

A.8

General Terms and Conditions of Use (FBO)

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0 Modification history of Chapter A.8

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1 General

1.1

This chapter of the aerodrome manual sets forth the terms and conditions of use in accordance with Section 43 LuftVZO and Regulation (EU) 139/2014 (here: AMC3 ADR.OR.E.005).

The description of the airport and changes in the airport description are announced in the *Nachrichten für Luftfahrer* or the Aviation Manual Germany AD 2 EDDB and in the Aerodrome Manual EDDB of Berlin Brandenburg Airport.

Anyone using, entering or moving on the airport premises in an aircraft is subject to the provisions of the aerodrome manual and the instructions of the airport operator issued for their execution (especially of the on-duty traffic officer).

The company standards as most recently revised and issued by Flughafen Berlin Brandenburg GmbH must be observed in this respect as supplementary provisions to the aerodrome manual and to the General Terms and Conditions of Use. These rules include, but are not limited to:

1. Schedule of Charges
2. Fire Protection Ordinance
3. Identity Card Regulations
4. Terminal Manual

The aerodrome manual and other general company rules as most recently revised are published on the extranet of Flughafen Berlin Brandenburg GmbH (<https://extranet.berlin-airport.de>).

Note:

Extranet users can select an option which will automatically send them an email notification whenever there are any changes to the content.

1.2

Airport facilities, areas, rooms and central infrastructure which are only temporarily and not specifically allocated permanently (e.g. check-in counters, gates, parking positions) are assigned by the airport operator in accordance with operational requirements and availability and in observance of the principles of equal treatment. The aforementioned infrastructure must be treated with care; the airport operator must be notified of any damage without delay.

1.3

To the extent that the provisions and instructions affect aircraft operators, they apply mutatis mutandis to the owners of the aircraft and to persons utilising the aircraft who are neither the operators nor the owners of these aircraft.

2 Use with Aircraft

2.1 Take-off and Landing Permission

2.1.1

Use of the airport is permitted against payment of the charges set forth in the schedule of charges. These charges can also be applied and billed by an operator authorised by the airport operator. All general aviation flights must use the General Aviation Terminal (GAT) at the airport. GAT users are free to choose which of the approved service providers they want to use for the ground handling services. Only users authorised by the airport operator are allowed to perform the handling themselves.

2.1.2

The aircraft operators or their authorised agents must notify the airport operator of their flight intentions from and to Berlin Brandenburg well in advance and report the information (such as flight times, type of aircraft being used and the current flight plan) required to assure the scheduling of the proper movement area equipment and personnel. Details can be found in Annex 1 — Communication of Data to the Airport for each Flight (Landing and Take-off).

2.1.3

The aircraft operators must, at the airport operator's request, present the documents necessary for reviewing the authorisation to use the airport and for the billing of the charges.

2.1.4 Airport Collaborative Decision Making (A-CDM)

The A-CDM procedure regulates the turnaround process at Berlin Brandenburg Airport for all flights in accordance with the Instrument Flight Rules (IFR) and must be followed pursuant to the Aviation Manual Germany AD 2 EDDB and Chapter "E.7". It establishes the responsibility for all airlines (or schedulers), their ground traffic service providers or approved self-handlers to provide in good time all of the information required for the seamless performance of the procedure. The most important procedure contents are made public on the FBB extranet.

2.2 Take-off and Landing Facilities

The specially marked and approved movement areas must be used for take-off and landing and for taxiing. Aircraft operators are obligated to follow the instructions of apron control and air traffic control during the movement.

2.3 Taxiing and Towing

2.3.1

Aircraft may be moved on their own power solely by authorised persons and exclusively on the approved and marked movement areas. They may not be moved into or out of hangars and workshops on their own power.

2.3.2

A radio connection must be established with apron control and approval for the intended movement must be obtained before each and every movement and towing action in the apron areas. Deviating regulations (e.g. for hangar aprons) can be agreed in the form of an operational agreement with Flughafen Berlin Brandenburg GmbH.

2.3.3

If necessary, aircraft are towed by the airport operator or — pursuant to specific agreement, especially regarding the parking position — by the aircraft operator or by an agent acting on its behalf. Solely trained personnel are permitted to do the towing.

The aircraft operator must ensure that the towing bar suitable for its aircraft is available and is in fully functional condition. The cockpit of an aircraft should be occupied by a pilot or a specialist mechanic. Personnel on board a towed aircraft must verifiably have received the required instruction; this must be documented by the aircraft operator. In specific cases, the aircraft operator must comply with more comprehensive instructions of the airport operator.

2.3.4

Aircraft engines may be operated solely with the absolutely necessary minimum speed on the aprons (parking positions and taxiways).

2.3.5

When taxiing and towing, the aircraft operators or their authorised representatives are responsible for the marking of their own aircraft in accordance with the implementing regulation (VO) No. 923/2012, section SERA.3215.

2.4 Long-term Parking and Hangars

2.4.1

The short-term parking positions are used for the handling of passengers and aircraft. Any other use is permitted solely with the consent of the airport operator. The provisions of Chapter “E.7” apply.

2.4.2

Short-term parking sites are assigned by the airport operator as required by operations. The airline is responsible for the safe handling of passengers and aircraft on the parking site.

2.4.3

Long-term parking and hangar positions are assigned by the airport operator. If and when an aircraft remains on the airport for more than one hour without any handling processes being conducted, the aircraft operator must, at the airport operator's request, move the aircraft to an assigned long-term parking position or into a hangar. For security or operating reasons, the airport operator may order the relocation of the aircraft to a different long-term parking site or hangar or, if the aircraft operator or aircraft owner is not reachable or does not comply with the order in timely fashion, instruct trained personnel to move or tow the aircraft without its own power to the site (subject to charge).

2.4.4

Securing an aircraft on a parking site or in a hangar is the responsibility of the aircraft operator. A parked aircraft must be appropriately marked in darkness or poor visibility conditions. The airport operator can perform the required securing instead of the aircraft operator (subject to charge).

2.4.5

Legal provisions regarding rent apply to the placement of an aircraft on a long-term parking position or in a hangar. The airport operator is obligated to safekeeping of the aircraft solely if and when a separate written agreement to this effect has been concluded.

