

## 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.
- Without geographical restrictions, 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.

#### ***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.

With immediate effect, provided capacity limitations of the respective airport allow, cancelled slots are first offered to repatriation flights and second to Full Freight operators for ad hoc use (including passenger aircraft operators operating as Full Freighter, provided applicable IATA SSIM Service Type Code Appendix C is used) up to and including June 6, 2020. The reason is to maintain freight transport capacity since the significant decrease of belly capacity. If necessary and respecting airport restrictions, night slots will be allocated for repatriation flights and Full Freight flights (including Full Freight flights operated by passenger aircraft, provided applicable IATA SSIM Appendix C Service Type Code is used).

### ***Is temporary and adjusted gate and aircraft parking capacity considered while allocating slots at AMS?***

Due to the actual closure of a number of gates and the increase for demand of parking stands at Amsterdam Airport Schiphol, ACNL cannot consider this while allocating a slot.

Airlines should ensure that parking of their aircraft can be accommodated by contacting the airport managing body in written and must be addressed to: [CMOI@schiphol.nl](mailto:CMOI@schiphol.nl)

## **Waitlist**

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

All Dutch coordinated airports: With immediate effect, first access and priority will be given to repatriation flights.

AMS: Second access and priority will be given to Full Freighter aircraft (including passenger aircraft operating as Full Freighter, provided applicable IATA SSIM Appendix C Service Type Code is used) from the S20 AMS waitlist. The applicable period for allocation remains unchanged till and including June 6, 2020.

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

According to WSG10 10.15, the waitlist needs to be updated anytime according to actual requests for slots.

## **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. However, doing so will lead to exclusion from the EC waiver resulting slots not being considered as operated (as initially allocated).

### ***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**

### ***Until when do I have to return slots which I cannot use anymore?***

Current policy of ACNL remains unchanged. Airlines must return slots which they cannot use anymore as soon as possible. Retro-active returned slot requests (after the day of operation) are considered as not operated and excluded from the EC waiver.

### ***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 Historics 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.

### ***Does ACNL still send WARN & NOTE messages?***

No, until further notice ACNL will not send WARN & NOTE messages.

The percentages of series of slots however still can be consulted in the webportal [www.e-airportslots.aero](http://www.e-airportslots.aero)

## **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.

## **Formal decision-making procedure**

### ***Is the waiver proposal formally decided and in force?***

No, the proposal of the European Commission still needs to be approved by the European Parliament and the Council before it comes into force. As soon as the waiver comes into force this Q&A will be updated. In its own working processes, however, ACNL anticipates on a formal approval of this waiver. It stays the responsibility of the airline how to they act while formal approval is pending.

### ***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
1.1	March 20, 2020	Second publication with updates in the sections Content, Slot allocation, Waitlist, Slot changes, Slot handbacks, Historic rights and Formal decision making procedure

## **Disclaimer:**

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