

| Basic information | |
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| <p>2020/0358(COD)</p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p> | Procedure completed |
| <p>Temporary relief from the slot utilisation rules at Community airports due to the COVID-19 pandemic</p> <p>Subject</p> <p>3.20.01 Air transport and air freight 3.20.01.01 Air safety</p> <p>Legislative priorities</p> <p>The EU's response to the Covid-19 pandemic</p> | |

| Key players | | | |
|--|--|---------------------|------------------|
| European Parliament | Committee responsible | Rapporteur | Appointed |
| | TRAN Transport and Tourism | | |
| Council of the European Union | | | |
| European Commission | Commission DG | Commissioner | |
| | Mobility and Transport | VĂLEAN Adina | |
| European Economic and Social Committee | | | |
| European Committee of the Regions | | | |

| Key events | | | |
|------------|---|--|-------------------------|
| Date | Event | Reference | Summary |
| 16/12/2020 | Legislative proposal published | COM(2020)0818  | Summary |
| 21/01/2021 | Committee referral announced in Parliament, 1st reading | | |
| 11/02/2021 | Decision by Parliament, 1st reading | T9-0048/2021 | Summary |
| 15/02/2021 | Act adopted by Council after Parliament's 1st reading | | |
| 16/02/2021 | Final act signed | | |
| 16/02/2021 | End of procedure in Parliament | | |
| 19/02/2021 | Final act published in Official Journal | | |

| Technical information |
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| Procedure reference | 2020/0358(COD) |
| Procedure type | COD - Ordinary legislative procedure (ex-codecision procedure) |
| Procedure subtype | Legislation |
| Legislative instrument | Regulation |
| Legal basis | Rules of Procedure EP 170 Treaty on the Functioning of the European Union TFEU 100-p2 |
| Mandatory consultation of other institutions | European Economic and Social Committee European Committee of the Regions |
| Stage reached in procedure | Procedure completed |
| Committee dossier | TRAN/9/04927 |

| Documentation gateway | | | | |
|--|--|--|------------|-------------------------|
| European Parliament | | | | |
| Document type | Committee | Reference | Date | Summary |
| Text adopted by Parliament, 1st reading/single reading | | T9-0048/2021 | 11/02/2021 | Summary |
| Council of the EU | | | | |
| Document type | | Reference | Date | Summary |
| Draft final act | | 00001/2021/LEX | 16/02/2021 | |
| European Commission | | | | |
| Document type | | Reference | Date | Summary |
| Legislative proposal | | COM(2020)0818  | 16/12/2020 | Summary |
| Document attached to the procedure | | SWD(2020)0341  | 16/12/2020 | |
| Commission response to text adopted in plenary | | SP(2021)133 | 23/03/2021 | |
| National parliaments | | | | |
| Document type | Parliament /Chamber | Reference | Date | Summary |
| Contribution | ES_PARLIAMENT | COM(2020)0818 | 19/03/2021 | |
| Contribution | ES_PARLIAMENT | SWD(2020)0341 | 19/03/2021 | |
| Other institutions and bodies | | | | |
| Institution/body | Document type | Reference | Date | Summary |
| EESC | Economic and Social Committee: opinion, report | CES0120/2021 | 27/01/2021 | |

| Additional information | | |
|------------------------|----------|------|
| Source | Document | Date |
| European Commission | EUR-Lex | |

| Final act |
|--|
| Regulation 2021/0250 OJ L 058 19.02.2021, p. 0001 |

Temporary relief from the slot utilisation rules at Community airports due to the COVID-19 pandemic

2020/0358(COD) - 16/12/2020 - Legislative proposal

PURPOSE: to grant aviation stakeholders temporary relief from airport slot use requirements at Community airports for the summer 2021 scheduling season in the context of the COVID-19 pandemic.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: due to the decline in passenger demand caused by the COVID-19 pandemic, air carriers have made major changes to their schedules since 1 March 2020, which have resulted in a slot utilisation rate at coordinated airports falling far below the 80% threshold imposed by the Slot Regulation. This situation is likely to continue to negatively impact air carriers up to and including winter 2024/2025.