2.4.6

The users must treat the aircraft hangars and the equipment in them carefully (especially for leased parking positions) and must in particular comply with the security regulations in Section 5 - Safety and Security Regulations.

2.4.7

The hangars may be used solely for parking aircraft; exceptions are subject to the consent of the airport operator. The security regulations pursuant to Section 5 Safety and Security Regulations apply. The area in front of the hangar doors must be kept free of obstacles so that motor vehicles and aircraft can enter freely at all times.

2.5 Ground Handling Services

2.5.1

Ground handling services in accordance with BADV may be carried out solely on the areas designated for this purpose by the airport operator and solely by self-handlers or third-party handlers who have been approved by the airport operator in form of an agreement on the rendering of ground handling services. The approved handlers may park their handling equipment solely on the spaces assigned to them by the airport operator; however, the airport operator does not incur any obligation to safeguard the equipment as a consequence of the assignment.

2.5.2

The airline bears comprehensive responsibility for the handling of the aircraft. Airlines that regularly fly to the airport have to contract such a wide range of ground handling services that the handling within the planned turnaround-times can be achieved and also in case of irregularities (delays, etc.) the handling of the aircraft is ensured. The airport operator is entitled to demand information from the airlines on the scope of the ground handling services commissioned in order to ensure compliance with the operational requirements.

2.5.3

According to § 10 BADV, The airport operator is allowed to take necessary measures, provided that the operation of the airport is endangered or disturbed, attributable to the behaviour of a service provider or a self-handler or the requirements according to § 8 BADV are not met. The respective service provider or self-handler will be given the opportunity to comment on this beforehand, provided that there is no imminent danger.

The airport operator is entitled to invoice or allocate the resulting costs to the service provider or self-handler in case he needs to take measures to ensure the operation.

The liability of the airport operator and its vicarious agents is limited to a maximum of EUR 100 million in the event of simple negligent breaches of the essential obligations associated with the measure. Furthermore, it shall only be liable for intent and gross negligence, insofar as no injury to body, life or health is involved. Material obligations are those whose fulfilment is essential for the proper performance of the measures and on whose compliance the airlines may rely. Liability is otherwise excluded. The above provision applies to all claims for damages, irrespective of the legal basis.

2.5.4

The following facilities are central infrastructure facilities within the sense of Section 6 BADV:

1. Facilities and equipment for aircraft de-icing
2. Baggage conveyor system
3. Passenger bridges and the visual docking and guidance system (VDGS)¹
4. Fueling facilities¹
5. Systems for the provision of fresh water and the disposal of faecal matter
6. Stationary ground power supply¹
7. Check-in counters incl. Self-Service Equipment (SSE)¹
8. Piloting services (apron control/follow-me)

¹ valid from the start of the operation of the parallel runway system 07R/25L and 07L/25R

The central infrastructure facilities are maintained, managed and operated solely and exclusively by the airport operator or by its agent authorised pursuant to Annex 2 — Description of the Central Infrastructure Facilities. The service providers and self-handlers must use the central infrastructure facilities.

2.6 Noise Protection

2.6.1

The local flight restrictions and night-time flight restrictions pursuant to the Aviation Manual Germany AD 2 EDDB apply.

2.6.2

The aircraft operators must limit the noise impact caused by aircraft engines on the airport and in its vicinity to the unavoidable minimum (notwithstanding the flight restrictions pursuant to the Aviation Manual Germany AD 2 EDDB) and must in particular utilise noise protection equipment and ground power generators (400 Hz) whenever this is necessary for the protection of the civilian population from hazards, substantial disadvantages and major disruptions from noise. The aircraft operators must comply with orders related to the performance of test runs of the engines or instructions for reduction of aircraft noise issued by traffic control. They hereby indemnify and hold harmless the airport operator from and against any and all claims asserted because of prohibited noise emissions.

2.6.3

Engine test runs may be performed solely on the positions specifically designated for this purpose. Details are regulated in Chapter “E.7”.

2.7 Supply of Operating Materials

Companies that provide operating materials to the aircraft must be approved by the airport operator (utilisation agreement). These companies and the aircraft operators must comply with security regulations and the relevant applicable rules and guidelines for handling operating materials. Moreover, they are obligated to ensure that the personnel working on the aircraft while it is being supplied with operating materials have been instructed in the use of the fire alert systems, the EMERGENCY OFF switches, fire-fighting and the proper conduct in the event that operating materials leak out and that they regularly participate in related drills. Details are regulated in Chapter “B.9”. The provisions of Chapter “E.12” apply. The fuelling and defuelling may be performed solely on the sites approved by the airport operator in accordance with Chapter “E.7”.

2.8 Maintenance Work, Washing and De-icing of Aircraft

Maintenance work on aircraft as well as the washing, cleaning and de-icing of aircraft may be performed solely on the areas designated by the airport operator or at the central infrastructure facilities. The airport operator must be consulted about the detergents used for this purpose so that problems with separator or emulsion splitting equipment are avoided. Aircraft de-icing agents may not be used without prior consultation with the airport operator. The airport operator must be notified of the chemical composition of the aircraft de-icing agent.

2.9 Immobilised Aircraft

The aircraft operator is fundamentally responsible for the recovery of damaged or immobilised aircraft on the airport premises. The aircraft operator designates an agent to be in charge of the recovery. As necessary, the aircraft operator may utilise the airport’s recovery equipment. The Chapter “E.15” regulates the recovery pursuant to ICAO Annex 14 (ICAO DOC 9137 — Airport Services Manual Part 5) and Regulation (EU) 139/2014 (here: ADR.OPS.B.005).

2.9.1

If an aircraft remains immobilised on the airport premises, the airport operator may, at the aircraft operator’s expense, remove it from the movement areas even without a specific order from the aircraft operator or engage a professional third party to remove the aircraft if the removal is necessary for the handling of air traffic. The airport operator is liable for losses or damage only if it has caused the losses or damage through wilful intent or gross negligence; this provision also applies if the aircraft operator has engaged the airport operator to remove an immobilised aircraft from the movement areas or to participate in the removal.

