



Air Traffic Management and Unmanned Aircraft Act 2021

2021 CHAPTER 12

PART 2

AIR TRAFFIC

12 Airport slot allocation

- (1) [Council Regulation \(EEC\) No 95/93](#) of 18 January 1993 on common rules for the allocation of slots at United Kingdom airports is amended as follows.
- (2) After Article 10a insert—

“Article 10aa

Temporary power to make regulations about airport slot allocation

1. The Secretary of State may by regulations amend or modify this Regulation or the Airports Slot Allocation Regulations 2006 ([S.I. 2006/2665](#)) to make provision about the allocation of airport slots to air carriers in respect of specified periods.
2. The Secretary of State may make regulations under this Article only if the Secretary of State considers that as a result of severe acute respiratory syndrome coronavirus 2—
 - (a) there has been a reduction in the level of air traffic in a period compared to the corresponding period in a relevant previous year, and
 - (b) the reduction is likely to persist.
3. The power to make regulations under this Article may not be exercised—
 - (a) after 24 August 2024, or
 - (b) in respect of a period after the winter season following 24 August 2024.

4. Regulations under this Article may, in particular, make provision—
 - (a) requiring coordinators to consider slots allocated for a specified period as having been operated by the air carrier to which they were initially allocated, subject to any conditions as may be specified in the regulations being met;
 - (b) modifying Articles 8(2), 10(2) and (4) and 14(6) of this Regulation to apply for a specified period as if they contained different percentage figures, subject to any conditions as may be specified in the regulations being met;
 - (c) modifying Article 10(4) of this Regulation to apply for a specified period as if it included additional reasons on the basis of which non-utilisation of slots by an air carrier can be justified;
 - (d) modifying Article 14 of this Regulation to apply for a specified period as if it included a power for the coordinator to withdraw slots from an air carrier for the remainder of a scheduling period where the coordinator determines that the air carrier has ceased its operations at the airport concerned and is no longer able to operate the slots allocated to it;
 - (e) about enforcement of any provision made under this Article, including modifying for a specified period Article 14 of this Regulation or regulations 14 to 19 of the Airports Slot Allocation Regulations 2006;
 - (f) modifying for a specified period any provision of this Regulation relating to the allocation of slots to new entrants (including the definition of new entrant);
 - (g) modifying for a specified period any provision of this Regulation relating to coordination parameters.
 5. In paragraph 2(a) “relevant previous year” means any previous year that the Secretary of State considers appropriate for the purposes of comparing levels of air traffic.”
- (3) In Article 13 (regulations)—
- (a) after paragraph 1 insert—

A statutory instrument containing regulations under Article 10aa may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”;
 - (b) in paragraph 2, for “Regulations” substitute “Any other regulations”.