

## **INTERPRETATION OF JUSTIFIED NON-UTILISATION OF SLOTS**

### **WASG SECTION 8.8.**

**July 2025**

#### **PURPOSE**

This document aims to provide guidance to slot coordinators in the interpretation of justified non- utilisation of slots to achieve greater consistency in its application. It does not consider local laws or guidelines which may take precedence when considering requests for alleviation nor does it claim to be exhaustive.

#### **REFERENCES**

Worldwide Airport Slot Guidelines (WASG), Section 8.8 Justified non-utilisation of slots.

#### **PREAMBLE**

Historic precedence is only granted for a series of slots if the airline can demonstrate to the satisfaction of the coordinator that the series was operated at least 80% of the time during the period allocated in the previous equivalent season. (WASG 8.6.1)

All cancellations made after the Historic Baseline Date (HBD) are considered as non-utilisation of the series of slots in the 80% usage calculation unless the non-utilisation is justified based on the provisions of 8.8. (WASG 8.7.3.1)

For a consistent, transparent, and comprehensible application of the relevant provisions, it is strongly advised that, where needed, Coordinators enter dialogue with the air carriers concerned, e.g. to request additional information. Depending on the circumstances of the individual case, the coordinator shall also exchange with other stakeholders, such as the airport managing body, the air navigation services provider (ANSP), the competent authority or other Coordinators.

When assessing requests for alleviation, both ends of the route should be considered.

**RECOMMENDATIONS: INTERRUPTION OF THE AIR SERVICES OF THE AIRLINE DUE TO UNFORESEEABLE AND UNAVOIDABLE CAUSES OUTSIDE THE AIRLINE'S CONTROL, FOR EXAMPLE A CLOSURE OF AN AIRPORT OR AIRSPACE OR SEVERE WEATHER (WASG 8.8.1(A))**

**1.1. Closure of an airport**

- 1.1.1. The closure of an airport can be either a total or a partial closure where it is not possible to deliver a material element of the declared and allocated capacity in the given period.
- 1.1.2. The total or partial closure can be due to either planned events or unplanned events.
- 1.1.3. Examples for planned events are runway works, restructuring airport equipment or facilities, lack of security employees to deliver the terminal declared capacity.
- 1.1.4. Examples for unplanned events are extreme weather conditions, "acts of mother nature", military conflict, acts of terrorism or sabotage, loss of runway, total or partial terminal/apron closure or evacuation.
- 1.1.5. Consequences of the airport closure should be evaluated by the coordinator at the other end of the route.
- 1.1.6. In case of planned capacity reductions, those cancellations made in anticipation of the event at the request of the coordinator, or the relevant authority should be considered as justified when evaluating the non-utilisation of slots.
- 1.1.7. In case of capacity reductions resulting in cancellations for a prolonged period, the subsequent cancellations during a reasonable period following the opening, partial or total, should also be considered for alleviation. Such a reasonable period should be discussed between the air carrier and the coordinator, considering the details of the event. In this regard, a transparent dialogue and exchange of information with the air carriers concerned and the airport managing body is highly advised.
- 1.1.8. Air carriers should explore alternative routings if the airport at the other end of the route is disrupted for a prolonged period and, wherever feasible, amend its slots accordingly. The coordinator should be flexible if revised slot times are required because of changed routings within the available capacity of the airport.

**1.2. Closure of an airspace**

- 1.2.1. The closure of an airspace can be either a total or a partial closure. where it is not possible to deliver a material element of the declared and allocated capacity in the given period.
- 1.2.2. The total or partial closure can be due to either planned events or unplanned events.

### 1.3. Grounding of the aircraft type generally used

- 1.3.1. The grounding must be decided and implemented either by the manufacturer of the aircraft or of the engine or by the competent authority (e.g. Civil Aviation Authority, FAA, EASA), usually in the form of an issued Airworthiness Directive or other relevant documentation.
- 1.3.2. Unexpected and mandated maintenance, modification or inspection work on an aircraft type (or engine type), imposed on the air carrier by the manufacturer or by the competent authority that is required to take place before the aircraft can return to full airworthiness. Such alleviation does not apply where an individual carrier has been grounded due to failure on its part to comply with appropriate safety and maintenance requirements. For the avoidance of doubt routine maintenance and a one-time repair of an aircraft or engine should not be considered a case for JNUS.
- 1.3.3. To allow air carriers a certain flexibility to mitigate the impact of such grounding, also consequential impact resulting from the grounding should be considered as JNUS. However, the burden of proof that the consequential impact is a result of the grounding of that particular aircraft or engine type rests with the air carrier.