2.9.2

If an aircraft is immobilised and the airport operator suffers a pecuniary loss as a consequence, it may request damages from the aircraft operator unless the latter is not at fault or is culpable solely of slight negligence.

3 Access of Persons and Vehicles

3.1 Roads, Areas and Entrances

3.1.1

The roads and areas in the generally accessible zone (“landside”) of the airport are open to public traffic. Users must also comply with the Highway Code in the part of the airport which is not generally accessible (“airside”) and on the roads and areas not open to the general public, provided that the airport operator has not established any deviating regulations.

3.1.2

An admission fee may be charged for entering the Visitors Terrace and other viewing areas. The amount of the fee is displayed on signs.

3.1.3

Anyone transporting freight to or from other airports over land is obligated to notify the airport operator about the load values and the flight data of such freight in accordance with the airport operator’s detailed instructions.

3.2 Motor Vehicle Traffic

3.2.1

Whenever motor vehicles are used on the airport premises, the vehicle operator is responsible for their safe use in traffic.

3.2.2

The presentation of an adequate sum insured (liability insurance) and the consent of the airport operator is required for the airside operation of vehicles (motorised and non-motorised). Upon request of the airport operator, vehicles operating airside must be marked separately and be equipped with safety features. Details are regulated in Chapter “E.8”.

3.2.3

Motor vehicles may be parked solely on the designated parking spaces against payment of a charge. Illegally parked motor vehicles or motor vehicles remaining on the parking spaces after the lapse of the maximum permissible parking time may be removed at the cost and risk of their operators.

3.2.4

Small vehicles (e.g. mopeds, bicycles) may be left solely on designated areas and not on forecourts, stairs and in corridors.

3.2.5

Maintenance work on and the fuelling and defuelling of motor vehicles and equipment and other objects as well as their washing and cleaning may be carried out solely on the areas designated by the airport operator. The airport operator must be consulted about the detergents used for this purpose so that problems with separator or emulsion splitting equipment are avoided.

3.2.6

Motor vehicles may load or unload passengers and baggage solely on the side of the airport buildings accessible from the public road system. Freight may be unloaded or loaded solely at the freight facilities. Exceptions are possible solely with the prior consent of the airport operator.

3.3 Airside

The entire airside is a security restricted area or a critical part of the security restricted area within the sense of Annex I Chapter 1 of the Regulation (EU) 300/2008.

3.3.1

The airside may be entered solely through the entrances released for this purpose by the airport operator and solely by the groups of persons and vehicles authorised for this purpose. The additional requirements of Chapter “E.2” must be observed.

Facilities within the enclosed airport premises which are not open to general traffic may be entered by persons and motor vehicles solely with the consent of the airport operator (or, as appropriate, of other authorised parties). These facilities include in particular:

- The manoeuvring area (including the areas and routes designated for take-off, landing and taxiing)
- The aprons
- The aircraft hangars
- The waiting rooms
- The transit rooms
- The baggage and freight buildings
- The garages and workshops
- The depots and building yards
- The construction sites
- The service roads

This provision applies as appropriate to land areas and facilities outside of the enclosed airport premises (e.g. to flight safety, runway lighting and measuring equipment).

3.3.2

The airport operator may grant consent pursuant to Subsection 3.1.1 generally or for specific cases and revoke the consent for good cause. The wearing of authorisation badges in a visible location while airside is mandatory. The identification regulations are in effect.

3.3.3

Visitors may enter the airside on foot or in vehicles solely after submitting advance notice in writing and in the responsible accompaniment of an authorised representative of the airport operator; they are not allowed to touch aircraft.

3.3.4

The authorised representatives of the aviation, customs, police and health authorities and of the Flugsicherung and the Deutscher Wetterdienst are authorised to enter the facilities which are not generally accessible on foot or in their service vehicles in the performance of their duties; they should notify the airport operator of their actions in advance. The above provisions are without prejudice to the regulations in the aviation security programme for Berlin Brandenburg pursuant to Annex I, Chapter 1 of Regulation (EC) 300/2008.

3.3.5

The consumption of alcohol and intoxicating substances is absolutely forbidden for persons working on the premises of the movement areas, i.e. of the manoeuvring area, the aprons and the facilities and buildings of the aircraft handling accessible from these areas. The provisions of Chapter "B.6" must be observed.

3.3.6

Aircraft may be entered solely with the consent of the aircraft operator.

3.3.7

The airside (especially manoeuvring area and aprons) may be entered solely by persons holding authorisation. The authorisation is issued by the airport operator after completion of training and is subject to a charge. The above provisions are without prejudice to the provisions pursuant to 3.2. Details are regulated in Chapter "E.8".

3.3.8

Persons or vehicles entering the manoeuvring area may move solely in accordance with instructions from the air traffic control point and must comply in particular with the latter's radio messages, light signals and signs; they must obtain information about the meaning of these communications in advance.

3.3.9

The manoeuvring area may be entered solely by vehicles which are either in constant radio contact with the air traffic control point or which are equipped with a blinking light so that their movements can be tracked from the air traffic control point or that are guided by a guide vehicle. Vehicles entering the manoeuvring area with a guiding vehicle must in addition be equipped with a transmitter approved by the airport operator. The airport operator may allow exceptions in agreement with the air traffic control point.

3.4 Accompanying Animals

Animals are not allowed on any part of the airport premises unless under secure control. Animals are allowed in the buildings that are not generally accessible solely if they have been transported in the aircraft or are scheduled for transport in the aircraft or are being used in the performance of official tasks.

4 Miscellaneous Activities

4.1 Commercial Activities

4.1.1

Commercial activities aside from the ground handling services in accordance with Section 2.5 are permitted solely on the designated areas and pursuant to an agreement with the airport operator that determines in all instances the charge which must be paid to the operator. The above provision applies as well to recordings on image and audio carriers and for image and audio transmissions. The activities of aircraft operators related directly to the operation of their aircraft do not constitute commercial activities within the sense of this provision.

4.1.2

Every company operating on the airport premises must obtain comprehensive and reasonable liability insurance (including vehicle liability). To the extent that activities are conducted airside, damage to aircraft must not be excluded in the insurance policies. The airport operator reserves the right at all times to review policies and, in the event of inadequate cover or of a lack of any insurance cover, to prohibit access to the airport premises immediately for good cause or to refuse approval for access to new companies.

