
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c.16) in order to address failures in retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a), (b) and (g)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations amend legislation in the field of aviation, relating to the allocation of slots at congested airports, to ensure that it operates effectively as part of retained EU law. It amends [Council Regulation \(EEC\) No 95/93](#) on common rules for the allocation of slots at United Kingdom airports (“Regulation 95/93”).

Regulation 3 amends Article 10a of Regulation 95/93. Paragraph 1 of that Article provides that slot coordinators are to consider slots allocated for the period from 1 March 2020 until 27 March 2021 to have been operated by the air carrier to which they were initially allocated. Paragraph 4 of that Article gives the European Commission power to amend this period if the reduction in air traffic persists and is the result of the impact of the Covid-19 pandemic. Regulation 3(3) transfers this power to the Secretary of State.

Regulation 4 replaces Article 12a of Regulation 95/93. Most of Article 12a, in particular the role of European Union institutions, is no longer relevant following the end of the implementation period.

Regulation 5 omits Article 12b of Regulation 95/93, which provided for an urgency procedure for the adoption of legislation by the Commission under Article 10a of that Regulation, as it is no longer relevant following the end of the implementation period.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

An Explanatory Memorandum is published alongside the instrument on the UK legislation website, www.legislation.gov.uk.