



ACL Guidance – Treatment of Cancellations following SARS-CoV-2 Slot Usage Alleviation

1. PURPOSE

The following paper provides guidance on ACL's treatment of cancellations as Regulatory Authorities grant alleviation from slot utilisation requirement because of SARS-CoV-2 and decisions applying to airports coordinated by ACL.

2. REFERENCES

United Kingdom Secretary of State announcement dated 31 January 2023. SI 2023/000 – The Airports Slot Allocation (Alleviation of Usage Requirements) Regulations 2023.

ACL Guidance on Alleviation for New Zealand as published on the ACL website.

3. APPLICATION OF ALLEVIATION

European Union

Further details of alleviation related to Covid can be found [here](#).

United Kingdom

Northern Winter 2023

The UK Government has announced its intention to amend the UK Slot Regulation to provide alleviation during NW23. Full details of the SI amending the Regulation can be found [here](#).

During Northern Winter 2023, the utilisation target to gain historic entitlement for Northern Winter 2024 will be 80%. This will apply to all allocated slots including newly allocated.

In addition, the UK Government has continued the ability for airlines to return up to 5% of slots held and have them counted as operated to ensure schedules are reliable going into the winter season so that disruption is kept to a minimum. To comply with the Regulation the process to follow is:

1. ACL will calculate the permitted number of cancellations for each airline at coordinated airports after HBD (31 August 2023) and distribute on or as soon as possible after 01 September 2023. For planning purposes, airlines are best placed to know what slots they intend to hold at HBD to make the calculation.
2. The calculation will be based on total slots allocated at HBD
3. Airlines wishing to avail themselves of this provision, must return slots to ACL via a SCR between 01 September 2023 and 14 September 2023 (return window).



Please indicate in the SI that you are claiming alleviations under the 5% DfT provision.

4. Slots returned after 14 September 2023 will be still cancelled, but not counted as operated (unless alleviation is granted under Article 10(4) of the UK Slot Regulation) and will need to be funded by the 20% permitted cancellation under 80/20.
5. Slots cancelled between 01 September 2023 - 14 September 2023 need to have been held in the NW22 season or transferred/exchanged before 31 August 2023 to be eligible for alleviation.
6. Slots returned that were allocated as new in NW23 will **not** be counted as operated and will need to be funded by the 20% permitted cancellation under the 80/20 utilisation rule.
7. It remains for the airline to decide if and which slots to return. Returned slots do not need to be complete series.
8. Airlines taking advantage of this provision should not request new slots or retimes for the Northern Winter 2023 season during the period 1 September 2023 - 21 September 2023. If such a request is made, ACL will not be able to grant alleviation for slots returned during the return window. **For the avoidance of doubt, the submission of a slot request or re-time is sufficient to require ACL to reverse any alleviation granted under this provision.**
9. ACL will manage the waitlist in the normal way as slots are returned to the pool under this provision.

Only the first 5% of slots returned during the return window will be eligible to be counted as operated. Any slots returned above the 5% permitted limit will be cancelled but will count as part of the 20% of cancellations authorised under the 80/20 utilisation rule. It is for the carrier to ensure they remain within the 5% allowance.

As per Northern Summer 2023, to be considered for alleviation under this provision (Art (10(4)(g)) all conditions (i) -(iv) need to be met. Airlines will need to satisfy all four elements for ACL to grant alleviation under this article.

Historic determination will be in accordance with our policy which can be found [here](#).

A flow diagram of how ACL will apply alleviation is included in Appendix 1

Northern Summer 2023

The UK Government has announced its intention to amend the UK Slot Regulation to provide alleviation during NS23. Full details of the SI amending the Regulation can be found [here](#).

During Northern Summer 2023, the utilisation target to gain historic entitlement for Northern Summer 2024 will return to 80%. This will apply to all allocated slots including newly allocated.