4.2 Assemblies

Assemblies are permitted solely in those areas in which neither the security nor the functional capability of airport operations is endangered. Anyone wishing to organise an assembly in the terminal areas of the airport premises must notify the airport operator in writing no later than 48 hours before the public announcement of the event; this obligation is in addition to the obligation to report the event to the responsible administrative authority. If the occasion for the assembly occurs on short notice (urgent assembly), the airport operator must be notified of the assembly at the latest upon the public announcement. The notification must include the subject of the assembly, the name of the person in charge and information about the site, time and presumed number of participants.

4.3 Collections, Advertising, Distribution of Printed Matter and Music Presentations

Collections, advertising and the distribution of flyers and other printed materials as well as music presentations are subject to the airport operator's consent. This provision applies as well to the distribution of give-aways and product samples.

4.4 Storage

4.4.1

Dangerous goods within the sense of Section 27 (1) LuftVG, Section 2 (1) and (2) Act Regarding the Transport of Dangerous Goods (GGBeG) and of any legal provisions enacted to facilitate the execution of these acts, in particular nuclear fuels and other radioactive substances and water pollutants within the sense of the Water Resources Act (WHG), may be stored in storage rooms/on storage plac-

es and transshipped solely with the airport operator's consent and in compliance with legal provisions. In the period during which the dangerous goods are in transshipment or storage, a contact person from the airline or the shipping agent (dangerous goods or radiation protection officer) who can provide any information about the dangerous goods which may be required must be reachable for the fire brigade. The fire brigade must be alerted in the event of an accident involving the dangerous goods. It has the authority for operation command and the handling of the defence against the dangers. The party causing the accident must bear any and all costs incurred in relation to the accident involving the dangerous goods. The provisions of Chapter "E.12" apply.

4.4.2

Freight, crates, construction material, equipment etc. may be stored outside of the areas or rooms leased for this purpose solely with the airport operator's consent.

4.5 Construction Work

Construction work must be coordinated with the airport operator in good time before commencement of the construction so that the legally prescribed notification can be submitted to the approval authority. The party carrying out the construction must comply with any and all coordination and safety obligations which have been required. In particular, the provisions of the Regulation Regarding Safety and Health Protection on Construction Sites (Construction Site Regulations) must be observed. Compliance with the provisions of Chapter "E.6" and "Operational order for construction and maintenance measures of the FBB / BFG" is mandatory.

4.6 Information and Communications Infrastructure

The utilisation of information and communications infrastructure on the airport is regulated in accordance with Annex 5 — Utilisation of Information and Communications Infrastructures of this document.

5 Safety and Security Regulations

5.1 General Safety and Security Regulations

The safety and security regulations based on law or other legal provisions and set forth in the following sections must be observed. This obligation extends as well to the occupational safety and environmental provisions that a commercial business operating on the airport must observe on its own responsibility during the conduct of its business.

5.2 Handling Fuels

Fuelling and defuelling of aircraft are permitted solely when in compliance with the provisions of Chapter E.7.

Operating materials must be stored in permanent or mobile containers equipped with regulation nozzles.

Overflow and spillage of fuels must be avoided. If there has been any overflow or spillage of fuels, a clearance distance of 15 m must be maintained until the fuel has evaporated or been removed; the Airport Fire Brigade must be notified immediately.

Adequate quantities of suitable oil-binding agents must be maintained at fuelling systems and fuelling vehicles.

Special attention must be given to the following provisions in addition to the relevant safety provisions for underground fuelling systems:

- The marked “tankpit” areas must be maintained free of obstructions at all times.
- The laid-out inlet hose at the “tankpit” area must be secured by visual warnings without delay.
- In emergencies, the quick-action valve must be closed immediately to interrupt the flow of fuel of the specific “tankpit”. If necessary, the entire underground fuelling system must be shut down using the emergency shut-off system.

Details are regulated in Chapter E.5.

5.3 Smoking Prohibition, Handling Open Flame

Provisions regarding the smoking prohibition and for handling open flame are contained in Chapter E.23 and in the Fire Protection Ordinance.

5.4 Working in Hangars and Workshops

Aircraft must not be cleaned using flammable fluids categorised in Group A, Danger Class I according to the Regulations Regarding Flammable Liquids while in hangars and workshops. Flammable liquids categorised in Group A, Danger Class I may be used to clean disassembled aircraft parts solely in separate rooms with adequate ventilation.

Flammable, volatile substances (stretching lacquers, nitrocellulose lacquers etc.) may be processed in hangars and workshops only if the rooms have been equipped for the purpose in accordance with fire protection regulations, the requirements of the trade supervisory authorities and the special provisions for aircraft operators approved by the trade supervisory authorities.

Lubricant and fuel residues must be caught in catch basins and properly emptied into suitable, specially labelled collection containers. Appropriate absorbent material must be maintained with these containers.

Users must keep the floors of hangars, aprons and adjacent areas free of oil, grease and other flammable substances.

5.5 Safekeeping of Material, Equipment and Wastes

Material, equipment and wastes must be stored in such a manner that no risk of fire or explosion can arise.

Lubricants must be stored in containers properly equipped with regulation nozzles when kept in or in the vicinity of aircraft hangars or workshops.

Empty fuel and lubricant containers and empty high-pressure storage vessels for dangerous substances must not be stored in hangars and workshops.

Flammable wastes (lubricant residues, used cleaning material etc.) must be collected in metal containers labelled for this purpose and equipped with tightly sealing lids. The containers must be emptied as frequently as necessary to ensure that the possibility of spontaneous combustion of the wastes is excluded. Oil catch basins and similar containers must be emptied into proper collection containers and cleaned after use.

It is recommended that flammable liquids such as lacquers or oils be stored outside of the buildings in separate steel containers and that only the amount of such substances required for daily use be left in the buildings.

The regulations of airport security, "Storage of Approved Prohibited Items in Airport Security Areas", must be observed when storing and handling dangerous items on the airside.

