
GATWICK COORDINATION COMMITTEE

CONSTITUTION
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CONSTITUTION OF THE GATWICK AIRPORT COORDINATION COMMITTEE

1. DEFINITIONS AND INTERPRETATION

1.1 In this constitution the following expressions shall have the following meanings:-

”Air Carrier”	means an air transport undertaking with a valid Operating Licence;
“Airport Operator”	means Gatwick Airport Limited or such other person as shall from time to time be the airport operators of LGW within the meaning of Section 82 of the Civil Aviation Act 1982;
“Air Traffic Control”	means the National Air Traffic Services or such other person as shall from time to time be the provider of air traffic control services at LGW;
“Annual General Meeting”	means the annual general meeting of the Committee;
“Authorised Representative”	means any employee of a Member (or consultant) retained by a member with significant experience of scheduling for the purpose of providing scheduling expertise (a Retained Representative) attending a meeting on behalf of that Member;
“Chairman”	means the Chairman of the Committee;
“Co-ordinator”	means the person responsible for slot allocation and schedule coordination at LGW from time to time with the meaning of Article 4.1 of the Regulation;
“Committee”	means the Gatwick Airport Coordination Committee;
“Extraordinary General Meeting”	means an extraordinary general meeting of the Committee;
“GAL”	means Gatwick Airport Limited;
“IATA”	means the International Air Transport Association;
“IATA Worldwide Scheduling Guidelines”	means the Scheduling Guidelines published by IATA from time to time;
“LGW”	means Gatwick Airport - London;
“Meeting”	means either an Annual General meeting of an Extraordinary General Meeting;
“Member”	means a member recorded in Membership Register of the Gatwick Airport Coordination Committee;
“Membership Register”	means the register maintained in accordance with Clause 4.3;

“New Entrant”	shall have the same meaning as in the Regulation;
“Operating License”	means an authorisation, issued by a legally competent authority responsible, to an undertaking permitting it to carry out carriage by air of passengers mail and/or cargo, as stated in the operating licence, for remuneration and/or hire;
“Regulation”	means Council Regulation (EEC) No 95/93 as amended by Council Regulation 793/2004;
“Scheduling Committee”	means the Gatwick Airport Scheduling Committee;
“Secretary”	means the Secretary of the Committee;
“Slot”	shall have the same meaning as in the Regulation;
“Statutory Instrument”	means the Airports Slot Allocation Regulations 1993 SI 1993 No 1067; [to be updated when known]
”Undertaking”	means any natural person, any legal person whether profit making or not, or any official body whether having its own legal personality or not;

1.2 Reference to legislation or statutory provisions shall where the context so admits or requires be construed as reference to that legislation or those provisions as respectively amended consolidated extended or re-enacted from time to time and shall where the context so admits or requires be construed as including references to the corresponding provisions of any earlier legislation (whether repealed or not) directly or indirectly amended consolidated extended or replaced thereby or re-enacted and shall include any orders regulations instruments or other subordinate legislation made under the relevant statute.

1.3 For the interpretation of this constitution, the Interpretation Act 1978 shall apply as it applies to the interpretation of an Act of Parliament.

2 NAME AND OBJECT

2.1 The name of the Committee is the Gatwick Airport Coordination Committee.

2.2 The object of the Committee is to be the Coordination Committee at Gatwick Airport for the purpose of the Regulation and the Statutory Instrument.

3 PURPOSE AND PRINCIPLES

3.1 The tasks of the Committee shall be to make proposals concerning or advise the Coordinator and/or Member State on:

3.1.1 Possibilities for increasing the capacity of LGW in accordance with Article 3 of the Regulation or for improving its usage;

3.1.2 The coordination parameters to be determined in accordance with Article 6 of the Regulation;

3.1.3 The methods of monitoring the use of allocated Slots;

3.1.4 Local guidelines for allocation of Slots or the monitoring of the use of allocated slots, taking into account, inter alia, possible environmental concerns;

3.1.5 Improvements to traffic conditions prevailing at the airport in question;

3.1.6 Serious problems encountered by New Entrants, as provided for in Article 10(9) of the Regulation;

3.1.7 All questions relating to the capacity of LGW;

The Committee shall also mediate between the parties concerned on complaints on the allocation of slots, as provided for in Article 11 of the Regulation.

