Oil from carrying out its groundhandling activities. Please comment.
4. Can you confirm that the complainant has contacted the transport authority Transportstyrelsen to take action on this issue and that the authority refused to take action? If the authority refused to take action, please explain the reasons for this.

Generally, how do the Swedish authorities ensure that Article 16 of Directive 96/67/EC and § 20 of law 2000:150 are respected?

The Commission would therefore invite the Swedish authorities to comment on the issues and reply to the questions above. In the absence of a satisfactory reply, the Commission may decide to initiate an infringement procedure under Article 258 of the Treaty for incorrect implementation of Directive 96/67/EC.