### 1.4. Serious disturbance at an airport<sup>1</sup>

- 1.4.1. An example of a serious disturbance is the failure of a system critical to ATC or airport operations, for instance, an ATC IT outage or a fuel system malfunction preventing aircraft from refuelling (on time). The coordinator decides after having a dialogue with the stakeholders concerned if an event is regarded as a serious disturbance of operations. Depending on the circumstances, such alleviation is time limited, and the period of alleviation is decided by the coordinator after having a dialogue with the air carrier concerned.
- 1.4.2. Extraordinary state or health authority restrictions or guidance, including travel warnings/advisory, limited to the longer of (i) the season in which the circumstances occurred or (ii) 3 months for slots at a base airport and 6 months for slots at outstation, from the point restrictions are imposed. Airlines should return slots for reallocation as soon as practically possible.

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<sup>1</sup> 8.8.1 a) reads “for example”. Therefore, next to a closure of an airport or airspace or severe weather also other interruptions of air services can be treated as reasons for JNUS if unforeseeable and unavoidable and outside the airline’s control.

**2. *Recommendations: Action intended to affect these services that prevents the airline from carrying out operations as planned – for example, industrial action or strikes.***  
**(WASG 8.8.1(b))**

- 2.1. Internal strikes which have been formally announced or declared (e.g. by a recognised Union following a ballot process) should be considered, if possible, within the local regulation, for alleviation (though not staff 'working to rule', unless this action has been publicly declared).
- 2.2. External strikes by critical services (e.g. ATC, customs and immigration, aircraft manufacturers and any other critical service provider at the airport) that directly prevent that airline's operation.
- 2.3. The withdrawal or suspension of traffic rights because of bilateral disputes, limited to the longer of (i) the season in which the circumstances occurred or (ii) 3 months for slots at a base airport and 6 months for slots at outstation, from the point restrictions are imposed. Airlines should return slots for reallocation as soon as practically possible.
- 2.4. Acts or threats of terrorism and acts of sabotage, including external cyber-attacks, against the airline or airport.

**3. Cases which should not be considered as justified non-utilisation of slots**

- 3.1. Cancellations due to public holidays unless the holiday is declared post SRD resulting in the closure or partial closure of an airport.
- 3.2. On-the-day technical/mechanical cancellations within the airline's control (e.g. one-time repairs/ AOG).
- 3.3. Commercial cancellations within the airline's discretion.
- 3.4. Cancellations to avoid infringements of curfew/night curfew restrictions.
- 3.5. Late delivery of aircraft.
- 3.6. Air Bridge breakdown.
- 3.7. Lack of parking stands.
- 3.8. Lack of operational crew.
- 3.9. Lack of standby aircraft.
- 3.10. Late return of aircraft from maintenance
- 3.11. ATC slot restrictions.
- 3.12. Infeasible schedules.
- 3.13. Religious festivals such as Ramadan, Easter, Christmas, etc.
- 3.14. Tour operators ceasing trading.
- 3.15. Tour operators' hotels not being ready.

**4. General Principles**

- 4.1. In all cases, the alleviation should be time limited, giving the air carrier concerned a reasonable period to find solutions and/or alternatives to utilise the slots as soon as possible. Such a reasonable period is decided by the coordinator after

having a dialogue with the air carrier concerned, considering all the information available from other interested parties (e.g. the airport managing body, ANSP, the licensing authority, etc.).

- 4.2. WWACG recommends to carefully consider and evaluate the circumstance of the individual case. Moreover, in all cases the coordinator should be flexible regarding the reactionary and rotational cancellations and delays arising from the disruptions outlined above which may affect many other flights on the same day. In this regard, air carriers should provide the coordinator with information demonstrating that the consequential impact is directly a result of the event/action should it be requested by the coordinator.

## **5. Implementation**

Effective management of JNUS circumstances requires timely and open communication between air carriers, coordinators and airport/ATC authorities (as required).

The air carrier concerned is highly encouraged to contact the Coordinator and request alleviation from the 80/20 rule as early as possible (i.e. as soon as the non-utilisation of the slot can be anticipated or, alternatively, as soon as possible after the non-utilisation or disruption has occurred), and to discuss how the Coordinator intends to treat the historic rights for the affected services, so that there can be certainty about the process. Air carriers must make their requests for JNUS at the latest before SHLs are sent out to advise the coordinator.

Slots made available by circumstances justified under this provision may be reallocated to other air carriers on a non-historic basis.

## **6. Cooperation between WWACG members**

To as far as possible harmonise the application of JNUS among WWACG members, Coordinators should regularly exchange information and strive for a high level of cooperation. It is recommended that WWACG members follow the application of JNUS as informed and applied by the coordinator in charge of the respective airport whenever this application appears plausible.