

Air transport: slots at Community airports and competition (amend. Regulation (EEC) No 95/93)

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PURPOSE: To update and clarify aspects of Regulation 95/93 on common rules for the allocation of slots at Community airports. **CONTENT:** Since the implementation of Regulation 95/93 in 1993 the Commission has continued to monitor and supervise the application for the allocation of slots at Community airports. Frequent discussions with Member States and interested parties, combined with extensive independent research, indicates that aspects of the existing Regulation are in need of revision. In particular, a clarification of legal definitions is required in order to maximise the effectiveness of the Regulation. The proposed amendments therefore seek: - to clarify the legal nature of slots; - to ensure the transparent, neutral and non-discriminatory airport capacity determination; and - to set up slot allocation procedures by legally and factually independent coordinators. Given the sensitive nature of the allocation of airport slots, the Commission does not seek to address market share access in this instance - a report on this challenge will be published in the later half of 2001. Specifically, the Commission recommends the following changes to the current Regulation: - that the role of the coordinator be changed in such a way as to make him/her independent of any stakeholder in the allocation of airport slots; - to clarify the legal nature of slots, whereby slots are allocated as public goods, based on certain rules to the most deserving carrier; - to take environmental factors into account when allocating airport slots. The proposed amendments will permit the introduction of local environmental priority rules provided that they are in conformity with Community law: - to include additional criterion for slot allocation by taking into account the existence of satisfactory service by other modes of transport. - a clarification of transfers and exchanges. In order to allow for transactions to be taken in an efficient way it is proposed that direct transfer of slots between carriers be compatible with competition policy decisions; - to reinforce the definition of "new entrant". - to step up the enforcement of sanctions by awarding coordinators the right to withdraw, for the remainder of the scheduling season, the series of slots affected by incorrect behaviour; - to reject flight plans of airlines when they intend to land and/or take off without having first secured the necessary slots.