

# Common rules for the operation of air services in the Community in view of the COVID-19 pandemic

2020/0069(COD) - 27/05/2020 - Final act

**PURPOSE:** to adopt support measures to mitigate the impact of the COVID-19 pandemic on the EU aviation sector.

**LEGISLATIVE ACT:** Regulation (EU) 2020/696 of the European Parliament and of the Council amending Regulation (EC) No 1008/2008 on common rules for the operation of air services in the Community, in view of the COVID-19 pandemic.

**CONTENT:** the Regulation aims to temporarily amend [Regulation \(EC\) No 1008/2008](#) in order to help airlines and airports to cope with the sharp fall in air traffic caused by the COVID-19 pandemic. Figures published by Eurocontrol indicate a drop of around 90% in air traffic in Europe at the end of March 2020 compared to March 2019. The result is severe liquidity problems for air carriers.

## Air carrier licensing rules

The granting of a temporary licence under Regulation (EC) No 1008/2008 may send a negative signal to the market about the ability of an air carrier to survive, which in turn would aggravate financial problems that would otherwise be temporary.

The Regulation amends the rules for the licensing of air carriers in the event of financial difficulties due to the COVID-19 pandemic, in order to avoid unnecessary administrative burdens for air carriers.

On the basis of assessments carried out between 1 March 2020 and 31 December 2020, the competent licensing authority may decide before the end of that period not to suspend or revoke the operating licence of the Union air carrier, provided that safety is not jeopardised and that there is a realistic prospect of a satisfactory financial recovery within the following 12 months.

## *Emergency measures linked to the COVID-19 pandemic*

The Regulation introduces a derogation from the procedures used by Member States to impose restrictions on traffic rights in order to deal with emergency situations.

This derogation establishes that a Member State may temporarily maintain a justified emergency measure in place for a period longer than 14 days, but that such a measure may only remain in force as long as there are clear public health risks related to the coronavirus pandemic. Such emergency measures shall respect the principles of proportionality and transparency and be based on objective and non-discriminatory criteria.

The Commission shall continuously monitor the situation and present a summary report to the European Parliament and the Council on this matter by 15 November 2020 at the latest.

## *Ground handling services*

At airports where the number of suppliers of ground handling services is limited, suppliers may be selected for a maximum of 7 years. Suppliers for which this period is coming to an end may, consequently, experience difficulties obtaining access to financing.

The Regulation introduces new temporary rules on the provision of ground handling services. The aim is to help airports to continue their activities in the event of the bankruptcy of a ground handling company:

- by introducing a direct procedure for the selection of service providers to provide services for a maximum period of 6 months or until 31 December 2020, and
- by authorising the extension of existing contracts until 2022.

### ***Delegated Acts***

The Commission may adopt delegated acts to extend:

- the period during which the competent licensing authorities may decide not to suspend or revoke operating licences,
- the period during which Member States may refuse, limit or impose conditions on the exercise of traffic rights, and
- the period during which the contracts of suppliers of ground handling services may be prolonged and during which the managing body of the airport may choose a supplier of groundhandling services directly.

ENTRY INTO FORCE: 28.5.2020.