

SCA/123/20st October 2020

INFORMATION TO ALL CUSTOMERS

Delegated Regulation 2020/1477 of the European Commission dated 14th October 2020 amending Council Regulation 2020/459 of the European Union published 31st March 2020

Based on Regulation 2020/459 of the European Union published on 31st March 2020, the legal base for the so called "waiver of the 80/20 rule" of the EU-Slot Regulation 95/95 the European Commission published a delegated Regulation 2020/1477 on 15th October 2020 to amend Regulation 95/93 as regards the temporary extension of exceptional measures to address the consequences caused by the COVID-19 pandemic.

With Regulation 2020/1477 the "waiver of the 80/20 rule" is extended to all slots allocated between 1st March 2020 and 27th March 2021.

At the same time, the Commission welcomed the application of the common understanding between EUACA, IATA and ACI of certain conditions required to enable a smooth, neutral, transparent and fair extension of the "waiver" and informed the responsible offices at DG Move as the competent aviation authority for the European Union.

SCA will consider W20 slot-series held as per on 31AUG20 (the Historics Baseline Date) as historic, which are based on historic rights resulting from W19-season. This will also apply to Slots allocated for S21 accordingly.

Airlines must hand back slots not intended for utilization as soon as possible, but not later than three (3) weeks prior the planned operation for these slots to be considered as operated in the context of the waiver.

All those slots cancelled less than 3 weeks before the date of operation will be considered as being operated should the circumstances be outside the airline's control and related to the crises. Requests for alleviation on this base should be submitted to SCA as prompt as possible for consideration by SCA.

Airlines stopping or suspending its operation should immediately return the slots allocated to it for the applicable period of the "Slot Waiver Regulation" to the slot pool for reallocation.

All slot-series submitted for W20/S21 with Historic Status Code -N-, -Y-, -B- or -V-, or requested newly after initial coordination will NOT being considered as falling under the "Slot Waiver", i.e. they will not automatically become historic irrespective of being operated or not. Those "new" series will have to meet the regular 80/20 conditions.

SCA will inform each airline, which slots will not fall under the waiver-regulation for, as soon as we have finalized the Baseline for the relevant season.

What does that mean for W20-season (VIE and INN D6/7)?

SCA shall with respect to the 80/20 rule consider all historic slots allocated during the periods mentioned in the relevant "waiver-Regulation" as having been operated by the air carrier to which they had initially been allocated (at HBD).

All "new" slot-series will also get a Baseline, but will be monitored based on the regular 80/20-rule.

Please note that returning slots as soon as possible (this is, immediately once the decision is made not to use a respective slot) is also in the highest interest of other parties in the sector, such as Airports, Air Navigation Service Providers, handling agents, etc.

Slot (re-)allocation and Waitlist:

Due to the fact that cancellations of slots are done as a result of the COVID-19 outbreak with historic rights being covered by the proposed EC waiver for the entire season, after HBD newly requested slots and time changes are handled on an ad hoc basis and are therefore not eligible for historic rights automatically.

Facilitated Airports:

SCA will consider schedules allocated at facilitated airports with priority in the following equivalent season, if these schedules were operated under the conditions of the "Waiver-Regulation" and the conditions mentioned above.

Airlines are asked to update your required timings regularly, as we will make waitlist-checks continuously as soon as capacity becomes available.

As soon as SCA receives formal information about possible changes further changes of the "waiver-regulation" of the European Union we will keep out informed

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