

Addendum to WP Slot Allocation S21 Q&A – Revised EC Regulation 95/93 due to Outbreak of SARS-CoV-2

Discipline: Slot Allocation, Slot Monitoring
Airports: AMS, EIN, RTM
Seasons: S21
Version: 1.1
Date: February 24, 2021

On February 20, 2021, a [revised](#) EU Regulation 95/93 (Slot Regulation) will entry into force which covers the entire IATA S21 season starting March 28 until and including October 30, 2021. In essence, the amendment includes a temporary adjustment to the use it or lose it rule to accommodate the effects of the Covid-19 outbreak.

ACNL understands questions may arise about the slot allocation process for the upcoming IATA S21 season and in order to provide airlines the best guidance possible has published this Q&A document.

Content

What is the content of the revision?

The provisions amongst other are:

- a) Carriers may hand back
 - i. complete historic series of slots up to 50% of slots (reference SHL S21)
 - ii. or, if holding fewer than 899 slots (29 slots per week on average) 100% complete historic series (reference date SHL S21)

at the latest 2259 UTC on February 28, 2021*, which we will refer to as the EU Return Date (ERD) and retain historic precedence for Summer 2022 (complete series alleviation, as were identified at HBD).

b) The baseline used for the evaluation of the utilisation rate remains the HBD. Historic precedence will be granted to series of slots not handed back by the ERD provided they meet a minimum utilisation rate of 50%.

c) Carriers will be exempted from above utilisation rate if specific reasons for the non-use of slots apply. The proposed revised Regulation provides for an extended list of reasons related to the COVID-19 crisis.

d) Slots must be returned at least three weeks before the date of operation.

***Supplementary information on the indicated latest date for handback on the [next page](#).**

Important note:

The Dutch translation of the legislation differs from the English translation regarding the definition of the EU Return deadline. See in **bold**.

Article 10.2bis

“... een voor de dienstregelingsperiode van 28 maart 2021 tot en met 30 oktober 2021 toegewezen reeks slots de luchtvaartmaatschappij het recht op dezelfde reeks slots voor de dienstregelingsperiode van 27 maart 2022 tot en met 29 oktober 2022 indien zij de volledige reeks slots **uiterlijk op** 28 februari 2021 aan de coördinator ter beschikking heeft gesteld met het oog op hertoewijzing”

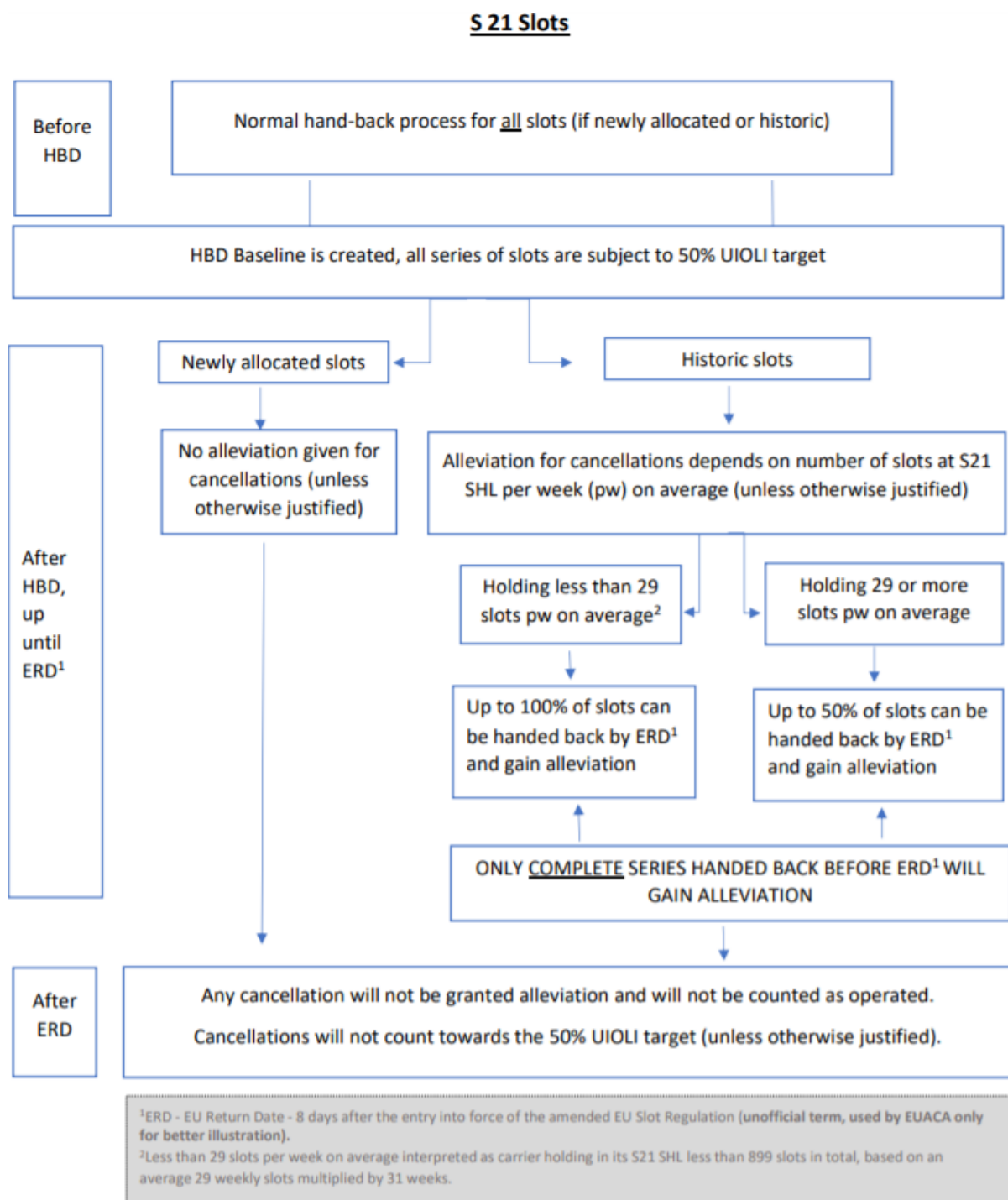
“...a series of slots allocated for the scheduling period from 28 March 2021 until 30 October 2021 shall entitle the air carrier to the same series of slots for the scheduling period from 27 March 2022 until 29 October 2022 if the air carrier has made the complete series of slots available to the coordinator for reallocation **before** 28 February 2021.

