

## 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 April 1, 2020, an [addendum](#) to the slot regulation came into force. This addendum contains 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 October 24, 2020, as having been operated by the air carrier to which they had initially been allocated (at HBD). With the following restriction: For slots allocated for the period between April 8, 2020, and October 24, 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 requests 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?***

Since the outbreak of the COVID-19 crisis ACNL had seen a significant reduction of the waitlist. In the past two weeks the number of slots that were handed back have exceeded the actual waitlist demands by far.

Given the actual wide availability of slots consequentially effective immediately, ACNL will suspend LR2 for the remainder S20 season.

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

Slots that have been returned to the pool will be offered shortly. Allocation is based on the regular priorities of the remaining S20 AMS waitlist. Hereafter there will be sufficient (day)slots available for the remainder S20.

Slot requests will be handled on a first come first serve basis respecting the parameters of the capacity declaration, including those for the night.

Due to the fact that cancellations of slots are done as a result of the COVID-19 outbreak with historic rights being covered by the EC waiver with extension for the entire S20 season all slots are reallocated on an ad hoc basis and therefore not eligible for historic rights. So far, for operations up to and including June 6, 2020, first priority was given to repatriation flights and second priority to Full Freight operations. Effective immediately, given the actual wide availability of slots, this policy is no longer necessary and slots will be allocated on a first come first serve basis respecting the limits of the capacity declaration.

### ***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: [scheduling@schiphol.nl](mailto:scheduling@schiphol.nl) and [APC\\_Gateplanning@schiphol.nl](mailto:APC_Gateplanning@schiphol.nl).

## **Waitlist**

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

For AMS slots that have been returned to the pool will be offered shortly based on the regular priorities of the remaining S20 AMS waitlist. The waitlist for EIN & RTM has been resolved already.

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

According 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 your 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, at HBD), because the waiver demands slot return.

#### ***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 date of operation) are considered as not operated and excluded from the EC waiver. Please note returning slots as soon as possible (this is, immediately once the decision is made not to use a respective slot) is also in the highest interest of other parties in the sector, such as Air Navigation Service Providers, handling agents, etc.

#### ***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 a 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).

Due to the fact that cancellations of slots are done as a result of the COVID-19 outbreak with historic rights being covered by the EC waiver with extension for the entire S20 season all slots are reallocated on an ad hoc basis and therefore not eligible for historic rights.

***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.

***My airline have ceased or would cease operations at an airport, what will happen with historic rights in relation to this waiver?***

Historical rights that – regardless of in-season ad hoc reallocation of the slots – may be reserved temporarily following a bankruptcy or similar proceedings and only on request of the administrator or representatives of the airline.

Those slots for which historic rights have been reserved will only be included in the SHL once a transfer of slots under Article 8a was confirmed by ACNL or is at “pending for approval” status at the time of the SHL publication.

***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 in force?***

The [addendum](#) came into force on April 1, 2020, following its publication in the Official Journal (OJ) of the European Union on March 31, 2020.

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

The European Commission is delegated for one year by the European Parliament to adopt the waiver.

***Will regular IATA milestones and activities remain in place?***

IATA has decided to postpone the Series Return Deadline by 1 month to August 15, 2020.

The Agreed Historic Deadline on May 7, 2020 and the Initial Submission Deadline on May 14, 2020 remain unchanged.

You can find the actual IATA activities calendar [here](#).

**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**

Version	Date	Changes w.r.t. previous version
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
1.2	March 31, 2020	Third publication with updates in the sections Introduction, Content, Slot allocation, Slot changes, Historic rights and Formal decision making procedure
1.3	April 16, 2020	Fourth publication with updates in the sections Slot allocation, Waitlist and Formal decision making procedure

**Disclaimer:**

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