5.6 Rescue and Firefighting Services

Fire-fighting equipment and escape and rescue routes must unconditionally be kept free of obstacles.

In the event a fire breaks out,

- the fire alarm must be activated and in addition
- the Airport Fire Brigade must be notified immediately using the airport operator's landline, phone number 112, or the mobile telephone number 030/6091-112

Rescue measures must be carried out and fire-fighting activities using the available materials and equipment must be initiated until the fire brigade arrives.

The airport operator issues an airport emergency plan (see also Chapter “E.12”) which is followed when emergencies with consequences for the lives and health of human beings and involving risks to property and the environment occur at the airport.

Fire protection regulations in accordance with DIN 14096 are required for the specific building complexes. The fire protection regulations have three sections. All of the persons working in the utilisation units must be familiar with them as appropriate. The general section as well as the escape and rescue routes must be posted publicly as posters/signs in the area of the rescue routes.

5.7 Safety Management System

The airport operator must maintain the airport in a safe operating condition and operate it properly. The safety of flight operations and consequently of the users is of overriding priority for the airport operator. For this reason, the airport operator maintains a safety management system (SMS) involving the companies working at the commercial airport in accordance with the requirements of ICAO Annex 19, the provisions of Regulation (EU) 139/2014 (here ADR.OR.D.005) and the requirements and orders of the Aviation Authority of the State of Brandenburg.

Specifics and detailed procedures of the safety management system and the integration of the companies in the safety management system are defined in Chapter B.2.

All persons as well as their employers who use or must enter the airside of the airport are obligated to participate in the safety management system (SMS) of the airport operator. This participation includes compliance with the safety regulations as well as with further measures upon request of the airport operator such as working on safety committees and participating in SMS reporting.

The airport operator reserves the right to review the participation in the SMS by conducting inspections and audits.

6 Lost Property

Items found in the airport’s facilities, must be immediately handed over to the airport’s lost property office. Sections 978 to 981 BGB [German Civil Code] apply.

7 Environmental Protection

7.1 Contamination

Contamination and pollution of airport facilities must be avoided. Any contamination or pollution which occurs must be properly cleaned up by the responsible party; otherwise, the airport operator can perform or order the clean-up at the expense of the responsible party.

Pollutants must be collected when they appear and their dispersion must be contained. If any of these substances enter or penetrate, or are in imminent danger of entering or penetrating, a body of surface water, the soil or a drainage system, or if pollution or endangerment of a body of water cannot be ex-

cluded for other reasons, the Airport Fire Brigade must be notified immediately (phone number 112 from airport operator's landline or phone number 030/6091-112 from a mobile phone). The provisions of Chapter "E.12" must be observed. The release of any dangerous substances/dangerous products must be reported to the airport operator immediately in all cases.

7.2 Wastewater Removal / Water Protection

7.2.1 General

There are separate drainage systems for water on the airport premises. Dirty water and precipitation may be directed solely into the drainage systems specified for each purpose.

7.2.2 Dirty Water

Only water of which the properties have been changed by household or commercial use may be directed into the dirty water drains. The Dirty Water Removal By-laws of the Märkish Wastewater and Water Association (MAWV) and of the Berlin Waterworks (BWB) and the threshold values contained therein as most recently revised apply.

7.2.3 Wastewater Registry

The airport operator has compiled a wastewater registry in which all of the data relevant for wastewater, based on the collected information provided by the users themselves, have been compiled. Every user is obligated to notify the airport operator immediately of any and all changes or modifications related to quantity or characteristics of the dirty water directed into the drainage system.

All new connections or modifications of existing water drainage systems are subject to the airport operator's prior written consent. The airport operator can also issue more extensive regulations to ensure proper removal of wastewater; it can in particular regulate the type and quantity of wastewater from individual users by issuing specific regulations (product analysis for detergents and cleaning agents, type, quantity, analytical studies etc.).

7.2.4 Water-polluting Substances

Users must notify the airport operator of any intended storage of water-polluting substances and of the nature and scope of the proposed handling. They must ensure that no contamination of bodies of water or other detrimental changes in their characteristics are possible. Users are responsible for compliance with approval and notification obligations owed to responsible government authorities. The airport operator must be informed without delay of any approvals for storage or handling of water-polluting substances issued by government authorities.

7.2.5 Detergents and Cleaning Agents, Disinfectants, Lubricants

Solely legally approved detergents, cleaning agents, disinfectants and lubricants that do not contain either any organically bound halogens or any PCB, PCP, PCDD/PCDF or CFC may be used.

7.2.6 Precipitation Water

Solely water from precipitation of which the characteristics have not been changed may be directed into the precipitation drainage system.

7.2.7 Access Authorisation

The airport operators' associates and representatives from government authorities must be granted access to the operating facilities at all times for the purpose of inspections.

7.2.8 Indemnification

Parties in violation of regulations shall indemnify and hold harmless the airport operator from and against any and all third-party claims.

7.3 Waste Disposal

7.3.1 Fundamental Principles

In accordance with the German Life Cycle Management Act as most recently revised, the first priority is to avoid the production of waste products. Airport users must comply with the provisions of the Life Cycle Management Act as most recently revised, including any and all further provisions based on the Act and instructions issued by the airport operator to secure the execution of its provisions.

The airport premises represent a single area on which the airport operator itself always conducts the collection, transport, interim storage, recycling and removal of any and all waste products or engages/authorises third parties to do this work. Any and all persons, companies and institutions operating on the airport premises must always engage the airport operator's services and pay the applicable charges.

The airport operator may exclude certain types of waste from disposal or include additional types of waste in the disposal for waste management or other reasons. Deviating regulations are possible in exceptional cases, but must be expressly agreed beforehand.

Disposals within the framework of take-back procedures are excluded from the above provisions.

The airport operator provides the collection containers for the various types of waste. The waste products must be separated by users according to type and deposited solely and exclusively in the appropriate collection containers. The airport operator determines the type, size and number of waste containers as well as their locations and the transport and access routes, taking into account the interests of the obligated parties. Users must report any changes in the quantity of waste in good time.

If and when waste disposal is restricted, interrupted or delayed as a consequence of force majeure, official order, operational disruptions, work required for operational reasons or other causes, no parties have any claim to reduction of the charges or payment of damages. The suspended actions will be carried out as soon as possible.

