

Q&A –EC Waiver Outbreak of SARS-CoV-2–IATA W20 updated information

Discipline: Slot Allocation, Slot Monitoring
Airports: all coordinated airports in The Netherlands
Seasons: effective until further notice
Version: 1.4
Date: September 23, 2020

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 until the end of IATA S20.

ACNL understands questions may arise about the slot allocation process for the upcoming IATA W20 season and in order to provide airlines the best guidance possible has published this Q&A document.

What is the status of an extension of the EC waiver towards IATA W20 and when can I return my slots?

A waiver for IATA W20 has not been formalized yet. In order to allow airlines to return their slots timely to the slotpool a number of actions was taken recently:

A group of industry partners, represented by IATA, ACI & WWACG, in a joint industry proposal have expressed their views to the European Commission on September 1, 2020 being in agreement and requesting for an extension of the waiver towards IATA W20. You can find the proposal here:

<https://www.euaca.org/up/files/NW20%20EU%20Slot%20Waiver%20-%20Common%20proposal%20airlines%20-%20airports%20-%20slots%20coordinators.pdf>

On September 14, 2020 the Commission in a statement addressed its intentions to extend the Waiver till the end of IATA W20 : https://ec.europa.eu/transport/modes/air/news/2020-09-14-common-rules-allocation-slots-community-airports_en.

The formalization of the extended waiver can take up to mid-October. In order to allow airlines to return their slots timely to the slotpool the European Airport Coordinators Association (EUACA), of which ACNL is a member, on September 17, 2020 did publish a communication: <https://www.euaca.org/up/files/EUACA%20agreed%20position%20on%20Commission%20announcement%20of%20winter%20waiver.pdf>

Based on the Commission’s declaration EUACA considers that the airlines can now cancel all the slots that they do not plan to operate this winter so that coordinators can reallocate them.

Content

What does the intended extension of the waiver mean?

In anticipation of the publication of the formal waiver and with respect to the 80/20 rule slots allocated for the period from October 25, 2020, until and including March 27, 2021, are considered as operated by the air carrier to which they had initially been allocated at HBD. With the following restriction: Slots allocated for the period between October 25, 2020, and March 27, 2021, ACNL shall consider the slot operated only if this slot is handed back to ACNL.

Are there additional conditions for the waiver compared to S20?

Yes, ACNL will take into account the joint industry proposal for IATA W20. Amongst other things slots must be handed back no later than 3 weeks before the date of operation.

Force Majeure

Do I still have request for force majeure?

No, for slots that have been handed back no later than 3 weeks before the date of operation 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 which will remain unchanged in case of an extension

However, it is possible to request for force majeure in case slots are handed back less than 3 weeks before the date of operation. For example in situations of sudden travel bans.

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 during W20?

No, Local rule 2 will not be applied for W20. On September 17, 2020 ACNL received a request of the Coordination Committee Netherlands (CCN) to extend the suspension of the application of Schiphol Local Rule 2 at least until and including IATA W20 as a result of the current situation in aviation.

This request was addressed and discussed in the CCN meeting of September 8, 2020, and received the unanimous support of all CCN members present. The rationale of the members is that because of the current situation in aviation, the application of this local rule does not lead to a more efficient use of the available airport capacity.

ACNL has acknowledged the request from the CCN and that slot allocation for IATA W20 will be applied according to the regular methods.

Will all cancelled slots be reallocated?

If the capacity permits slots that have been returned to the pool of the coordinator will be offered for reallocation. Allocation is based on the regular priorities of the remaining W20 waitlist. Hereafter there will be sufficient (day)slots available for the remainder W20.

As soon as remaining requests of the no slot waitlist has been released all other 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 with intention of issuing full alleviation of the 80/20 by the EC waiver with extension for the entire W20 season all slots are reallocated and retimed on an ad hoc basis and therefore not eligible for historic rights.

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 and APC_Gateplanning@schiphol.nl.

Waitlist

Will priority on the (no slot) 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 W20 AMS & EIN no slot waitlist. The no slot waitlist for RTM has been resolved already.

Do I have to update the waitlist?

Yes, 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. It is expected that in due course of W20 there are sufficient slots available for allocation on ad-hoc basis.

Slot handbacks

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

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.

In addition to the S20 conditions the extension towards W20 requires airlines to return slots which they cannot use anymore as soon as possible but no later than 3 weeks before the date of operation.

Slots that are handed back within 3 weeks before the date of operation and retro-active requests (after date of operation) do not comply with the EC waiver conditions.

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. The requirements for a Slot Transfer: <https://slotcoordination.nl/wp-content/uploads/2020/05/Guidance-Transfer.1.0.pdf>

How do I have to return my slots to the pool of ACNL?

Slots must be returned to the pool by using action code D and this should be done in IATA SSIM chapter 6 format only.

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).

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 W20 season all slots are reallocated and retimed on an ad hoc basis and therefore not eligible for historic rights.

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. See for more information the joint industry proposal.

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

Airport capacity

Will 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. On September 14th, 2020 the Commission in a statement addressed its intentions to extend the Waiver till the end of IATA W20 :

https://ec.europa.eu/transport/modes/air/news/2020-09-14-common-rules-allocation-slots-community-airports_en.

The formalization of the extended waiver can take up to mid-October. In order to allow airlines to return their slots timely to the slotpool the European Airport Coordinators Association (EUACA), of which ACNL is a member, did publish a communication.

<https://www.euaca.org/up/files/EUACA%20agreed%20position%20on%20Commission%20a%20nouncement%20of%20winter%20waiver.pdf>

Will regular IATA milestones and activities remain in place?

Yes, until further notice the IATA milestones remain in place.

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. ACNL can be reached by phone via +31 (0)20 4059730 from Monday till Friday between 9:30 (LT) and 16:00h (LT).

Daily coordination

How long it takes before my request is being actioned?

In order to offer the best slot allocation service as possible the processing time of slot requests will be minimized as much as possible and ACNL strives to action your message within one business day.

Can I use online coordination?

Yes, airlines can request authorisation for ACNL's web service "e-airportslots.aero". This web service is available with a horizon for online coordination of 3 calendar days in the future. By providing this new service slot management outside ACNL's office hours is available 24 hours per day, including the full range of the weekend. For more information about the service visit ACNL's website: <https://slotcoordination.nl/extension-of-out-of-hours-service/>

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
1.4	September 23, 2020	Fifth publication with extended information as regards W20 waiver including updated conditions.

Disclaimer:

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