

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

2002/0013(COD) - 05/04/2002 - Commission communication on Council's position

The Council has amended the Commission proposal by introducing an explicit reference to slots allocated to air carriers at the date of 11 September 2001 as a date of reference for allocation of slots for the scheduling seasons in 2002, summer 2002 and winter 2002-2003. In the Commission's view, this amendment does not change either the substance or the purpose of the proposal. The date of 11 September 2001 falls clearly within the summer 2001 scheduling season. Slots for this season were already being used on 11 September 2001. Also, at that date, slots had been allocated during the IATA Scheduling Conference (held in June 2001) for the winter 2001-2002 scheduling season. Furthermore, the date for returning slots to the slot pool, 31 August 2001, as provided for in Article 10(4) of the Regulation, had already passed. Therefore, at the date of 11 September 2001, air carriers had already fixed slot portfolios for the winter 2001-2002 scheduling season. Without the exemption from the application of Article 10(3) of the Regulation, air carriers risk losing to the slot pool at the end of summer 2001 and winter 2001-2002 scheduling seasons unused slots during these seasons. Accordingly, air carriers are given the right to claim at the end of the summer 2001 and winter 2001-2002 seasons the same series of slots as they were allocated in the beginning irrespective of their utilisation. For this reason, co-ordinators are required to accept that air carriers be allocated the same series of slots at the beginning of the scheduling seasons in 2002, i.e. summer 2002 and winter 2002-2003. However, given that the exemption covers only the scheduling seasons in 2001, air carriers will have to fully observe the usage requirements of the regulation during 2002 seasons and subsequent seasons, other wise they will not be in a position to establish "grandfather status" at the end of the season. For these reasons, the Commission can support the common position.