Extension of measures for temporary relief from the slot utilisation rules due to the COVID-19 crisis

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This **Commission Delegated Regulation** amends Council Regulation (EEC) No 95/93 as regards the extension of measures for temporary relief from the slot utilisation rules due to the COVID-19 crisis.

Background

Air traffic levels in the European Economic Area (EEA) were higher in 2021 than in the same weeks of 2020, after the start of the COVID-19 crisis. While the recovery continues, air traffic is not recovering at the same pace in all regions of the world. In a number of countries, restrictive government sanitary measures to mitigate the spread of COVID-19 are still in place. In addition, the evolution of COVID-19 and possible new variants of concern remains uncertain.

According to the Slot Regulation (EEC) No 95/93, air carriers must operate at least 80% of an allocated series of slots or risk losing historical precedence (the so-called 'use-it-or-lose-it' rule). In view of the COVID 19 crisis, the 'use-it-or-lose-it' rule was suspended from 1 March 2020 to 27 March 2021 and was reduced to 50% from 28 March 2021 to 26 March 2022.

Under the Slot Regulation, the Commission is empowered until 21 February 2022 to adopt delegated acts to **extend the period of application of the slot relief rules** in case it finds, on the basis of figures published by Eurocontrol, that the reduction in the level of air traffic as compared to the level in the corresponding period in 2019 is persisting and is likely to persist, and that this situation is the result of the impact of the outbreak of COVID-19.

Further, the Commission is empowered to adopt, where strictly necessary in order to address the evolving impact of the COVID-19 crisis on air traffic levels, delegated acts to **amend the slot use rate** within a range between 30% and 70%.

Despite a continued increase in 2021, EEA air traffic levels remain overall 27% below 2019 levels. Eurocontrol forecasts air traffic for the summer 2022 scheduling period to be between 85% and over 89% of 2019 levels. However, 2019 levels would only be reached at the end of 2023. Therefore, the difference from 2019 air traffic levels is expected to persist over the summer 2022 scheduling period.

However, the overall encouraging signs of a recovery of air transport in the EEA market, the re-opening of important international markets (e.g. the US from November 2021) and the increasing ease of travel in countries that recognise the COVID-19 certificate **justify the increase in the slot use rate to 64%.**

This use rate is below the expected traffic level and thus would still give airlines a reasonable contingency margin in case planned flights would have to be cancelled at short notice.

Content

This delegated Regulation extends the period of application of the slot relief rules to cover the summer 2022 scheduling period from **27 March 2022 to 29 October 2022** and sets a new slot use threshold of 64%.