3.2 In performing its functions set out in Clause 3.1 the Committee shall have regard to the provisions of the IATA Worldwide Scheduling Guidelines and Community-wide guidelines applicable to LGW and to any local guidelines adopted by the Committee .

4 MEMBERSHIP

- 4.1 The following shall be entitled to be Members of the Committee;
- the Airport Operator
Air Traffic Control
Air Carriers using the Airport regularly or who have expressed interest in the allocation of slots and the co-ordination of schedules at the Airport and the representative organisations of Air Carriers using the Airport regularly.
- 4.2 The Airport Operator, Air Traffic Control, the Air Carriers listed in Schedule 1 and the following representative organisations are Members at the date of the adoption of the Constitution:-
- The Scheduling Committee
General Aviation Manufacturers and Traders Association
IATA Scheduling Procedures Committee
IACA Traffic Committee
- 4.3 There shall be a Register of Members and the Secretary shall enter the names of all the above and of any new Members of the Register;
- 4.4 An Air Carrier which is not on the register of Members and which wishes to be a Member shall apply for membership in writing to the Secretary who shall enter its name on the register of Members if that Carrier uses LGW regularly or if it has expressed an interest in the allocation of slots and the co-ordination of schedules at the Airport;
- 4.5 A representative organisation of Air Carriers which is not on the register of Members and which wishes to be a Member shall apply for membership in writing to the Secretary who shall enter its name on the register of Members if that representative organisation representative Air Carriers using LGW regularly;
- 4.6 A Member shall cease to be a Member if:-
- * it resigns or
 - * it goes into liquidation or
 - * it ceases to use the Airport regularly and has not been to a Meeting for at least twelve months;
- 4.7 The Secretary shall make a note in the register of the names of Members who have ceased to be Members together with the date of such cessation;
- 4.8 The Members shall decide all disputed issues about membership by a majority vote at a Meeting.

5 MEMBERS REPRESENTATIVES

- 5.1 Each Member shall delegate an individual to be its Authorised Representative (“the Authorised Representative”) at Meetings;

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- 5.2 No Member shall be represented by more than one Authorised Representative.
 - 5.3 The Authorised Representative may vary from meeting to meeting but shall be a Member's employee or Retained Representative in the case of GAL and Air Traffic Control. A Member's employee or Retained Representative in the case on an Air Carrier and in the case of a representative organisation shall be an employee or Retained Representative or a member of that organisation;
 - 5.4 In the case of an Air Carrier the Authorised Representative shall where practicable have responsibility for and experience of scheduling and shall preferably be a Member's delegate to the then most recent IATA Scheduling Conference;
 - 5.5 The Authorised Representative of an Air Carrier may bring to a Meeting as observers not more than two other employees or Retained Representatives of that Air Carrier and the Authorised Representative of a representative organisation may bring to a Meeting as observers not more than two representatives of that organisation;
 - 5.6 The Authorised Representative of GAL and Air Traffic Control may each bring to a Meeting as observers not more than three employees of their respective organisations;
 - 5.7 The Committee may invite other persons to its meeting as observers at its discretion;
 - 5.8 Each person at a Meeting shall if requested by the Chairman or the Secretary state the organisation they represent and in what capacity.

6 GENERAL MEETINGS OF THE COMMITTEE

- 6.1 An Annual General Meeting shall be held at least once in each calendar year;
- 6.2 Extraordinary General Meetings may be held as and when business dictates;
- 6.3 Meetings shall generally be held at or near LGW in premises provided by GAL;
- 6.4 The Secretary shall give a least fourteen clear days written notice of Meetings to each Member and to the Coordinator.
- 6.5 Each Annual General Meeting shall elect a Chairman and transact such other business as may from time to time be necessary;
- 6.6 The Chairman or five Members may in writing request a Meeting;
- 6.7 Within five working days of receiving a written request signed by the Chairman or by the Authorised Representatives of a least five Members giving reasons for the request, the Secretary shall call a Meeting;

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- 6.8 If a Meeting is convened the Secretary shall give notice of the Meeting to the Department for Transport;
 - 6.9 The quorum for a Meeting shall be the Authorised Representatives of the Airport Operator and at least five other Members;
 - 6.10 The Committee may receive advice from whomever it wished on any matters under consideration and shall establish such ad hoc rules of procedures as the Members present and voting at a meeting determine provided that such rules are consistent with the constitution.