Users must, on their own responsibility, dispose of waste products that the airport operator has excluded from disposal and organise the disposal using their own container systems. Any such waste products must be recycled or disposed of in observance of the regulations specific to Germany and the federal state (e.g. notification requirements of the *Sonderabfallgesellschaft Berlin/Brandenburg* or of the *Abfallzweckverband* with jurisdiction).

7.3.2 Cooperation and Toleration Obligations

Parties using the airport must, upon request of the airport operator or third parties engaged/authorised by the operator, provide any and all information about waste substances, in particular about their nature, quantity, composition, origin, recycling and disposal (waste balance). The airport operator's authorised representatives must be granted access to the operational rooms at all times to check for proper waste management or to carry out maintenance work on the waste management facilities.

7.4 Air Pollution

The idling of internal combustion engines must be limited to the absolutely required minimum.

8 Violations of the General Terms and Conditions of Use, Permissions

8.1 Permissions

Any consents, approvals and permissions required in accordance with these General Terms and Conditions of Use must be obtained in good time in each case.

8.2 General violations

Any parties who are in violation of these General Terms and Conditions of Use or other instructions issued by the airport operator can be expelled from the airport premises by the airport operator.

8.3 Safety and security related violations (Airside and process specifications)

In addition to section 8.2, the sanctions procedure described here applies in case of:

- safety-relevant violations within the security restricted area of the airport (airside)
- violations of the operational process specification of FBB

This does not apply to passengers.

8.3.1 Decision / Determination of a sanction level

The airport operator's representative responsible in accordance with section 8.3.2 shall determine an appropriate level of sanction within the limits of his eligibility. In the case of security matters, this decision shall be made after the competent aviation authority has been involved. If a violation affects different levels of sanctions, sanctions shall be imposed at the strictest applicable level.

8.3.2 Authorisation to impose sanctions and jurisdiction

The following functional groups of the airport operator are authorized to impose sanctions and are responsible for the implementing sanction measures:

Functional group / Airport operator's representative	Authorization
<ul style="list-style-type: none"> Division Manager Security 	<ul style="list-style-type: none"> Determination of all sanctions in accordance with section 8.3.3
<ul style="list-style-type: none"> Head of Traffic Department Head of Airport Security Head of Terminal Management Team leader Baggage Team leader Terminal/Landside Team leader VIP-Service Team leader Safety Management 	<ul style="list-style-type: none"> Determination of all sanctions in accordance with section 8.3.3, except sanction level G
<ul style="list-style-type: none"> Traffic Manager on Duty Supervisor Airport Security Foreman Airport Security Terminal Manager on Duty Supervisor Terminal 	<ul style="list-style-type: none"> Determination of sanction levels A, D, E and H Right to recommend sanction levels B, C, F, and G, I and K final decision rests with department or division management
<ul style="list-style-type: none"> Apron service Other functional groups 	<ul style="list-style-type: none"> Oral warning Involvement of persons entitled to impose sanctions

8.3.3 Sanctions catalogue and classification of example violations

The sanctions catalogue contains application examples for the individual sanction levels. The list is not exhaustive and illustrates the severity of an event for each sanction level.

Level	Example violation	sanction / measures
A	<ul style="list-style-type: none"> Involvement in a vehicle-/Equipment accident resulting in material damage Causing a traffic accident/ accident with personal injury Blocking / obstructing the escape route of fueling vehicles during the fueling process Endangering passengers during the handling process Damaging an aircraft with a vehicle / with handling equipment Wide-area contamination requiring fire brigade operations Hindering the taxiing of an aircraft not resulting in any material damage or personal injury speeding 	<ul style="list-style-type: none"> (Online-) Training for airside driving permit* Temporary driving ban of 1 to 10 workdays
B	<ul style="list-style-type: none"> Damaging an aircraft with a vehicle operated with- 	<ul style="list-style-type: none"> (Online-) Training for airside

	<ul style="list-style-type: none"> out internal authorisation/ training • Hindering the taxiing of an aircraft resulting in any material damage and/or personal injury • Unauthorized driving on areas (cf. ID regulations or aerodrome manual) • Driving a vehicle in disregard of the ban on alcohol and narcotics • Repeated incidents of level A, if caused within 12 months or intentionally 	<p>driving permit*</p> <ul style="list-style-type: none"> • Internal follow-up training by employer • Temporary driving ban of more than 10 workdays
C	<ul style="list-style-type: none"> • Verified cause of major disruptions or aircraft accidents pursuant to section 7 LuftVO • Repeated incidents of level B, if caused within 12 months or intentionally 	<ul style="list-style-type: none"> • Permanent revocation of the airside driving permit*
D	<ul style="list-style-type: none"> • Violation of the airside smoking ban / Smoking outside designated smoking areas • Violation of the obligation to wear warning clothing • Violation of the obligation to wear the airport ID card • Culpably delayed notification of reportable events to the Traffic Manager on Duty – e.g. according to §7 LuftVO, regulation (EU) 376/2014, implementing regulation (EU) 2015/1018 	<ul style="list-style-type: none"> • Re-training of safety / security awareness
E	<ul style="list-style-type: none"> • Violation of the obligation to escort persons without a regular airport ID card (visitors/suppliers) according to implementing regulation (EU) 2015/1998, point 1.2.7.2 • Violation of the airside ban of alcohol and narcotics • Culpable failure to meet the deadline for the re-training of safety / security awareness in accordance with sanction level D • Repeated incidents of level D, if caused within 12 months or intentionally 	<ul style="list-style-type: none"> • Re-training of safety / security awareness • Temporary blocking of airport ID card authorisation B, R and T (at least 24 hours or until the facts of the case have been clarified with the relevant authorities/ departments)
F	<ul style="list-style-type: none"> • Access to the security restricted area via control points not designated for airport staff (§8) • Use of the airport ID card for non-service-related purposes in accordance with implementing regulation (EU) 2015/1998, point 1.2.2.1 • Introduction of objects into the security restricted area by circumventing the controls of objects carried in accordance with regulation (EC) No. 300/2008 Annex I No. 1.3 and 1.4 • Attempt to bring the prohibited articles listed under § 11 LuftSiG and implementing regulation (EU) 	<ul style="list-style-type: none"> • Temporary blocking of airport ID card authorisation B, R and T (at least 5 workdays or until the facts of the case have been clarified with the relevant authorities/ departments)

