

EUACA POSITION PAPER & DETAILED COMMENTS OF THE SLOT REGULATION REVISION PROPOSAL

June 2012

The revision of Council regulation (EEC) 95/93 on common rules for the allocation of slots at the community airports was finally set in motion by the EU Commission proposals for “The Better Airports” in December last year.

EUACA, European Airport Coordinators Association, represents 20 European Coordination and Schedules Facilitation organizations, which are responsible for 186 airports in the Union and other countries that apply the Slot Regulation (Norway, Iceland and Switzerland).

EUACA members have been applying the Slot Regulation for almost 20 years and have acquired significant experience of its strengths and weaknesses.

The Slot Regulation has generally been working well since its revision in 2004. Nonetheless, EUACA welcomes the initiative to clarify the text in some areas and strengthen the independence and transparency of coordinators and schedules facilitators. We also support stronger enforcement measures to reduce slot misuse, the link with Single European Sky initiatives, and the fact that our role of planning the traffic at airports, “nodes of the network”, is recognized.

EUACA has carefully considered the Commission’s proposals and presents here the consensus views of its members. As coordinators, we do not have views on the points of policy in the Regulation. Our sole objective is to have a clear regulation that is practical to administer and does not expose coordinators to undue risk of legal challenge. We focus on a few key issues, providing regulators and stakeholders with the attached detailed (click on attached document) comments on the Commission’s proposals. Some of our suggestions for amendments are more editorial in nature, but nonetheless are important to ensure a clear and consistent application.

Those proposals for amendments that are of a more fundamental nature are highlighted below:

Slot Trading

EUACA does not have a position on the point of policy regarding slot trading, but has an interest in how such a system would sit alongside the administrative primary allocation of slots. Should the Regulator explicitly authorise slot trading, EUACA recommends that such trading is not allowed for **all** newly allocated slots, not only for new slots obtained on the basis of the new entrant priority. This is to avoid speculative slot requests, whereby airlines request the free allocation of slots from the pool only to sell them on the secondary market without having operated them.

Slot Utilisation

EUACA does not support increasing the slot utilisation threshold to 85%, as it would lead to endless discussions with airlines seeking to justify the non-utilisation of slots under “Force Majeure”, whilst not resulting in a significant number of slots becoming available in the pool.

Length of a Series of Slots

The EUACA welcomes the idea of changing the minimum length of a series for those airports where high demand exists for longer operations. As such airports are not the majority, EUACA recommends that the standard definition of a series remains at 5 consecutive weeks but with a possibility for extension by local rule.

Local Rules

EUACA does not support the proposed limitation of the scope of local rules, which have proven to be useful and necessary in the past. The proposal requires the EU Commission's endorsement of all local rules, which should guarantee that local rules are non discriminatory and do not adversely impact the independence of the slot allocation process. There should be a specified timeframe for the Commission to respond, however.

Determination of Historic Slots

The historic precedence determination is a rather complicated technical issue, which should strike a balance between the preservation of the continuity of services for the traveling public, the air carriers' investments, and the access to scarce capacity for new operations or new operators. The European coordinators strongly advise that the wording concerning historic slots in Article 10(4) keeps some flexibility in order to reflect real life. After all, should it not be the role of independent and transparent coordinators to administer this complex issue in a balanced way?

Schedule Facilitators

EUACA also suggests a number of amendments to clarify the role of schedule facilitation and schedules facilitators, which remains as some kind of an afterthought in the text as it stands.

Link with Single European Sky

EUACA strongly supports the new "Network Airport" concept. The slot allocation process is internationally well known and an efficient way to collect flight intentions data on uncongested airports, but which have a significant impact on the Network. This will considerably improve the Network activity planning, particularly in adverse situations.

In this respect, we are also of the opinion that the Network management could take advantage of the planning made by schedules facilitation and airport coordination by giving priority, on the day of operation, to the ATC Flight Plans which are matching their airport slot timings.

Finally, even if coordinators largely welcome initiatives to encourage their mutual cooperation, they would appreciate clarification from the Regulator on the areas where their cooperation should be further extended within EUACA. Indeed EUACA is of the opinion that any decision about creating a European coordinator cannot be made, as suggested in the proposal, on the assessment of progress made in undefined cooperation areas.