7 COMPLAINTS AND PROBLEMS FOR NEW ENTRANTS

- 7.1 The Committee may from time to time send to its Members, the Coordinator and other interested parties written procedural requirements approved by a majority of votes at a Meeting and consistent with this Constitution setting out the steps to be followed:-
 - (a) where complaints (“Slot Complaints”) are made about the allocation of slots as provided in Article 11 of the Regulation and
 - (b) where the Committee is required to advise on serious problems for new entrants as provided in Article 10(9) of the Regulation.
- 7.2 Where the Committee is notified of a Slot Complaint it shall not meet to consider the Slot Complaint unless:
 - (a) the complaint has first made a written submission to the Coordinator setting out the reasons for the Slot Complaint and
 - (b) the Coordinator has responded in writing to that submission or has had a reasonable time to do so, and
 - (c) the complainant has not accepted the Coordinator’s response where one has been made
- 7.3 At a Meeting to consider a Slot Complaint the complainant shall be entitled to attend the Meeting even if it is not a Member and (in addition to the Authorised Representatives of Members) the complainant and the Coordinator shall be entitled to address the Meeting;
- 7.4 Slot Complaints and problems for New Entrants will be considered in accordance with the procedures of Schedule 3.
- 7.5 The Committee shall not put any matter to a vote where it is required to give advice on a Slot Complaint or problems for New Entrants but shall ensure any advice given to the Coordinator sets out a fair summary of the feeling of the Meeting and of the views of any Members who dissent from the majority viewpoint.
- 7.6 The Secretary shall notify the complainant, the Department for Transport and the Chairman of the Scheduling Committee of the problems or complaints which remain unresolved after consideration by the Committee.

8 CHAIRMAN AND SECRETARY

- 8.1 The Chairman shall be elected at each Annual General Meeting;
- 8.2 The Chairman shall hold office until the conclusion of the next Annual General Meeting after election and shall be eligible for re-election;
- 8.3 The Secretary shall be an employee of GAL but shall be a different person from GAL's Authorised Representative;
- 8.4 Nominations for Chairman must be made in writing and must be in the hands of the Secretary the day before the Annual General Meeting.

9 VOTING

- 9.1 All questions arising at any meeting except for matters arising under clause 7 shall be decided by a majority of 55% or more the votes of those Members present and entitled to vote at the Meeting;
- 9.2 In the event of a vote there shall always be 1,000 votes and:-
 - the Air Carriers present at the Meeting shall collectively have 800 votes
 - the Airport Operator shall have 100 votes
 - Air Traffic Control shall have 50 votes; and
 - any other organisations present at the meeting shall have 50 votes divided equally between each such organisation present;
- 9.3 The number of votes which each individual Air Carrier may exercise shall be calculated in accordance with Schedule 2 and shall total 800 votes unless the Airport Operator, Air Traffic Control or any other organisation fails to be present in which case their votes will belong to the Air Carriers;
- 9.4 The maximum number of votes for any given Air Carrier will be capped at 40% of the Air Carrier allocation.(32% of the total votes). Any votes allocated to an Air Carrier in accordance with Schedule 1 that are in excess of the cap will be distributed to other Air Carriers present at the Meetings;
- 9.5 In case of an equality of votes the Chairman shall have a casting vote;
- 9.6 Minute books shall be kept by the Committee and a proper record shall be kept of all proceedings resolutions the persons present and the capacity in which they attended the meeting.

10. SUB-COMMITTEES

The Committee may appoint sub-committees.

11. STATUS

The Committee is an unincorporated association.

12. ALTERATIONS TO THE CONSTITUTION

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- 12.1 Any alteration of this Constitution must be approved by at least two thirds of the votes cast at a Meeting specially called for that purpose; where the voting procedures are those set out in Clause 9;
 - 12.2 Written requests for a Meeting to alter the Constitution must be received by the Secretary not less than fifteen clear days before the Meeting at which the alteration is to be considered;
 - 12.3 At least ten clear working days notice in writing of such a Meeting setting out the terms of the alteration to be proposed shall be sent by the Secretary to each Member.