	2015/1998 Annex 1-A into the sensitive security area for passing on to third unauthorised persons	
	<ul style="list-style-type: none"> • Unauthorized access of areas (cf. ID regulations or aerodrome manual) • Driving without valid airside driving permit • Repeated incidents of level E, if caused within 12 months or intentionally 	
G	<ul style="list-style-type: none"> • Repeated incidents of level C and F, if caused within 12 months or intentionally 	<ul style="list-style-type: none"> • Permanent revocation of the airport ID card authorisation B, R and T
H	<ul style="list-style-type: none"> • Improper use of equipment and facilities resulting in operational disruptions • Opening of boarding doors for passengers without toggles or GFS automation, resulting in the activation of alarms with the risk of mixing passenger flows • Improper use of belt barrier posts and belts with impairment of facilities as well as escape and rescue routes • Use of the facilities for baggage transport with baggage and objects not authorized for this purpose, resulting in operational disruptions 	<ul style="list-style-type: none"> • Instruction on misconduct, breach of duty and proper operation and procedures
I	<ul style="list-style-type: none"> • Repetitive cases of level H violations, if they are caused within 12 months after the first violation or intentionally 	<ul style="list-style-type: none"> • Verifiable follow-up training/instruction in procedures and regulations.
K	<ul style="list-style-type: none"> • Culpable failure to comply with the time limit for the verifiable follow-up training in accordance with sanction level I • Repetitive cases of level I violations, if they are caused within 12 months after the first violation or intentionally 	<ul style="list-style-type: none"> • Temporary revocation of special airport ID permits (e.g. toggling, terminal right-of-way)

* No distinction between general airside driving permit and manoeuvring area driving permit.

8.3.4 Recording of the facts

The representative of the airport operator responsible in accordance with Section 8.3.2 documents the facts and records event-related information.

8.3.5 Evaluation interview with the violating person

The representative of the airport operator responsible in accordance with Section 8.3.2 shall promptly inform the violating person of the misconduct during an evaluation interview. The person can be accompanied by a trusted person from the company and can submit a written statement.

8.3.6 Written form

The airport operator's representative responsible in accordance with Section 8.3.2 shall record the evaluation interview and inform the offending person and his/her disciplinary superior in writing of the sanction measure determined.

8.3.7 Duration of sanction

Temporary bans apply immediately after the evaluation interview. The procedure ends with the fulfilment of the conditions and at the earliest after the expiration of the respective blocking period. The airport operator's representative responsible in accordance with Section 8.3.2 may subsequently lift a sanction or shorten a blocking period. This shall be done in accordance with Section 8.3.6.

8.3.8 Employees of the airport operator

Additional internal regulations of the airport operator apply to the employees of the airport operator.

9 Authorised Recipient

Aircraft operators who do not maintain a domicile or branch office in Germany must designate an authorised recipient in Germany to the airport operator upon its request.

10 Place of Performance and Venue

Berlin is the place of performance and venue for any and all obligations and legal disputes pursuant to these General Terms and Conditions of Use.

11 Subject to Change Without Notice

The right to make changes to these terms and conditions, especially owing to the public-law foundation of the airport operation (including airport approval), is reserved.

The German version of the terms and conditions is legally binding.

Annex 1 — Communication of Data to the Airport for each Flight (Landing and Take-off)

Pursuant to Section 2.1.2 of the General Terms and Conditions of Use, aircraft operators or their authorised agents must provide the following data to the airport operator.

1 Report of Passenger Booking Figures

Passenger booking figures must be reported one to eight days before the flight.

Parties who do not maintain a standing online interface may submit the data by email. The data file in CSV format must be attached to the email. A semicolon (;) must be used as the separator. The structure of the file must conform to the following format:

Column	Header	Contents
1	Flight number	XX 9999
2	Registration	optional
3	Arrival/departure ID	A — Arrival D — Departure
4	Date	dd.mm.yy
5	PAX	PAX booked
6	Transferpax	Transferpax booked (transfer passengers at BER)

2 Transmission of IATA-Messages Type B

Messages must be sent in IATA code to the following address: BERVZXH.

The following IATA-messages must be sent:

MVT, LDM (total passengers, incl. PAD), PTM (number of transit passengers, the number of the transfer flight, number of pieces of baggage), ICL, PAL, CAL, PSM, SSM, ASM.

The transmission of these messages must always take place immediately after off-block, at the latest immediately after take-off.

Baggage Information Messages (BSM, BMM) are to be sent separately for the use of the BRS to the following address: BERBMXH

The airport operator can process messages in the BRS according to IATA RP1745. The airline or its authorised representative shall submit its Segregation Rules, as well as the Reception address for BPM and BMM by email to: brs@berlin-airport.de

3 Entries in the Operational System

The aircraft operators or their authorised agents must enter the following data in the airport operator's operational system by midnight.

3.1 The following entries must be made for a landing:

Passenger entries	Baggage entries	Freight entries	Post entries
<ul style="list-style-type: none"> Deboarding passengers (PAX + PAD) Transit Transfer Babies 	<ul style="list-style-type: none"> Unloaded baggage (local + transfer) Transit baggage Transfer baggage 	<ul style="list-style-type: none"> Unloaded freight Transit freight Transfer freight 	<ul style="list-style-type: none"> Unloaded post Transit post

- Transfer loads are loads which interrupt their air travel at Berlin Brandenburg Airport and continue their onward journeys on the same calendar day in a different aircraft (with a different flight number) than the one they arrived on. Origin and destination must be different.
- A transfer passenger is a passenger who interrupt his or her journey at Berlin Brandenburg Airport and departs for a destination other than the airport of departure of its journey, provided that both flights were booked together in one activity and the period between the planned arrival and the planned departure does not exceed 12 hours. The definition of a transfer passenger does not include a self-organized onward flight.