For the period starting after more than a year of waiving the 'use-it-or-lose-it' rule (from 1 February 2020 to 27 March 2021), which preserves air carriers' 2019 grandfathered slots until the end of the winter 2021/2022 scheduling season, the Commission proposes to establish a pathway to return to a normal application of the 'use-it-or-lose-it' rule.

The return to normal should not be sudden to avoid destabilising the aviation market to the detriment of air carriers, connectivity, EU consumers, and the environment. It should take place in line with future increases in traffic levels toward 2019 levels or by a stabilisation of air traffic to a new market situation.

CONTENT: the Commission proposes that from the start of the summer 2021 scheduling period, the normal application of the slot utilisation requirements of the Slot Regulation should reapply, but that the rate should be set at 40/60 % instead of 80/20 %.

Relief should be targeted at air carriers whose intention is to operate their grandfathered slots as soon as demand sufficiently recovers and flights are once again economically viable. Consequently, slot series newly allocated to an air carrier for the first time would not be covered by the planned relief.

The proposal foresees a deadline for air carriers to return unwanted slots to the coordinator if they want to benefit from the relief. A deadline of three weeks before the planned operational date for that slot would give airports and other airport service providers visibility on the required capacity and the volume of operations that they are expected to make available adequate infrastructure, facilities and staff.

The proposal also clarifies under what circumstances coordinators could withdraw slots from air carriers.

The Commission could adopt delegated acts to further extend the period during which the relief applies if the COVID-19 pandemic is not resolved and continues to have a negative impact on the air transport sector, including on historical grandfather rights.

Temporary relief from the slot utilisation rules at Community airports due to the COVID-19 pandemic

2020/0358(COD) - 11/02/2021 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 683 votes to 3, with 4 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EEC) No 95/93 as regards temporary relief from the slot utilisation rules at Community airports due to the COVID-19 pandemic.

The proposed regulation aims at introducing specific rules and relief from the general slot utilisation rules for a limited period of time in order to mitigate the effects of the COVID-19 crisis on air traffic.

Parliament adopted its position at first reading in accordance with the ordinary legislative procedure by amending the Commission proposal as follows:

Slot allocation in response to the COVID-19 crisis

Due to the drop in passenger demand caused by the COVID-19 pandemic, the 'use-it-or-lose-it' rule imposed by the Slot Regulation was suspended in March 2020 to prevent airlines from flying empty aircraft during the pandemic. This exemption expires on 27 March 2021.

For the period starting after more than one year of the abandonment of the 'use-it-or-lose-it' rule (1 February 2020 to 27 March 2021), which preserves the 2019 acquired slots of air carriers until the end of the winter 2021/2022 scheduling season, the proposed regulation aims to establish a way to return to a normal application of the 'use-it-or-lose-it' rule.

Thus, with the updated rules, airlines would have to use only 50% of their take-off and landing slots scheduled during the summer of 2021 (instead of the 80% required before the pandemic) in order to be able to retain them for the following season.

In addition, the European Commission could adopt, where strictly necessary to take account of the evolution of the impact of the COVID-19 crisis on air traffic levels, delegated acts to adjust the utilisation rate within a range of 30% to 70%.

Information for the coordinator

Air carriers operating or intending to operate at a schedule facilitated or coordinated airport shall submit to the schedules facilitator or coordinator respectively all relevant information requested by them. In particular, an air carrier should inform the coordinator, at the time of the request for allocation, whether it would benefit from the status of new entrant, in respect of requested slots.

Restrictive measures to combat the spread of COVID-19

The amended text clarifies that the negative consequences of possible measures, adopted by public authorities of Member States or third countries to combat the spread of COVID-19 and to restrict the ability to travel at very short notice, cannot be imputed to air carriers and should be mitigated where they have a significant impact on the viability of travel or the possibility to travel or on demand on the routes concerned.

This should include measures that result in:

- a partial or total closure of the border or airspace or a partial or total closure, or reduction in capacity, of the airports concerned,
- restrictions on airline crew movement significantly hindering the operation of air services, or
- a serious impediment to passengers' ability to travel with any carrier on the route concerned, including travel restrictions, restrictions on movement or quarantine measures in the country or region of destination or restrictions on the availability of direct support services essential to the operation of an air service.

Specific relief from the effects of the imposition of such measures should be of limited duration and, in any event, should not exceed two consecutive scheduling periods.