

# Northern Winter 2020 – Non-utilisation of slots at Dubai International Airport in relation to Covid-19

## Introduction

ACL continues to monitor the impact of Covid-19 on the aviation sector and the application of alleviation from the utilisation targets required under the Historic Eligibility Local Rule at Dubai International Airport. Alleviation is considered under Article 8.8 of the Worldwide Airport Slot Guideline (WASG).

In making this decision, ACL has taken account views of major stakeholder including Airlines, Dubai Airport and Airports Council International (ACI) and also considered the wider public interest.

## Alleviation from the utilisation of slots

Slots held at the Hand Back Deadline will be considered as operated when determining the historic eligibility for the subsequent season subject to cancellations complying with the following conditions. (This alleviation will apply to the Northern Winter 2020 scheduling season (25 October 2020 – 27 March 2021).)

## Conditions

1. Slots that carriers are not intending to operate should be returned to the coordinator at least (and ideally well in advance of) four weeks before the date of the planned operation to benefit from alleviation.
2. Alleviation will be considered for slots returned less than four weeks before the planned operation if the circumstances are outside the airlines control and result in it no longer being operationally feasible to operate the service. **For the avoidance of doubt, commercial considerations would not be considered as a reason for alleviation for slots cancelled within four weeks.** In such circumstances the carrier should inform the coordinator as soon as possible. The burden of proof rests with the operator to justify the non-utilisation of the slot.
3. If the 80% usage rate as defined in the Historic Eligibility Local Rule cannot be achieved by a carrier and/or after 20% of the series has passed with no slots in that series being utilised or cancelled the coordinator will remove the slot and place the series of slots in question in the pool for the remainder of the scheduling period.
4. The waiver does not apply to slots newly allocated for the NW20 season. New slots will be allocated on a non historic basis. Should newly allocated slots be operated, ACL will review the eligibility for historic precedence in the subsequent season as per 8.7.1(d) of the WASG.

5. **Slots that are not utilised or returned to the coordinator in advance (subject to the above conditions) will not be granted alleviation.**
6. The waiver will not apply to series of slots of an airline that permanently ceases operations at Dubai International Airport.<sup>1</sup> An airline that ceases operations must immediately return all the slots allocated to it for the remainder of the season and for the next season (if already allocated) and advise the coordinator whether or not it will use the slots in the future. If an airline fails to provide necessary information on its plans by a reasonable deadline date set by the coordinator, then the coordinator may withdraw and reallocate the slots after giving the airline the opportunity to be heard.

### Other Information

- The utilisation targets will be set on or shortly after the HBD (31 August 2020). Carriers should consider the impact of making cancellations in advance of this date and its impact on historic eligibility in subsequent seasons. Please treat the hand back process as you would any other season and if you are unsure, contact ACL in advance of making the cancellations.
- Where substantial changes to schedules are known, carriers should adjust slots as soon as possible but after the HBD.
- Where cancellations are not eligible for alleviation under this guidance, carriers should utilise the 20% afforded to them to maintain the historic eligibility.

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<sup>1</sup> An airline with no intention of operating in NW21 following no utilisation of those slots in the NW20 period