



Australian Government

Department of Infrastructure and Regional Development

Airport Ownership Declaration and Return

Regulation 3.23 of the *Airports Regulations 1997* requires an Airport Operator Company¹ to provide a Declaration and a Return of ownership matters within 30 business days after the end of the reporting period².

This form aims to assist Airport Lessee Companies and Airport Management Companies in meeting their reporting obligations under the *Airports Act 1996* and associated Regulations.

Please note:

- All fields on this form must be completed (circle N/A if a particular section is not applicable).
- You are required to attach additional documents to this form.
- Under regulation 3.26A of the *Airport Regulations 1997*, the Airport Operator Company is able to request a person provide information relating to an ownership matter.

Please post completed forms (original) to:

General Manager
Airports Branch
Aviation and Airports Division
Department of Infrastructure and Regional Development
GPO Box 594
Canberra ACT 2601

Please email completed forms (signed copy) to:

<airport.ownership@infrastructure.gov.au>

If you require any further information on airport ownership matters please forward your queries to <airport.ownership@infrastructure.gov.au>.

¹ Airport Operator Company is defined as an Airport Lessee Company (ALC) or Airport Management Company (AMC). For Airports with both an ALC and an AMC a separate declaration and return is required for each.

² A reporting period is the period of 12 months commencing on the anniversary on which the company became an ALC or an AMC.

OWNERSHIP DECLARATION & RETURN - PART 1 - COMPANY DETAILS

1.1 Name of the Airport

1.2 Name of the Airport Lessee Company or Airport Management Company

1.3 Date the company became an Airport Lessee Company or Airport Management Company for the Airport

1.4 Address of the place where the central management and control of the company is ordinarily exercised

1.5 Is there any person who is in a position to exercise control over the company, or in accordance with whose directions the directors of the company are accustomed to act?

YES / NO

Note: If yes, please provide details of the person.

1.6 Please provide a table containing details of each of the directors of the company, including:

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- a. full name;
- b. address;
- c. citizenship; and
- d. date of commencement (and date of resignation if resignation occurred within the reporting period).

*Note: If the director is a foreign citizen considered **ordinarily resident in Australia**, please identify the applicable reference under Clause 3 of the Schedule to the Airports Act 1996.*

1.7 Please provide a table containing information of persons who hold a stake, of a particular type, of more than 10% in the company, including:

ATTACHMENT ____

- a. Details of the person(s) that holds the stake, including:
 - name;
 - place of incorporation;
 - address of registered office;
- b. Amount (%) of stake held;
- c. Type of stake held, including:
 - the person's direct control interests; and
 - direct control interests held by the person's associates.

Note:

- Details required may vary depending on if the person is an individual, corporation or a foreign government body – please see Regulation 3.20 of the Airports Regulations 1997.
- If any changes occurred during the reporting period to the person(s) holding the stake, or to the amount or type of stake held, please provide details on a quarterly basis.

1.8 Please provide a diagram of the company's ownership structure.

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1.9 Please provide a declaration by a director in accordance with regulation 3.23(2)(a) of the *Airports Regulation 1997*, stating whether, in the opinion of the directors:

ATTACHMENT ____

- (i) an unacceptable foreign-ownership situation existed in relation to the company at any time during the reporting period;
- (ii) an unacceptable airline-ownership situation existed in relation to the company at any time during the reporting period; and
- (iii) if the company is a member of a pair of companies — an unacceptable cross-ownership situation existed in relation to the pair at any time during the reporting period.

OWNERSHIP DECLARATION & RETURN - PART 2 - FOREIGN OWNERSHIP

2.1 Has an unacceptable foreign-ownership situation existed at any time during the reporting period?

YES / NO

Note: If yes, you are required to provide further information in under regulation 3.26 of the Airports Regulations 1997.

