

07th July 2017

Commission for Aviation Regulation
Alexandra House
Earlsfort Terrace
Dublin 2
D02 W773

RE: RESPONSE TO CONSULTATION ON REVISING THE SLOT SANCTION SCHEME IMPLEMENTATION GUIDELINES AT DUBLIN AIRPORT

Dear Commissioner,

In relation to the above, please find attached Stobart Air's submission on the consultation. A hard copy will follow by post.

Yours faithfully

Ciarán Smith
Network Development Manager

SUBMISSION OF STOBART AIR ON THE CONSULTATION ON REVISING THE SLOT SANCTION IMPLEMENTATION GUIDELINES AT DUBLIN AIRPORT

Stobart Air welcomes the opportunity to participate in the above consultation process initiated by the Commission for Aviation Regulation. Stobart Air is fully supportive and engaging of The European Communities Regulations 2013, Statutory instrument No 460 of 2013, which took effect on 6 December 2013 (the “Irish Regulation”). This Regulation ensures that the coordination process at Dublin Airport works in an efficient and proper manner in line with International best practice.

As invited in the consultation document, these are the views of Stobart Air on the consultation questions.

Q1 Do you agree or disagree with the proposed changes? Why?

Change 1: 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 demonstrates that the behavior is repeated and intentional as required by the 2013 Statutory Instrument

While Regulation 3(1) of the Irish Regulation clearly sets out the types of slot misuse, there is some ambiguity as to what parameters are taken into account to build a body of evidence which demonstrates that the behavior is repeated and intentional. Stobart Air believe that this ambiguity needs to be addressed before this proposed change is brought into effect.

Change 2: The removal of the six month element from the definition of ‘repeatedly’, thereby allowing behavior in the previous seasons to be considered when assessing the appropriate treatment of an incident of slot misuse.

Stobart Air believe that the six month element for the definition of ‘repeatedly’ should remain for two reasons.

- The six month element is present in the Misuse of Slots Enforcement Code used at Coordinated Airports in the UK. Stobart Air believe that the Sanctions Against Slot Misuse in Ireland should align with the UK counterpart.
- All slot coordination is based on the IATA scheduling calendar which is made up of a Summer and Winter season. Airline schedule planning is done independently of the previous adjacent season and removing the 6 month element would not markedly alter the appropriate treatment of an incident of slot misuse.

Change 3: Provision for the publication of details related to Uncontested Sanctions by the Commission and/or the coordinator.

Stobart Air are in agreement with this change. The publication of details will act as a deterrent to carriers and further underpin Statutory Instrument No 460 of 2013 which requires Member States to ensure that effective, proportionate and dissuasive sanctions or equivalent measures are available to deal with repeated and intentional slot misuse.

Change 4: A change in the definition of 'Intentionality', with a view to making this easier to demonstrate than is currently the case.

Stobart Air believe that the current wording used in the guidelines is sufficient and provides adequate scope to meets the needs for the administration of slot sanctions against slot misuse in Ireland.

Q2 Having regard to the Statutory Instrument upon which the Slot Sanction Scheme is based, do you have any other suggested amendments to the guidelines?

At this time Stobart Air see no further requirement for amendments to the guidelines. The guidelines are based on International best practice and remain in line with other EU Member States.