

## Appendix B

### Transitional regulations Frankfurt / Main Airport (FRA)<sup>1</sup>

#### **A Scheduling season Winter 2010/2011 and Summer 2011**

##### 1.1. Historical rights within the framework of the night flight regulations for the scheduling season Winter 2010/11 and Summer 2011

The Planning approval ruling for Frankfurt / Main Airport (FRA) (PF 66 p-V-) from 18.12.2007 restricts the previous night flight capacities for the scheduling season Winter 2010/11 and Summer 2011. For this reason, no rights to a reallocation of the previous slots (historical rights) pursuant to Art 8 Par. 2 EU Reg. No. 95/93 for the newly regulated periods of time ( night flight regulations<sup>2</sup>) will be acquired from the respective comparable past season for the scheduling season Winter 2011/12 and Summer 2012. Insofar, however, as previous slots can be allocated to an airline again under the new legal conditions, it is intended to do so and this will be announced through the so-called Slot Historical List.

##### 1.2. Replacement for previous flights in the period 23.00 – 5.00 hrs

Airlines will be taken into account anew from the capacity flowing into the slot pool, if they flew regularly in the period from 23.00 to 5.00 hrs in the comparable previous season Winter 2010/11 and Summer 2011 and could no longer be taken into consideration on account of the new regulations for the core night in accordance with subsection 1.3. Appendix A (cf. PFB 4.1.2.).

#### **B Scheduling season Winter 2011/12 and Summer 2012**

##### 2.1. Reservation with respect to the ruling of the Federal Administrative Court

For the case that the capacity regulations of the Planning Approval Ruling (cf. A Injunctive Part II Air Traffic Restrictions and Airport Operating Regulations) within the framework of the ruling of the Federal Administrative Court are modified once again, Airport Coordination Germany reserves the right to a renewed decision on the allocation of slots on the basis of the new regulations of the Federal Administrative Court for the scheduling season Winter 2011/12 as well as Summer 2012.

For this reason

- a) the revocation of already allocated slots (slot licence) for the periods of time concerned ( night flight regulations) before the beginning of and during the current scheduling season Winter 2011/12 and Summer 2012 remains reserved, and also
- b) the acquisition of historical rights for slots in these periods of time, thus the right to reallocation for the following comparable scheduling season Winter 2012/13 and Summer 2013 pursuant to Art 8 Par. 2 EU Reg. 95/93, is excluded

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<sup>1</sup> Times are local times

<sup>2</sup> Cf. Annex with an overview of the night flight regulations

For the case that a ruling of the last instance is still not to hand by April 2012, the allocation of slots for the winter season 2012/13 shall be made under the same reservation and the acquisition of historical rights shall remain restricted.

## 2.2. Substitute for flights for which the time slots were withdrawn

2.2.1. In the case of a reduction in the number of slots, the period of time, or of a modification of the special status prerequisites on the basis of the ruling of the Federal Administrative Court, insofar as this does not contradict the regulations of the Federal Administrative Court, in this sequence

- freight flights and mail flights with home base status
- passenger flights by airlines with home base status and
- other flights by airlines

whose already allocated slots, are revoked for this reason, shall be entitled to receive slots anew as a substitute.

2.2.2. Flights, which fulfil the prerequisites under subsection 2.2.1, will – so far as this is possible by the time of the dispatch of the Slot Allocation List – be taken into consideration anew from the capacity that has flowed into the slot pool.

## **C Selection criteria**

3. The necessary selection in the subsequent allocation of slots pursuant to subsection 2.2.2 shall take place in accordance with the principles of the Guideline on the Allocation of Slots available to a Limited Extent at German Co-ordinated Airports v. [www.fhkd.org/news&infos](http://www.fhkd.org/news&infos)

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