

## Appendix D

### A Scheduling season Summer 2011/Summer 2012, Winter 2011/2012 and Winter 2012/2013

#### Historical Rights Berlin-Brandenburg Airport (BER)

With the opening of Berlin-Brandenburg Airport (BER) on 03.06.2012 the present Berlin traffic system will be disbanded and the existing traffic situation will be transferred to the new BER Airport.

As long as the new capacity conditions allow it, the intention is to allocate to the airlines the slots that they previously held. In individual cases, changed prevailing conditions can make adjustments necessary. However, for technical procedural reasons, the application for and coordination of slots are intended to take place with the already standard IATA Procedures for Historical Rights for SXF and TXL.

In addition to this, the capacity regulations of the supplementary plan resolution from 20.10.2009 (cf. "Noise Prevention Concept BBI" for the project "Extension Berlin-Schönefeld Airport" Section A Direction Chapter I.1. Air Traffic Regulations) provide for restrictions on the present night flight rules of the Berlin Traffic System as of 3<sup>rd</sup> June 2012. The acquisition of Historical Rights in the periods of time<sup>1</sup> covered by the night flight regulations is therefore excluded.

### B Scheduling season Summer 2012

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

In case the capacity regulations of the supplementary plan resolution from 20.10.2009<sup>2</sup> 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 Summer 2012.

For this reason

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 Summer 2012 remains reserved, and also

the acquisition of historical rights for slots in these periods of time, thus the right to reallocation for the following comparable scheduling season Summer 2013 pursuant to Art 8 Par. 2 EU Reg. 95/93, is excluded.

### C Selection criteria

The necessary selection for the subsequent allocation of slots pursuant to paragraph B as a replacement for revoked slots shall take place in accordance with the principles of

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<sup>1</sup> cf. Annex with an overview of the night flight regulations

<sup>2</sup> cf. "Noise Prevention Concept BBI" for the project "Extension Berlin-Schönefeld Airport" Section A Direction Chapter I.1. Air Traffic Regulations

the "Guideline on the Allocation of scarce Slots at German coordinated Airports" from 14.4.2011 ([www.fhkd.org/news&infos](http://www.fhkd.org/news&infos))

## **D Administrative procedure**

### **1. Slot Historical List (SHL)**

For the commercial airports Berlin-Schönefeld (SXF), Berlin-Tegel (TXL) and Berlin-Brandenburg (BER), separate SHLs are being prepared and dispatched for the scheduling period Summer 2012:

- SXF: 25MAR12 until 02JUN12
- TXL: 25MAR12 until 02JUN12
- BER: 03JUN12 until 27OCT12

Due to the changed night flight regulations at Berlin-Brandenburg Airport (BER), new night flying restrictions will apply as of 3<sup>rd</sup> June 2012. All flights which meet the prerequisites for historical rights, as they were conducted in the summer season 11 and fall in the night period concerned, are marked with the action code 'T' in the SHL BER.

### **2. Initial applications**

In accordance with the SHLs, initial slot applications for the scheduling period Summer 2012 for the airports SXF, TXL, BER will take place separately:

- SXF: 25MAR12 until 02JUN12
- TXL: 25MAR12 until 02JUN12
- BER: 03JUN12 until 27OCT12

SXF/TXL and BER can be applied for with the codes published in SSIM.

Flights which have received the action code 'T' in the SHL, can be requested in the initial application as follows:

- Registration with action code 'F' (historical):
  - will be shifted in accordance with the night flight restriction (best available)
- Registration with action code 'C/L' or 'C/R' (change in times):
  - will be coordinated in accordance with the rules, provided the time applied for lies outside of the new night flight restriction.

### **3. Following scheduling periods Winter 2012/Sommer 2013**

#### Scheduling period Winter 2012

The SHL Winter 2012 will be dispatched exclusively for Berlin-Brandenburg Airport (BER). For technical handling reasons – as already for Summer 2012 – it will be prepared on the basis of the prerequisites met in Winter 2011 for historical rights at the commercial airports Berlin-Schönefeld (SXF) and Berlin-Tegel (TXL).

#### Scheduling period Summer 2013:

Preparation of the SHL Summer 2013 for Berlin-Brandenburg Airport (BER) will take place on the basis of the historical rights acquired in Summer 2012 for BER.

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