13. **DISSOLUTION**

- 13.1 The Committee cannot be dissolved as long as the Regulation or any regulation replacing it that requires a Coordination Committee at LGW is in force;
- 13.2 If, once the Regulation or any regulation replacing it which requires a Coordination Committee at LGW has ceased to be in force at least two-thirds of those present and voting, in accordance with the procedure set out in Clause 9, at a meeting may resolve to dissolve the Committee, the Committee shall thereupon be dissolved and the members shall have the power to dispose of any assets held by or on behalf of the Committee. Any assets remaining after the satisfaction of any proper debts and liabilities shall be distributed to the members of the Committee who are Air Carriers in equal shares.

14. **COSTS AND EXPENSES**

Whilst European Community legislation requires a Coordination Committee at LGW all reasonable and proper administration premises and catering expenses of the Committee shall be met by GAL.

15. **LANGUAGE**

The meetings of the Coordination Committee shall be conducted in English.

SCHEDULE 1

LIST OF MEMBERS AS AT 19th AUGUST 2015

Adria Airways
Aer Lingus
Air Arabia Maroc
Air Baltic Corporation
Air China Ltd
Air Europa Lineas Aereas
Air Malta Plc
Air One Spa
Air Transat
Alitalia Compagnia Aerea Italiana
Astra Airlines
Aurigny Air Service Ltd
Belavia Belarussia Airlines
BH Air
British Airways Plc
Caribbean Airlines Limited
Croatia Airlines
EasyJet Airline Company Ltd
Emirates
Etihad Airways
Evelop Airlines
Flybe Ltd
Freebird Airlines
Gambia Bird Airlines Ltd
Germania Fluggesellschaft
Icelandair
Iraqi Airways
Meridiana Fly
Monarch Airlines Ltd
Montenegro Airlines
National Air Services (Flynas)
New Livingston
Norwegian Air Shuttle
Nouvelair
Onur Air Tasimacilik
Pegasus Airlines

Royal Air Maroc
Ryanair Limited
Sata International
Small Planet Airlines
Smart Wings (Travel Service Airlines)
T A P Air Portugal
Thomas Cook Airlines Ltd
Thomson Airways Ltd
Tunisair
Turkish Airlines
Ukraine International Airlines
Vietnam Airlines
Virgin Atlantic Airways Ltd
Vueling Airlines
WOWAir

Note: Only airlines operating weekly services from Aug 2015 are included.

SCHEDULE 2

VOTING PROCEDURE - AIR CARRIERS

1. The following procedure shall apply where a vote is required.
2. On 31st March each year the Airport Operator shall calculate the total number of aircraft movements operated at LGW for each Air Carrier in the previous 12 months.
3. Where an Air Carriers vote exceeds 40% of the total Air Carrier vote then that Air Carrier's vote shall be capped to 40%, and therefore 32% of the total member vote. The remaining votes are distributed evenly amongst those Air Carriers eligible to vote at the meeting.
4. An Air Carrier may vote for itself in the election of Chairman.
5. Disputes about voting procedures of the number of votes a Member is entitled to cast shall be settled at the Meeting.

SCHEDULE 3

PROCEDURE IN MEDIATION OVER SLOT COMPLAINTS

1. When a complaint is made in accordance with Clause 7, the Committee will form a Mediation Sub-Committee.
2. The Mediation Sub-Committee shall be chaired by the Chairman of the Coordination Committee and shall consist of the Airport Operator and at least 3, but no more than 5 representatives of the Scheduling Committee. The Secretary of the Coordination Committee shall act as secretary of the Mediation Sub-Committee.
3. No party to the complaint may be a member of the Mediation Sub-Committee. If the Chairman is party to the complaint, then the Sub-Committee shall select an alternative chairman for the meeting.
4. The Mediation Sub-Committee shall meet within one month of receipt of a complaint that has met the requirements of Clause 7.
5. The Mediation Sub-Committee shall try to resolve the problem in accordance with the Regulation, the Worldwide Scheduling Guidelines issued from time to time by IATA, any Community-wide guidelines, and any local scheduling guidelines adopted by the Coordination Committee.
6. The complainant(s) and the Coordinator will have the right to attend and address the meeting.
7. The Sub-Committee shall not put any matter to a vote where it is required to give advice on a Slot Complaint or problems for New Entrants, but shall ensure any advice given to the Coordinator sets out a fair summary of the feeling of the Meeting and of the views of any Members who dissent from the majority viewpoint.
8. The Secretary shall notify the complainant, the Department for Transport and the Chairman of the Scheduling Committee of problems or complaints that remain unresolved after consideration by the Committee.