ACNL is acting under Dutch Law. That means that the Dutch translation counts. “uiterlijk op” means “no later than”, therefore including 28 February 2021 as possibility to return complete series of slots under the provisions of article 10.2.bis.

ACNL was informed by the Dutch Ministry that they will ask the European Commission for a rectification of the Dutch translation. ACNL however advises the air carriers to return latest at 27 February 2021.

The complete set of the provisions is included in the [revised](#) slot regulation

Flowchart illustrating the S21 slot allocation process:



Source: [EUACA Guidance on slots S21](#)

Slot handbacks

How do I know how many slots can be returned to receive alleviation for the SHL S22?

Attached to this Q&A, ACNL provides carriers a list indicating the maximum number of slots for their airline for which alleviation can be requested by returning complete series before the EU Return Date (ERD).

After the ERD, ACNL will confirm the total number of complete series slots returned. If carriers meet the conditions of the EU Slot Regulation, alleviation will be granted. Should the cancellations be greater than those permitted, ACNL will contact the airline to determine which flights will not be granted alleviation and will need to be operated to achieve historic entitlement. If ACNL is not able to contact the airline within 24 hours, ACNL will use its discretion as to which flights will need to be operated to retain the historic entitlement.

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 in the highest interest of other stakeholders in the aviation sector, such as Air Navigation Service Providers, handling agents, etc.

Airlines shall 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 do affect the use it or lose it rule. Retro-active requests (after date of operation) are not accepted,

I have deleted complete series and requested new series by exchanging within my own portfolio, will these deleted series be alleviated?

Returning complete series of slots and requesting new series as within the same quota is not considered as handback to the slotpool of the coordinator and therefore alleviation is not granted.

To avoid misunderstandings ACNL strongly recommends airlines that wish to return complete series under the revised regulation to send SCR messages which only contains complete series return (action code D) and preferably by inserting the following text in the **SI : Complete series return under the revised EU regulation.**

Waitlist

Will priority on the (no slot) waitlist remain valid?

Yes. At time of publication of this Q&A a (no slot) waitlist is in place for S21 at AMS, EIN and RTM.

Historic rights

How are historic rights be determined?

The HBD of January 31 will remain the reference for the calculation of historic rights.

Series of slots - as were identified at the HBD of January 31- that do not comply with the use it or lose it rule of 50/50 will not receive historic status at the SHL.

The use it or lose it rule applies for all complete series of slots which are not handed back before the EU Return Date (ERD).

How will retimed series of slots appear on the SHL S22?

