

ACL Guidance

Treatment of cancellations during Northern Winter 2023 due to Israel – Gaza Conflict

1. PURPOSE

Due to the current conflict between Israel and Gaza, some airlines have sought alleviation from the utilisation threshold due to security concerns.

The following paper provides guidance on ACL's treatment of cancellations as a direct result of this conflict and is based on the current understanding of the situation.

2. REFERENCES

AIRPORTS SLOT ALLOCATION (AMENDMENT) (EU EXIT) REGULATIONS 2021 OF DECEMBER 2021 amending Council Regulation (EEC) No 95/93 on common rules for the allocation of slots at United Kingdom airports as amended including by EU Regulation 2020/459 of 30 March 2020 and by Commission Delegated Regulation 2020/1477 of 14 October 2020.

Council Regulation (EEC) No 95/93, as amended by Regulation (EC) No 793/2004

3. SCOPE

This paper applies to slots held at HBD to the following airports:
Tel Aviv Ben Gurion Airport (TLV)

4. APPLICATION OF ALLEVIATION

ACL will consider requests for alleviation during the Northern Winter 2023 (NW23) season under Article 10(4)(a) of the relevant Regulation.

As Tel Aviv Airport remains open, ACL will consider requests under bullet three which states:

unforeseeable and unavoidable circumstances outside the air carrier's control leading to:.....

..... serious disturbance of operations at the airports concerned, including those series of slots at other Community airports related to routes which have been affected by such disturbance, during a substantial part of the relevant scheduling period

ACL will determine that the serious disturbance has occurred for a substantial part of the relevant scheduling period if the current circumstances continue for the first four

weeks (29 October 2023 – 25 November 2023) of the NW23 season. Cancellations made during the above period will be alleviated on or shortly after 26 November 2023.

Subject to a continuing serious disturbance beyond 25 November 2023, ACL will provide alleviation through to 30 March 2024, after which, **we will no longer consider the serious disturbance as unforeseen.**

Cancelled operations that are alleviated will be counted as if operated and therefore the use it or lose target set at the hand back deadline remains valid.

5. IMPACT OF CONFLICT OF NEIGHBOURING COUNTRIES

ACL is not currently providing alleviation for slots held for flights to neighbouring countries. Airlines should approach ACL to discuss such situations detailing which article of the Regulation they are seeking to rely upon when making such a request.

6. PROCESS

Airlines should request alleviation when making cancellations.

6. HISTORIC DETERMINATION

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

7. FAILED HISTORICS AT SHL DISTRIBUTION

As per the normal process of agreeing historic entitlement for the subsequent season, airlines have the opportunity make representation to ACL should historic entitlement be lost. ACL will review all requests as it normally does and consider reasons for all slots not contributing to the utilisation target when considering an airlines submission. ACL is however not able to guarantee that any review will result in a failed historic being reinstated.

8. REVIEW

ACL will continue to review the guidance and update as necessary