SCHEDULE 4

GATWICK LOCAL RULE – 1

NOISE QUOTA AND MOVEMENT LIMITS

Night movements at Gatwick are governed by two criteria, the noise quota and the movements limit.

Definitions

For the purpose of administering the Noise Quota and Movements Limit the following definitions will be used.

Movements Limit	the maximum number of occasions on which an aircraft may take off or land.
New Night Operator	any carrier without an allocation of night movements or night quota for a season.
Noise Quota	the maximum permitted sum of the quota counts of all aircraft taking off or landing during any one season in the Night Quota Period.
Night Quota Period	the period from 2330 local time to 0600 local time.
Noise Classification	the noise level band in EPNdB for take off or landing as the case may be for the aircraft in question as specified by NOTAM.
Quota Count	the amount of the quota assigned to one take off or to one landing by the aircraft in question, this number being related to its noise classification as specified by NOTAM.
Pool	a share of the movements and quota made available by the Coordinator to cover new night operators and inevitable unscheduled operations by carriers.

ALLOCATION OF NOISE QUOTA/MOVEMENTS BY VOTING POWER PERCENTAGES

1. The night quota period, the noise quota/movements limit, aircraft exempt from night restrictions and the noise quota classifications of each aircraft type will be as published from time to time by the Department of Transport.
2. In the event that the demand for noise quota/movements exceeds the limits set by the Government at Gatwick Airport, the Voting Power Percentages system will be used as follows:
 - 2.1 Winter season noise quota/movements will be allocated from a special issue of the VPP's on the 1st May using the GAL records from the 1st April the previous year to 31st March of the current year.

2.2 Summer season noise quota/movements will be allocated from the 1st November issue of the VPP's.

3. Distribution of Noise Quota/Movements.

3.1 While there are any limitations to operations at night, noise quota/movements will be allocated to individual airlines as per paragraph 2 if the demand exceeds the limit.

3.2 Formal Allocation

Allocations will be published by the Coordinator on 1st November for the following summer season and on 1st May for the following winter season. The overall timescale will be:

Formal Allocation

<u>Season</u>	<u>Based on</u>	<u>Issued</u>	<u>IATA Schedules Conference</u>
Season	01OCT-30SEP	01NOV	November
Winter	01APR-31MAR	01MAY	June

4. Initial Reallocation of Noise Quota/Movements

On the second Thursday in February for the summer season, and the second Thursday in September for the Winter season, the Coordinator will establish the Planned Demand for noise quota/movements for the appropriate season.

5. Planned Demand

Planned demand for the night period will be in the following curfew periods defined as follows:

Night Quota Period:	2330-0600 local daily
Planned Demand:	2315-0550 local daily for departures 2330-0615 local daily for arrivals

6. Airlines with no Planned Movements

Airlines with no planned requirement for noise quota/movements in the night period at these dates may have their noise quota/movements pooled and redistributed. These airlines, however, should they require noise quota/movements, will be allowed to use noise quota/movements up to their Formal Allocation as per para 3.2 above. This requirement will be met from the Pool.

7. Noise Quota/Movements from the Pool

The pool of noise quota/movements will be not less than 10% of the total noise quota/movements for the airport, or during the season not less than 10% of the noise quota/movements remaining at the time of any redistribution. The size of the pool may be formally changed by the Scheduling Committee before each season.

8. Redistribution of Noise Quota/Movements

The balance of noise quota/movements not allocated to the pool will be distributed to airlines requiring more noise quota/movements than their Formal Allocation. The method of distribution of these noise quota/movements will be as laid down in

paragraph 2 except the proportion of the VPP's will be the VPP's of the airlines requesting extra noise quota/movements. Any allocation of noise quota/movements that are not totally taken up or allocated will be available for redistribution by the same method.

Airlines may request more noise quota/movements if one of the following criteria is met.

- 8.1 The airline's planned requirement is in excess of its allocation.
- 8.2 The airline's planned requirement is within 5% of its allocation.

9. Retention of Unplanned Noise Quota/Movements

No airline shall hold more noise quota/movements than its planned requirement plus 10%. The Coordinator has the right to examine all airlines planned requirements and usage of noise quota/movements and if necessary require the airline(s) to return noise quota/movements in excess of their total planned requirement plus 10% of this total.