In addition, the UK Government has introduced the ability for airlines to return up to 5% of slots held and have them counted as operated to ensure schedules are reliable going into the summer season so that disruption is kept to a minimum. To comply with the Regulation the process to follow is:

1. ACL will calculate the permitted number of cancellations for each airline at coordinated airports at HBD (31 January 2023) and distribute on 01 February 2023. For planning purposes, airlines are best placed to know what slots they intend to hold at HBD to make the calculation.
2. The calculation will be based on total slots allocated at HBD
3. Airlines wishing to avail themselves of this provision, must return slots to ACL via a SCR between 01 February 2023 and 14 February 2023 (return window). Please indicate in the SI that you are claiming alleviations under the 5% DfT provision.
4. Slots returned after 14 February 2023 will be still cancelled, but not counted as operated (unless alleviation is granted under Article 10(4) of the UK Slot Regulation) and will need to be funded by the 20% permitted cancellation under 80/20.
5. Slots cancelled between 01 February 2023 - 14 February 2023 need to have been held in the NS22 season or transferred/exchanged before 31 January 2023 to be eligible for alleviation.
6. Slots returned that were allocated as new in NW23 will **not** be counted as operated and will need to be funded by the 20% permitted cancellation under the 80/20 utilisation rule.
7. It remains for the airline to decide if and which slots to return. Returned slots do not need to be complete series.
8. Airlines taking advantage of this provision should not request new slots or retimes for the Northern Summer 2023 season during the period 1 February 2023 - 21 February 2023. If such a request is made then ACL will not be able to grant alleviation for slots returned during the return window. **For the avoidance of doubt, the submission of a slot request or re-time is sufficient to require ACL to reverse any alleviation granted under this provision.**
9. ACL will manage the waitlist in the normal way as slots are returned to the pool under this provision.

Only the first 5% of slots returned during the return window will be eligible to be counted as operated. Any slots returned above the 5% permitted limit will be cancelled but will count as part of the 20% of cancellations authorised under the 80/20 utilisation rule. It is for the carrier to ensure they remain within the 5% allowance.

As per Northern Winter 2022, to be considered for alleviation under this provision (Art (10(4)(g)) all conditions (i) -(iv) need to be met. Airlines will need to satisfy all four elements for ACL to grant alleviation under this article.

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Dubai International Airport and Kingdom of Saudi Arabia

Airports in Dubai and the Kingdom of Saudi Arabia have returned to standard rules and no alleviation measures related to Covid are in place.

New Zealand Airports

Northern Winter 2023

SCNZ has maintained the alleviation provision for NW23 with a utilisation rate of 80/20 with the ability to seek alleviation under certain limited circumstances. Full details of the provision can be found [here](#).

Northern Summer 2023

SCNZ has amended the alleviation provision for NS23 to return to a 80/20 utilisation target but have amended the ability to seek alleviation under certain limited circumstances. Full details of the provision can be found [here](#).

5. ACL TREATMENT OF CANCELLATIONS

Where alleviation is granted, such alleviation will be based on slots held at the date the results table was created following the hand back deadline. Alleviation will apply where slots are returned by the airline prior to the planned operation and comply with defined conditions where applicable.

The cancelled operation will be counted as if it operated and therefore the use it or lose target set at the hand back deadline remains valid. The number of permitted cancellations will be available to airlines for any period where alleviation has not been granted.

6. HANDING BACK SLOTS

Airlines are required to hand back slots that they seek to claim alleviation for at the earliest opportunity. Slots that are held and are not subsequently operated or returned to the Coordinator outside the conditions detailed in this document will not be granted alleviation as other carriers will have been denied the opportunity to use the available capacity.

7. UTILISATION OF SPARE CAPACITY/REINSTATEMENT OF FLIGHTS

Slots returned to ACL will be placed in the pool and reallocated on an adhoc basis irrespective of series length. Any airline wishing to reinstate flights will be allocated slots based on the available capacity at the time the request is made. Airlines should not assume that the capacity returned will be available for them to utilise.

The baseline will be maintained to reflect the historic position prior to alleviation, however any capacity in the live schedule will be made available for schedule improvements and new adhoc requests.



8. REVIEW

ACL will continue to monitor the situation closely and will adapt our position and amend this guidance if required.

Appendix 1 – NS2023 & NW2023 – UK Alleviation – Application of Article 10(4)(e)/(f)

