Draft Regulations laid before Parliament under paragraph 5(1) of Schedule 5 to the Retained EU Law (Revocation and Reform) Act 2023 (c. 28), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2026 No. ****

RETAINED EU LAW REFORM

CIVIL AVIATION

The Airports Slot Allocation (Alleviation of Usage Requirements) Regulations 2026

Made - - - -	***
Coming into force - -	*19th June 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 14(3) of the Retained EU Law (Revocation and Reform) Act 2023 ("the 2023 Act")(**a**).

The Secretary of State is a relevant national authority for the purposes of section 14(3) of the 2023 Act(**b**).

The Secretary of State considers that the overall effect of the changes made by these Regulations in relation to airports slot allocation does not increase the regulatory burden(**c**).

In accordance with paragraph 5(1) of Schedule 5 to the 2023 Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the Airports Slot Allocation (Alleviation of Usage Requirements) Regulations 2026.

(2) These Regulations come into force on 19th June 2026.

(3) These Regulations extend to England and Wales and Scotland. They apply to airports located in England, Wales and Scotland.

(**a**) 2023 c. 28.
(**b**) The term "relevant national authority" is defined in section 21(1) of the Retained EU Law (Revocation and Reform) Act 2023.
(**c**) See section 14(5) of the Retained EU Law (Revocation and Reform) Act 2023.

Amendment of Council Regulation (EEC) No 95/93

2.—(1) Council Regulation (EEC) No 95/93 of 18 January 1993(**a**) on common rules for the allocation of slots at United Kingdom airports is amended as follows.

(2) For paragraph 3 of Article 10 (slot pool) substitute—

"3. Paragraphs 3A to 3C apply for purposes of the usage calculation.

3A. Slots allocated to an air carrier before 31 January for the following summer season, or before 31 August for the following winter season, but which are returned to the coordinator for reallocation before those dates shall not be taken into account for the purposes of the usage calculation.

3B. Without prejudice to paragraph 3A, for the purposes of the usage calculation for the summer season commencing on 29 March 2026 and ending on 24 October 2026—

(a) where paragraph (b) applies, the coordinator shall not take into account—

(i) up to 5% of slots allocated to an air carrier at an airport for that summer season which are returned to the coordinator before 10 July 2026; and

(ii) up to 5% of slots allocated to an air carrier at an airport for that summer season which have not been returned pursuant to sub-paragraph (i) and which are returned to the coordinator before 11 October 2026;

(b) this paragraph applies where an air carrier—

(i) had the right to use the same slots as are being returned to the coordinator pursuant to paragraph (a) during the summer season from 30 March 2025 to 25 October 2025, or received the slots being returned pursuant to paragraph (a) following a transfer or exchange which took place pursuant to Article 8a before 31 January 2026;

(ii) has notified passengers of the cancellation of the flights utilising slots being returned pursuant to paragraph (a) at least 14 days before the date on which the flights were due to depart; and

(iii) has not, at the time of returning the slots to the coordinator, given written notification to the coordinator or the managing body of the airport that it has permanently ceased, or will permanently cease, to operate air services at that airport, or publicly issued a written statement to that effect.

3C. Without prejudice to paragraph 3A, for the purposes of the usage calculation for the winter season commencing on 25 October 2026 and ending on 27 March 2027—

(a) where paragraph (b) applies, the coordinator shall not take into account—

(i) up to 5% of slots allocated to an air carrier at an airport for that winter season which are returned to the coordinator before 15 November 2026; and

(ii) up to 5% of slots allocated to an air carrier at an airport for that winter season which have not been returned pursuant to sub-paragraph (i) and which are returned to the coordinator before 14 March 2027;

(b) this paragraph applies where an air carrier—

(i) had the right to use the same slots as are being returned to the coordinator pursuant to paragraph (a) during the winter season from 26 October 2025 to 28 March 2026, or received the slots being returned pursuant to paragraph

(**a**) EUR 1993/95, amended by the Air Traffic Management and Unmanned Aircraft Act 2021 (c. 12), section 12, and by S.I. 2019/276, 2021/100, 185 and 1200, 2022/368, 822 and 1107, 2023/325 and 1133 and 2025/158.

(a) following a transfer or exchange which took place pursuant to Article 8a before 31 August 2026;

(ii) has notified passengers of the cancellation of the flights utilising slots being returned pursuant to paragraph (a) at least 14 days before the date on which the flights were due to depart; and

(iii) has not, at the time of returning the slots to the coordinator, given written notification to the coordinator or the managing body of the airport that it has permanently ceased, or will permanently cease, to operate air services at that airport, or publicly issued a written statement to that effect.".

Signed by authority of the Secretary of State for Transport

Name
Parliamentary Under Secretary of State
Department for Transport

DATE

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the power in section 14(3) of the Retained EU Law (Revocation and Reform) Act 2023 (c. 28) ("the 2023 Act"). These Regulations amend Council Regulation (EEC) No 95/93 of 18 January 1993 on common rules for the allocation of slots at United Kingdom airports ("the Slot Regulation") to make provision about the calculation of airport slot usage for the 2026 summer and winter scheduling periods.

The Slot Regulation is secondary assimilated EU law within the meaning of section 12(2) of the 2023 Act. Article 10 of the Slot Regulation makes provision for how the utilisation of slots by air carriers is calculated for the purpose of determining entitlement to slots in subsequent scheduling periods. Under Articles 8(1) and 8(2) and 10(2), air carriers are generally required to operate a series of slots for a minimum percentage of the relevant scheduling period in order to retain entitlement to those slots, subject to certain exceptions.

Regulation 2 revokes paragraph 3 of Article 10 of the Slot Regulation and inserts new paragraphs 3 to 3C.

Paragraph 3A provides that slots allocated to an air carrier before 31 January for the following summer season, or before 31 August for the following winter season are not to be taken into account for the purposes of the usage calculation.

Paragraph 3B makes provision for the purposes of the usage calculation for the summer season beginning in 2026 (29 March 2026 and ending on 24 October 2026). Where specified conditions are met, the coordinator is required not to take into account up to 10% of slots allocated to an air carrier at an airport for that season which are returned to the coordinator. This consists of up to 5% of slots returned before 10 July 2026, and a further 5% returned before 11 October 2026. The conditions relate to historic entitlement to the slots (or entitlement following a transfer or exchange under Article 8a), advance notification to passengers of flight cancellations, and confirmation that the air carrier has not permanently ceased, and does not intend permanently to cease, operations at the airport.

Paragraph 3C makes corresponding provision for the purposes of the usage calculation for the winter season beginning in 2026 (25 October 2026 and ending on 27 March 2027). Where the same conditions are met, the coordinator is required not to take into account up to 10% of slots allocated to an air carrier at an airport for that season which are returned to the coordinator. This consists of up to 5% of slots returned before 15 November 2026, and a further 5% returned before 14 March 2027.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen. An Explanatory Memorandum has been published alongside the instrument on www.legislation.gov.uk.

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