10. Exhaustion of the Pool of Noise Quota/Movements

In the event of the pool of noise quota/movements becoming exhausted, the Coordinator will request a voluntary return of noise quota/movements. Should this not be sufficient to satisfy the requirements of the pool, airlines who received additional noise quota/movements as in para 9 will be required to then return noise quota/movements to the pool using the VPP at the time of the allocation. The last noise quota/movements issued being the first to be handed back to replenish the pool.

All airlines will obtain noise quota/movements to the level determined in the Formal Allocation providing there are sufficient noise quota/movements remaining.

11. Exhaustion of Airline Allocation

Should any airline exhaust, or be at risk of exhausting, their allocation, they, or their agents should contact the Coordinator immediately who will, if possible, offer the airline noise quota/movements until a reallocation of noise quota/movements can be administered.

It should be noted that the Coordinator can only assist the airline in difficulties, if the Coordinator believes that the reallocation can take place and the airline requiring noise quota/movements will be entitled to those noise quota/movements on reallocation.

12. New Night Operators at Gatwick

- 12.1 A number of noise quota/movements will be made available to carriers operating during the night period at Gatwick for the first time, and which would not otherwise be entitled to an allocation under VPP.
- 12.2 Airlines instructed to transfer to Gatwick justifiably expect to operate their historical programme without additional constraint. They will, however, have no historical priority for noise quota/movements and they will only obtain an allocation through the procedure outlined in 12.1 above.
- 12.3 Noise Quota (QC's) and night movements will be allocated to such carriers from the pool, with those planned schedules with the lowest QC rating receiving highest priority, to ensure maximum utilisation of available night

movements, but cannot be guaranteed to satisfy that carrier's entire requirement.

13. "A carrier identified by the Coordinator as using its allocated operational movements or QC at a rate that would exhaust its quota before completion of its planned night programme, or is close to running out of quota, may be summoned to a hearing with GAL, ACL and representatives of the Scheduling Committee and advised of the requirement to reschedule to operate within its remaining movement and/or QC allocation."
14. An airline requesting slots in the Night Quota Period will be allocated slots on a provisional basis initially. When the operational allocation of movements and quota counts (QCs) is published or amended, slot requests during the night quota period will only be confirmed if a carrier holds sufficient movements and QCs to sustain its planned schedule.

GATWICK LOCAL RULE – 2

Before applying these Local Rules, the Coordinator will give the air carrier concerned an opportunity to make representations. In the event of disagreement between the air carrier and Coordinator, the air carrier may request mediation by the Slot Performance Committee.

A) Objective: To reduce slot wastage arising from air carriers returning surplus series of slots late in the coordination process

All surplus slots must be returned to the Coordinator for reallocation as soon as possible, and no later than the slot return deadline dates of 31 January (summer) and 31 August (winter). Cancellations after these dates count towards the use-it-or-lose-it rule utilisation rate (Article 10.3).

The return of surplus series of slots after the end of February (summer) or the end of September (winter) or more than one month after the date of allocation, whichever is later, will be considered an abuse of the coordination system in accordance with paragraph 6.10.7 of the IATA Worldwide Scheduling Guidelines.

Such late return of slots will result in future slots requests by that air carrier receiving lower priority. The reduction in priority will be proportionate to the timing, volume and types of slots returned. The lower priority may thus apply to particular time periods, days-of-week, or more generally.

B) Objective: To prevent air carriers from fundamentally changing the basis upon which new slots were allocated

Reductions in either the effective period of operation or total seat capacity of a newly allocated series of slots by 50% or more after the time of allocation, whilst still retaining a recognisable series of slots, will be considered an abuse of the coordination system.

Such abuse will result in future slots requests by that air carrier receiving lower priority. The reduction in priority will be proportionate to the timing, volume and types of slots changed after initial allocation. The lower priority may thus apply to particular time periods, days-of-week, or more generally.

C) Objective: To encourage the cancellation of surplus slots, even at short notice, for reallocation on an ad hoc basis.

The persistent failure to operate a slot without cancelling in advance where it is practical to do so will result in future slots requests by that air carrier receiving lower priority. The reduction in priority will be proportionate to the timing, volume and types of slots returned. The lower priority may thus apply to particular time periods, days-of-week, or more generally.

