

Allocation of slots at EU airports

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The Council agreed a **general approach** on a recast of the 1993 regulation on the allocation of landing and take-off slots at EU airports that face capacity problems.

The revision is intended to tackle growing airport congestion by introducing a series of measures:

- airlines will be allowed to sell and buy slots ("secondary trading");
- Member States will have the possibility of introducing charges for carriers that return unused slots to the slot pool when it is too late for re-allocation;
- the independence of, and cooperation between, slot coordinators will be strengthened, and the transparency of the allocation process will be enhanced;
- the Single European Sky (SES) network manager will be associated with the allocation process, so that the impact of capacity allocation at a given airport upon the whole European air traffic network can be taken into account.

The main outstanding issue that needed to be settled by ministers concerned **the possibility for airlines to sell and buy slots**. Some delegations requested the introduction of safeguards because of concerns about the possible negative impact of secondary trading on - economically less profitable - regional flights or about the potential speculative use of traded slots. Other delegations, however, as well as the Commission, stressed the need for a uniform application of the system, pointing to the risk of market fragmentation.

As a compromise acceptable to the majority of delegations, the text of the draft regulation tabled by the Presidency has been amended to allow Member States to **apply temporary restrictions where a significant and demonstrable problem with secondary trading occurs**. Such restrictions must be transparent, non-discriminatory and proportionate, justified and communicated to the Commission, which has the right to oppose them. Member States will be obliged to comply with the Commission's decision, which must also be justified.

In addition, still within the framework of the secondary trading scheme, conditions have been slightly relaxed as regards the **use of re-timed slots received after an exchange of newly acquired slots**, which is allowed only in order to improve the slot timings for the services concerned. It was agreed that such re-timed slots need not necessarily be operated during a full scheduling period.

The compromise achieved also includes **a number of changes to other parts of the Draft Regulation**:

- where the withdrawal of slots in the event of misuse would be disproportionate, the coordinator will have the alternative option of recommending the imposition of penalties;
- the provisions on slot cancellation due to a public holiday were removed since they are considered superfluous;
- slight changes were also made to the provisions on the procedures for emergency coordination, on access to the coordinator's database, on information to be provided by air carriers and on the information to be provided by the coordinator to the airport managing body.

As regards the changes proposed by the Commission to the current **conditions for granting priority in slot allocation to carriers that already had the same slots in previous scheduling seasons ("historical slots")**, the discussions in the Council's preparatory bodies had already shown that a large majority of Member States are against those changes. At the Council meeting, the Commission reaffirmed its proposal to raise the minimum rate at which carriers must effectively have used the slots allocated from the current

80% to 85% and the minimum number of slots to be requested for the same time on the same day of the week ("slot series") from the current 5 to 15 for the summer season and 10 for the winter season. Most Member States, on the contrary, prefer to **keep the current system**, pointing to the need for flexibility for airlines, notably in order to avoid empty flights being operated only in order to secure entitlement to the slots. However, it will be possible to increase the minimum number of slots required within the framework of local guidelines.

The European Parliament, whose approval is also required for the adoption of the Regulation, has not yet determined its position on the proposal.