

## Q&A – EC Waiver Outbreak of SARS-CoV-2

Discipline: Slot Allocation, Slot Monitoring  
Airports: all coordinated airports in The Netherlands  
Seasons: effective until further notice  
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On March 13, 2020, the European Commission proposed a waiver of the 80/20 “use it or lose it” rule in response to the SARS-CoV-2 (COVID-19/ Corona) outbreak.

ACNL understands questions may arise about the slot allocation process and is publishing this Q&A document to inform you as good as possible.

### **Content**

#### ***What does the waiver actually mean?***

- The current waiver for China mainland applied from January 23, 2020, is regulated.
- ACNL shall with respect to the 80/20 rule consider slots allocated for the period from March 1, 2020, until and including June 30, 2020, as having been operated by the air carrier to which they had initially been allocated. With the following restriction:  
For slots allocated for the period between one week after publication of the amendment (date will be specified) and June 30, 2020, ACNL shall consider the slot operated only if this slot is handed back to ACNL.

### **Force Majeure**

#### ***Do I still have request for force majeure?***

There is no need to apply for Force Majeure. ACNL is by the amendment “instructed” to regard slots not being used as operated, to the extent you handed back these slots to ACNL.

There are no changes for the demands for slot management. You have to keep your slot portfolio and waitlist as accurate as always.

#### ***Do I need to re-apply for force majeure if my force majeure request was declined after March 1, 2020?***

No, because of the waiver, it is no longer necessary.

#### ***Will the Force Majeure guidance remain in place?***

Yes, but only for force majeure request which are not covered by the waiver. For instance no-ops, no-recs and unplanned night movements. The Force Majeure guidance can be found [here](#).

## **Slot allocation**

### ***Will Local Rule 2 (LR2) at AMS remain in place?***

Due to the exceptional circumstances ACNL will not use LR2 for S20 period 1 up to and including 5. Follow link to the Working Procedure and the established milestone calendar: <https://slotcoordination.nl/update-allocation-calendar-lr2-s20/>

### ***When will cancelled slots be reallocated?***

Reallocation will be done after handback to the slot pool. At AMS the time scheme of LR2 for S20 will be valid, except for period 1 up to and including 5.

### ***Will all cancelled slots be reallocated?***

All cancelled slots will be added to the slot pool for reallocation, with respect of the coordination parameters of the capacity declaration and for AMS with respect to the limits of LR2. ACNL will not use LR2 for S20 period 1 up to and including 5, ending June 6, 2020. Cancelled slots are first offered to full freight operators for ad hoc use up to and including June 6, 2020. Remaining slots in the slot pool are secondly offered in conformity with prioritisation of the waitlist. The reason is to maintain freight transport capacity since the significant decrease of belly capacity.

## **Waitlist**

### ***Will priority on the waitlist remain valid?***

First, hand backed slots for the period up to and including June 6, 2020, are offered to full freight airlines. Afterwards the priorities of the waitlist will remain valid.

### ***Do I have to update the waitlist?***

Yes, the waitlist needs to be updated anytime according to actual requests for slots (WSG10 10.15)

## **Slot changes**

### ***Can I change my allocated slot within my own portfolio?***

Yes, it is possible to change slots of cancelled flights within my own slot portfolio to another period within the (same) season.

### ***Can I transfer my slots from W19 to S20?***

No, it is not possible to transfer slots with your own slot portfolio from one IATA season to another.

## **Slot handbacks**

### ***I cannot use my slots anymore , can I transfer or act in a joint operation?***

Joint operations: The current guidance for a joint operations can be found on ACNL's website: <https://slotcoordination.nl/acnl-published-requirements-on-joint-operations/>

Transfer: Transfer of slots between airlines is restricted under Article 8 bis of Council Regulation 95/93 and subject to the confirmation of ACNL.

## **Historic rights**

### ***How my historic rights will be determined?***

The HBD of January 31 and August 31 will remain the reference for the calculation of historic rights. Historic rights will be determined at the official [IATA milestones](#) (e.g. SHL Deadline and Agreed Historic Deadline).

### ***How the 80/20 is calculated when a period of the season was waived due to COVID-19?***

If a part of period of a HBD series was granted for force majeure the period of which force majeure was granted will be considered as operated and not count against the 80/20 calculation. For instance this means that for determining the historic rights for W20, the Slot Historic List (SHL) of W19 (deadline April 20), waived slots during W19 will be included in the SHL. The HBD remains the reference for the SHL.

## **Airport capacity**

### ***Will still unused capacity be transferred from winter to summer?***

For Dutch airports a common practice exists that capacity that has not been used in the winter season, may be transferred to the adjacent summer season. It's the decision of the airport operator whether or not capacity will be transferred. Addenda on capacity declaration will be published on the website of ACNL.

## **Extension of waiver**

### ***Who decides on a possible waiver extension?***

As the legislator, the European Commission decides on a possible extension of this waiver. Formally the waiver is an adaptation of the Slot regulation and needs of approval of the European Parliament and the Council.



## **Contact**

### ***How can I address additional questions?***

ACNL understands questions may arise which are not answered in this document. Questions may be sent to [info@slotcoordination.nl](mailto:info@slotcoordination.nl). Furthermore, ACNL extended its accessibility by phone and can be reached by phone via +31 (0)20 4059730 from Monday till Friday between 9:30 (LT) and 16:00h (LT). Questions sent to [info@slotcoordination.nl](mailto:info@slotcoordination.nl) will also be answered on Saturday and Sunday during office hours. In addition, processing time of slot requests will be minimized as much as possible.

## **Update**

### ***When will a new version of this Q&A document be available?***

ACNL intends to regularly, however not in a fixed pattern, publish an updated version of this Q&A document with additional questions and answers.

## **Revision log**

<b>Version</b>	<b>Date</b>	<b>Changes w.r.t. previous version</b>
1.0	March 16, 2020	First publication

## **Disclaimer:**

This document is published as a courtesy information. Legal framework for slot allocation applies.