Appendix 1

INTERPRETATION OF GATWICK LOCAL RULE 2 - PARTS B, C AND D

This document sets out guidelines on how the Coordinator will apply the sanction of lower priority to air carriers found to have contravened this Local Rule.

Where a series of slots allocated on the basis of historic precedence is returned the coordination process (in contravention of Local Rule 2 – Part A), the Coordinator may determine that the loss of historic precedence is itself sufficient sanction.

Once an abuse of the coordination system by an air carrier has been established in accordance with Parts A, B, or C, the Coordinator will notify the air carrier in writing that its future slot requests will receive lower priority and of the sanction period.

Lower priority means that the Coordinator will give preference to competing slot requests from other air carriers during the sanction period where it is feasible and practical to do so.

Lower priority will apply to all requests made by the air carrier for the allocation of new series of slots from the pool during the sanction period.

The sanction period will be determined by the Coordination in accordance with the following guidelines:

1. *Season*
Lower priority will apply for the duration of one scheduling season. This will be the next equivalent season following the abuse.
2. *Day(s) of Week*
Lower priority will apply to future slot requests on the same day(s) of week as the series of slots that were the subject of abuse. Where slots at similar times on 5 or more days of week were subject to abuse, the sanction will apply on a daily basis.
3. *Time Periods*
Lower priority will apply to future slot requests within the same clock hour of slot time that was the subject of abuse. Where two series of slots in the same hour were the subject of abuse, lower priority will also apply for one additional clock hour earlier and later; for three series of slots, for two additional clock hours, etc.
4. *Substitution Provisions*
 - a) Where the airline does not request slots from the pool during the time period for which lower priority applies, lower priority will apply during the nearest time period for which requests are made
 - b) Where the airline does not request slots from the pool on the day of week for which lower priority applies, lower priority will apply on an alternative day of week for which requests are made.

GATWICK LOCAL RULE 3

GATWICK PROCEDURES FOR URGENT OR TIME CRITICAL OPERATIONS

1. By virtue of Article 2(g) of the Slot Regulation, the types of operation described in this paragraph may operate at a coordinated airport without a slot allocated by the Coordinator. With the exception of emergency landings, operators of such flights must apply to the Coordinator in advance and provide all necessary information to determine the flight's status. The Coordinator will allocate an available slot to these flights, where possible, to ensure that airport operations are not prejudiced.

a) State Flights

The Queen's Flight and flights carrying Government Ministers or visiting Heads of State or dignitaries from abroad on an official visit, as confirmed by the Foreign and Commonwealth Office.

b) Emergency Landings

Diversions or Quick Returns after takeoff and police emergencies. Emergency landings must be notified to the Coordinator as soon as possible after the event for monitoring purposes.

c) Humanitarian Flights

Medical Emergencies, Donor Flights, Search and Rescue, Air Ambulance flights where the condition of the patient is urgent or acute.

2. In addition to the types of operation listed in paragraph 1, there are some types of operation that by their nature are urgent or time critical. All such flights require a slot allocated in advance by the Coordinator. To accommodate these types of operation the coordinator may 'overbook' the normal coordination parameters having taken into account the congestion likely to occur and the overall capacity situation. These types of operation are:

a) Technical Flights

Radar and ILS calibration flights, Air Tests limited to daylight hours for technical reasons and where no feasible slots are available.

b) Recovery Flights

Departures to continue a planned commercial service with passengers aboard on the same day following a Diversion or Quick Return.

Positioning flights to replace an unserviceable aircraft or other unforeseeable schedule disruption (eg, severe weather) and resume a planned commercial passenger service, limited to the following circumstances:

- Inbound positioning to recover a planned Gatwick departure service
- Outbound positioning to recover a Gatwick-based air carrier's own service
- The return of a Gatwick-based recovery aircraft to resume planned operations

Overbooking will not be considered in circumstances such as:

- Outbound positioning to recover another air carrier's service, ie, a sub-charter
- Positioning to replace an aircraft undergoing planned maintenance, including instances of a maintenance overrun
- Any planned positioning of an aircraft

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3. Where flights are accommodated in accordance with paragraphs 1 or 2 of these procedures, the Coordinator may block a nearby vacant slot, if available, to ensure that airport operations are not prejudiced.
 4. In the event of suspected abuse of these procedures, the Coordinator will contact the air carrier concerned for an explanation. If the explanation is inadequate, unacceptable, or not forthcoming then the Coordinator may suspend the operator from access to these overbooking arrangements for a set period of time. In the case of disagreement, the air carrier or Coordinator may request mediation by the Slot Performance Committee.
 5. These procedures shall be subject to review within 12 months from their adoption.