2.2 Are there any foreign persons that hold more than a 5% stake in the company?

YES / NO

2.2 (A) If 'yes', please provide a table containing:

ATTACHMENT ____ or N/A

- a. Details of the person(s) that holds the stake, including:
 - name;
 - place of incorporation;
 - address of registered office;
- b. Amount (%) of stake held;
- c. Type of stake held, including:
 - the person's direct control interests; and
 - direct control interests held by the person's associates.

Note:

- Details required may vary depending on if the person is an individual, corporation or a foreign government body – please see Regulation 3.20 of the Airports Regulations 1997.
- If any changes occurred during the reporting period to the person(s) holding the stake, or to the amount or type of stake held, please provide details on a quarterly basis.

2.3 What is the aggregate of all stakes of a particular kind held by foreign persons (%)?

2.4 Are there any investment funds claiming the status of Substantially Australian Investment Fund (SAIF)?

YES / NO

2.4 (A) If yes, please attach details of the SAIF, including:

ATTACHMENT ____ or N/A

- a. the fund manager's contact details; and
- b. a copy of the relevant declaration (provided to the fund manager under regulation 2.07 of the *Airports (Ownership Interests in Shares) Regulations 1996*); or
- c. details of the declaration including instrument number and date signed.

OWNERSHIP DECLARATION & RETURN - PART 3 - AIRLINE OWNERSHIP

3.1 Has an unacceptable airline-ownership situation existed at any time during the reporting period?

YES / NO

Note: If yes, you are required to provide further information in under regulation 3.26 of the Airports Regulations 1997.

3.2 Does any airline hold a stake in the company?

YES / NO

3.2 (A) If 'yes', please provide:

ATTACHMENT ____ or N/A

a. Details of the person(s) that holds the stake, including:

- name;
- place of incorporation;
- address of registered office;

b. Amount (%) of stake held;

c. Type of stake held, including:

- the persons direct control interests; and
- direct control interests held by the person's associates.

Note:

- Details required may vary depending on if the person is an individual, corporation or a foreign government body – please see Regulation 3.20 of the Airports Regulations 1997.
- If any changes occurred during the reporting period to the person(s) holding the stake, or to the amount or type of stake held, please provide details on a quarterly basis.

3.3 What is the aggregate of all stakes of a particular kind held by airlines (%)?

3.4 Are there any investment funds claiming the status of Distanced Investment Fund (DIF)?

YES / NO

3.4 (A) If yes, please provide details of the DIF, including:

ATTACHMENT ____ or N/A

a. the fund manager's contact details; and

b. a copy of the relevant declaration (provided to the fund manager under regulation 4.03 of the *Airports (Ownership Interests in Shares) Regulations 1996*); or

c. details of the declaration including instrument number and date signed.

OWNERSHIP DECLARATION & RETURN - PART 4 - CROSS-OWNERSHIP

4.1 Has an unacceptable cross-ownership situation existed in relation to the pair of companies at any time during the reporting period?

YES / NO

Note: If yes, you are required to provide further information in under regulation 3.26 of the Airports Regulations 1997.

4.2 Is the company a member of a pair of airport companies (refer to s49 of the *Airports Act 1996*)?

YES / NO

4.2 (A) If yes, please provide:

ATTACHMENT ____ or N/A

- a. Details of the person(s) that holds the stake, including:
 - name;
 - place of incorporation;
 - address of registered office;
- b. The amount of stake:
 - in the company held by the other member of the pair;
 - in the company held by a person who also holds a stake in the other member of the pair; and
 - held by the company in the other member of the pair.
- c. The type of stake:
 - in the company held by the other member of the pair;
 - in the company held by a person who also holds a stake in the other member of the pair; and
 - held by the company in the other member of the pair.

Note: type of stake includes the person's direct control interests and direct control interests held by the person's associates.

- End of Form -

Please provide a statutory declaration by a director verifying the declaration and the return.

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The declaration and return must be approved by the directors of the company by resolution. Please provide a copy of the resolution.

ATTACHMENT ____

Director's Signature

Date