The SHL S22 will be sent out based on the HBD references, in the meaning that retimed series on the same calendar date will be considered as ad-hoc and those changes will not reflect in the SHL.

Should airlines wish to receive the series on the SHL based on the revised allocated time, than the airline can request for that change in the period to agree historic. This allows ACNL to assess the request whether it fits within the capacity constraints.

How is a complete series at HBD defined?

The methodology how a series at HBD is defined does not change.

A complete series can consist of minimum 5 and maximum 31 weeks. For the calculation of historic the flight number at HBD is taken as reference.

Example:

A series of slots (at HBD) of 31 weeks contains of two periods with different times e.g. 15 weeks at 1000 and 16 weeks at 1200 then the use it or lose it is calculated over the total length of allocated weeks, in this example 31 weeks.

My airline ceased operations at an airport, what will happen with historic rights in relation to this amendment?

If an airline ceases to operate, for instance in case of bankruptcy/in administration, the historic rights of slots can only be transferred when the air carrier met the use it or lose it provisions during the scheduling period in question.

Those historic rights of slots will only be included in the SHL once a transfer of slots under Article 8a is confirmed by ACNL or is at "pending for approval" status at the time of the SHL publication.

Force Majeure

For what circumstances can I request for force majeure?

The list with conditions has been changed in the [revised](#) Regulation and applies in addition to the regular [Force Majeure guidance](#).

Can I request FM for a period exceeding 6 weeks in case government restrictions for in/outbound travel have an announced end date of more than 6 weeks in the future?

In case government restrictions for in/outbound travel have an announced end date of more than 6 weeks in the future, FM can be requested for up to and including the announced end date, providing official documentation (such as NOTAM, a document issued by an authority or government) that contains the decision of the measures taken and must be attached to the FM request.

Force majeure requests can only be done after cancellation of the slot(series) it refers to. ACNL will make an assessment on each request individually and will revert to the requestor as soon as possible.

Note: According to ACNL's regular Force Majeure guidance, such force majeure request should be submitted as soon as possible, but not later than 5 business days after the day of occurrence (for example, within 5 business days after publication of the official publication issuing the imposed restriction(s)).

Slot allocation

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 on ad hoc basis. Allocation is based on the regular priorities of the remaining waitlist.

After remaining requests of the (no slot) waitlist has been resolved 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.

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, a use it or lose it rule of 50/50 apply and planned changes to another date will impact the 50/50. It is expected that in due course of S21 sufficient slots will be available for allocation on ad-hoc basis.

Slot Monitoring

Does ACNL send WARN & NOTE messages?

Yes, ACNL will send WARN & NOTE messages as a use it or lose it rule of 50/50 apply. WARN & NOTE messages are sent as an indication only as the final results will be announced in the SHL S22. Granted Force Majeure requests do not reflect in the percentage.

WARN & NOTE messages will be sent in all cases including complete series returns. A NOTE message demonstrating 0% which was sent until the ERD could also be used as an indication for airlines that the complete series was deleted.

The percentages of series of slots can also be consulted in the webportal www.e-airportslots.aero. Changes are not reflected real time. Once a day, during evening hours, the tool will process all changes.

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

During S21 ACNL does not consider this while allocating a slot. However, for long term parking, paragraph 2.2 of RASAS (see <https://www.schiphol.nl/en/operations/page/allocation-aircraft-stands/>), is applicable. Requests for parking of at least 18 hours duration should be sent to the Business Partner Airlines via: customersupport@schiphol.nl, at least two weeks before the inbound flight is scheduled to take place, and have to be approved by the airport in advance.

Will Local Rule 2 (LR2) at AMS remain in place during S21?

On February 3, 2021, the Coordination Committee Netherlands (CCN) has started a consultation to their members to advise the suspension of LR2 for S21. At time of publishing of this Q&A no information about the outcome was made available to ACNL.

Airport capacity

Will unused capacity be transferred from winter to summer?

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 [revised Regulation](#) for S21 in force?

The revised EC Regulation 95/93 will entry into force on February 20, 2021.

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

Is the WP Slot Allocation S21 updated accordingly?

This Q&A document is published as an addendum to the WP Slot Allocation S21, version 1.0. The WP Slot Allocation S21 version 1.0 itself is not updated with the content of the revised EC Regulation. The reader of the airline should be aware that where the use-it-or-lose-it rule of 80/20 is mentioned, the adjusted use-it-or-lose-it rule of 50/50 will apply to the part which were not part of the complete series return.

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	February 19, 2021	First publication
1.1	February 24, 2021	Second publication with additional question in the section 'Force Majeure'

Disclaimer:

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