Appendix 1

INTERPRETATION OF GATWICK LOCAL RULE 3 – PART 2b

This document sets out guidelines on how the Coordinator and GAL will interpret the definition of Gatwick Based, as used in part 2b of local rule 3.

A Gatwick based carrier is defined as a carrier with aircraft and crew contractually based at Gatwick airport.

As of August 2014 carriers that meet this definition are:

Aer Lingus
British Airways
EasyJet Airline Company Ltd
Monarch Airlines Ltd
Norwegian Air Shuttle
TAP Air Portugal
Thomas Cook Airways Ltd
Thomson Airline Ltd
Virgin Atlantic

LOCAL RULE 4

SANCTIONS AGAINST THE LATE HANDBACK OF SLOTS

1. INTRODUCTION

The IATA Worldwide Scheduling Guidelines, paragraph 6.10.3 *Holding and Returning of Slots* states:

Airlines must not hold slots which they do not intend to operate, transfer or exchange, as this could prevent other airlines from obtaining slots. In this context “operate” includes participation in a shared operation.

If an airline becomes aware that for whatever reason it may not be able to use a slot, or series of slots, the airline must immediately advise the coordinator, and return any slots it knows it will not use. Even at very short notice, returned slots can often be reallocated for ad-hoc use. Airlines should maintain a dialogue with the coordinator in such circumstances.

*In particular, series of slots that an airline does not intend to operate must be returned no later than the IATA Slot Handback Deadline dates of 15 January (summer) and 15 August (winter). To avoid fragmentation of schedules at the time of the Slot Handback Deadline, public holiday cancellations should, ideally, be made **after** 15 January (summer) and 15 August (winter), but **before** the start of the use it or lose it calculation on 31 January (summer) and 31 August (winter).*

Airlines that intentionally hold on to slots and return them after the IATA Slot Handback Deadline will be given lower priority by the coordinator for the next equivalent scheduling period. [emphasis added]

This document sets out how the coordinator will apply the sanction of lower priority.

2. APPLICATION OF LOWER PRIORITY

- 2.1 Where the coordinator deems that an airline has returned, or continues to hold, slots after the IATA Slot Handback Deadline in breach of the provisions of WSG para 6.10.3, he will contact the air carrier concerned and give it an opportunity to demonstrate to the satisfaction of the coordinator that the slots had not been intentionally held after the deadline date. The air carrier must demonstrate that the failure to return the slots in a timely manner was due exceptional circumstances beyond its reasonable control.
- 2.2 For the purposes of para 2.1, the coordinator will give the air carrier a reasonable time period to respond, typically 5 business days.

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- 2.3 The coordinator may seek the advice of the Gatwick Airport Scheduling Committee Executive (the Exec) in evaluating any information provided by an air carrier under para 2.1. If the coordinator decides to apply the sanction of lower priority and the air carrier disagrees, then the air carrier concerned may request mediation by the Exec. The Exec will convene a mediation meeting within 3 weeks of such a request. Both the coordinator and air carrier concerned are entitled to attend the mediation meeting. No party may be represented by legal counsel. The coordinator will take account of the advice of the Exec in taking a final decision on the matter.
- 2.4 The sanction of lower priority will be applied at the next suitable opportunity. Typically this will be during the initial coordination of the next scheduling period or next equivalent scheduling period, as the coordinator deems appropriate, where the air carrier concerned makes requests for new or retimed slots. If the air carrier does not request new or retimed slots for this scheduling period, then the coordinator may defer application of the sanction to a future scheduling period.
- 2.5 Where the sanction of lower priority is applied, the coordinator shall:
- a) Defer consideration of new slot requests made by the air carrier concerned until after the allocation of slots to all other air carriers during the initial allocation of slots for the scheduling period; and
 - b) Not accept any requests to retime slots by the air carrier concerned unless such retimes would improve the slots available to other air carriers.