3.2 The following entries must be made for a take-off:

Passenger entries	Baggage entries	Freight entries	Post entries
<ul style="list-style-type: none"> Boarding passengers (PAX + PAD) Transit Transfer (per definition below) Babies 	<ul style="list-style-type: none"> Loaded baggage (local + transfer) Transit freight Transfer freight 	<ul style="list-style-type: none"> Loaded freight Transit freight Transfer freight (per definition below) 	<ul style="list-style-type: none"> Loaded post Transit post Transfer post (per definition below)

- Transfer loads/passengers are loads/passengers which/who interrupt their air travel at the subsequent airport and continue their onward journeys on the same calendar day in a different aircraft

(with a different flight number) than the one they arrived on. Subsequent airport and destination must be different.

- Transit loads/transit passengers continue their flight with the same flight number and the same aircraft after a stopover at Berlin Brandenburg Airport.

3.3 Additional Information

The unloaded freight in kg must be reported for a freight consignment arriving by lorry.

The loaded freight in kg must be reported for a freight consignment departing by lorry.

Annex 2 — Description of the Central Infrastructure Facilities

To ensure optimal utilisation of handling capacities and to guarantee the required level of safety and security in the interest of all users, the following central infrastructure facilities are defined within the sense of Section 6 Ground Handling Services Regulations (BADV).

The central infrastructure facilities are operated by the airport operator or on its behalf by a third party. The service providers and self-handlers must use the central infrastructure facilities. Charges may be levied for the use of the facilities. Details are regulated in the schedule of charges.

1 Facilities and Equipment for Aircraft De-icing

The central infrastructure facilities include the components maintenance and operation of the facilities and equipment for de-icing aircraft, comprising:

- The central de-icing area (ZEP);
- The de-icing positions at the runway threshold, including mobile lighting equipment and flight radio frequencies;
- The storage of the de-icing agent (primary storage facility east of Apron C, secondary facility south-east of Apron 4 and secondary facility south-west of Taxiway T when in use). In addition to the tanks for the de-icing liquid and for heated water, the storage facilities include all of the technical equipment for water treatment and filling the de-icing vehicles.
- the de-icing vehicles.

2 Baggage Conveyor System

The central infrastructure includes as a component:

- Provision, maintenance and operation of the baggage-conveying facility (GFA), and of the Baggage Reconciliation System (BRS)
- Baggage tray management

3 Passenger Bridges and Visual Docking Guidance System

A component of the central infrastructure is the provision, maintenance and operation of passenger bridges consisting of:

- The bridge cab;
- The bellows;
- The bridge tunnel;
- The running gear;

- The stairwell and connection to the terminal.

The use of passenger bridges is not part of the central infrastructure and is the responsibility of the ground handling service provider contracted by the respective airline.

In the event of technical failure of the passenger bridges, ground traffic service providers engaged by the airline will as needed provide passenger stairs.

Part of the central infrastructure is the provision and the operation of the visual docking guidance system, which consists of the following components:

- the video sensor unit,
- the image processing unit,
- the pilot display unit,
- the manual control board,
- the computer of the docking central.

In case of failure of the visual docking guidance system the ground handling service provider contracted by the airline has to ensure the marshalling of the aircraft onto the aircraft stand. The airport operator pays the proven additional costs resulting for the ground handling service provider for manually marshalling the aircraft.

4 Fuelling Facilities

Part of the central infrastructure is the provision and the operation of the underfloor fuelling system consisting of the stationary facilities of the aircraft fuel supply (fuel farm, pipe system within the fuel farm, hydrant pump station, underfloor pipe system and tankpits). In case of failure fuel tank trucks are used to ensure fuel supply of aircraft.

5 Systems for the Provision of Fresh Water and the Disposal of Faecal Matter

A component of the central infrastructure includes maintenance and operation of the facilities for fresh water supply (fresh water room). A component of the central infrastructure includes maintenance and operation of the facilities for disposal of faecal matter. The airport operator will ensure proper disposal of the faecal material.

6 Stationary Ground Power

Part of the central infrastructure is provision and maintenance of the stationary ground power supply.

In case of a technical failure the stationary ground power supply and need for ground power the ground handling service provider contracted by the airline has to provide a mobile ground power unit.

The airport operator pays the proven additional costs resulting for the ground handling service provider for the provision of the mobile ground power unit.

7 Check-in Counters

A component of the central infrastructure is maintenance and provision of check-in counters including CUPPS and Self-Service Equipment (SSE).

8 Piloting Services (Apron Control/Follow-me)

The central infrastructure piloting services include maintenance and operation of an apron control. The apron control is responsible for the radio-supported steering of the movements of aircraft and operational vehicles on the apron. It utilises radio and trunking system services, systems for depiction of the traffic conditions, runway lighting systems and facilities and image transmission systems for this purpose. Further components of the central infrastructure piloting services include the provision and deployment of follow-me vehicles which are used in special cases to support the steering of aircraft movements.

Annex 3 — Utilisation of Information and Communications Infrastructures

The following information and communications facilities on the airport premises are reserved for and operated by the airport operator exclusively:

- Passive cable network and lines for communications technology
- Active data network (LAN/WiFi/WAN)
- Voice communications systems (landline telephony, incl. Voice over IP)
- Operating and trunking systems (services)
- Danger alert systems
- Airport information systems (FIDS)
- Airport Operational Extranet (AOE)
- Terminal announcement facilities (in leased areas as well)
- Access control systems
- Video surveillance equipment and networks
- Data centres/facility engineering rooms
- Television reception equipment

The airport operator makes the above-mentioned information and communications facilities available to all companies and government authorities operating at the airport. The use of the facilities is subject to payment of a charge in accordance with the published schedule of charges of Flughafen Berlin Brandenburg GmbH, Communications Services.

Own services providing the aforementioned system features and technologies as well as the modification of existing information and communications facilities are subject to approval and will be permitted by the airport operator solely in justified exceptional cases. The approval may be granted if and when the required performance cannot be achieved qualitatively and quantitatively by the existing system. The installation and marketing of the aforementioned facilities and systems by companies other than the airport operator are prohibited and may be permitted by the airport operator solely in justified exceptional cases.