

Below please find the Cityjet response in relation to the questions asked by the Commission in related to Changes to the Guidelines for the Administration of Slot Sanctions against slot misuse in Ireland.

QUESTION

The imposition of a fine for each instance of a movement at a time significantly different from the allocated slot, once a body of evidence is built up which demonstrated that the behaviour is repeated and intentional as required by the 2013 Statutory Instrument.

RESPONSE

4.4.1 / 4.4.2 /6.2 : This was our understanding from the implementation of this policy.

It must be noted that a problem with an inbound slot will automatically have a knock onto the remaining departures and arrivals that day and carriers should not be penalised for same and should not be seen as a repeated offence.

QUESTION

The removal of the six month element from the definition of repeatedly thereby allowing behaviour in previous seasons to be considered when assessing the appropriate treatment.

RESPONSE

Cityjet disagree with this as circumstances change each season for each individual carrier and albeit carriers may experience the same problem, the circumstances and reasons for this may change each season and classed as repeated. This is also unfair to legacy carriers who do not operate seasonally or provide ad hoc services at Dublin.

QUESTION

Provision for the publication of the details related to Uncontested Sanctions by the Commission/ and or the coordinator.

RESPONSE

Cityjet agree that both parties will be required to publish these results internally for reporting reasons. In turn the generic details given to the relevant coordination committees. The release of sanction details can lead to misinterpretation by external parties and in turn the industry overall. In our opinion can be detrimental to the commercial image of the companies involved. This has been shown to be ineffective elsewhere e.g. Revenue's quarterly tax defaulter list has no effect on tax default statistics. The number of stakeholders in the industry is relatively small and what affects one badly will affect all.

QUESTION

A change in the definition of “Intentionality” with a view to making this easier to demonstrate that is currently the case.

RESPONSE

The coordinator historically, makes a call as to the carrier’s intention in handling this issue. Coordination have claimed that if an action was similar, their claim is that it is intentional and repeated. A similar action can have various causes and this in no circumstances means this is repeated or intentional and a redefinition of this wording is welcomed.

Additional Comments on proposed changes :

Item 1

3.6 (a) I agree to remove flight plan as from time to time over busy periods flight plans are adjusted and may not remain the same through the operating period of a route.

Item 2

Cityjet would disagree with the non- specific wording on the following :

All carriers plan their slots to their planned fleet and due to circumstances beyond our control this may change throughout the season and can have an impact on the operator’s schedule. All carriers should be able to prove same. However “sufficient to show” may be a little ambiguous in its understanding from one carrier to another and likewise with the airports coordinator.