

Council Regulation (EEC) No 95/93 of 18 January 1993 on
common rules for the allocation of slots at Community airports

Article 3

Conditions for airport coordination

[^{F1}1

- a A Member State shall be under no obligation to designate any airport as schedules facilitated or coordinated save in accordance with the provisions of this Article.
- b A Member State shall not designate an airport as coordinated save in accordance with the provisions of paragraph 3.]

2 A Member State may, however, provide for any airport to be designated as a [^{F1}schedules facilitated airport] provided that principles of transparency, neutrality and non-discrimination are met.

[^{F13} The Member State responsible shall ensure that a thorough capacity analysis is carried out at an airport with no designation status or at a schedules facilitated airport by the managing body of that airport or by any other competent body when that Member State considers it necessary, or within six months:

- (i) following a written request from air carriers representing more than half of the operations at an airport or from the managing body of the airport when either considers that capacity is insufficient for actual or planned operations at certain periods; or
- (ii) upon request from the Commission, in particular where an airport is in reality accessible only for air carriers that have been allocated slots or where air carriers and in particular new entrants encounter serious problems in securing landing and take off possibilities at the airport in question.

This analysis, based on commonly recognised methods, shall determine any shortfall in capacity, taking into account environmental constraints at the airport in question. The analysis shall consider the possibilities of overcoming such shortfall through new or modified infrastructure, operational changes, or any other change, and the time frame envisaged to resolve the problems. It shall be updated if paragraph 5 has been invoked, or when there are changes at the airport influencing significantly its capacity and capacity usage. Both the analysis and the method used shall be made available to the parties having requested the analysis and, upon request, to other interested parties. The analysis shall be communicated to the Commission at the same time.]

[^{F14} On the basis of the analysis, the Member State shall consult on the capacity situation at the airport with the managing body of the airport, the air carriers using the airport regularly, their representative organisations, representatives of general aviation using the airport regularly and air traffic control authorities.

5 Where capacity problems occur for at least one scheduling period, the Member State shall ensure that the airport is designated as coordinated for the relevant periods only if:

- a the shortfall is of such a serious nature that significant delays cannot be avoided at the airport, and
- b there are no possibilities of resolving these problems in the short term.

Changes to legislation: There are outstanding changes not yet made to Council Regulation (EEC) No 95/93. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

6 By way of derogation from paragraph 5, Member States may, in exceptional circumstances, designate as coordinated the airports affected for the appropriate period.]

[^{F1}7.] When a capacity sufficient to meet actual or planned operations is provided at a [^{F1}coordinated airport], its designation as a fully coordinated airport shall be lifted.

Textual Amendments

F1 Substituted by [Regulation \(EC\) No 793/2004 of the European Parliament and of the Council of 21 April 2004 amending Council Regulation \(EEC\) No 95/93 on common rules for the allocation of slots at Community airports.](#)

Changes to legislation:

There are outstanding changes not yet made to Council Regulation (EEC) No 95/93. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- Art. 3(1) words substituted by [S.I. 2019/276 reg. 8\(2\)](#)
- Art. 3(2) words substituted by [S.I. 2019/276 reg. 8\(2\)](#)
- Art. 3(3) words substituted by [S.I. 2019/276 reg. 8\(3\)\(a\)](#)
- Art. 3(3) words substituted by [S.I. 2019/276 reg. 8\(3\)\(c\)](#)
- Art. 3(4) words substituted by [S.I. 2019/276 reg. 8\(4\)](#)
- Art. 3(5) words substituted by [S.I. 2019/276 reg. 8\(5\)](#)
- Art. 3(6) words substituted by [S.I. 2019/276 reg. 8\(6\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- title words substituted by [S.I. 2019/276 reg. 5](#)
- Signature words omitted by [S.I. 2019/276 reg. 21](#)
- Art. 2(b)(ii) words substituted by [S.I. 2019/276 reg. 7\(2\)](#)
- Art. 2(e) substituted by [S.I. 2019/276 reg. 7\(3\)](#)
- Art. 2(n) and semi-colon inserted by [S.I. 2021/1200 reg. 2\(2\)](#)
- Art. 2(n) words inserted by [S.I. 2022/368 reg. 2\(2\)](#)
- Art. 2(ea) inserted by [S.I. 2019/276 reg. 7\(4\)](#)
- Art. 3(3)(ii) words substituted by [S.I. 2019/276 reg. 8\(3\)\(b\)](#)
- Art. 5(1)(a) words substituted by [S.I. 2019/276 reg. 10\(2\)\(b\)\(i\)](#)
- Art. 10(2a) inserted by [S.I. 2021/1200 reg. 2\(4\)\(b\)](#)
- Art. 10(4)(a) words substituted by [S.I. 2019/276 reg. 15\(2\)\(a\)](#)
- Art. 10(4)(c) word substituted by [S.I. 2019/276 reg. 15\(2\)\(b\)](#)
- Art. 10(4)(e) and semi-colon inserted by [S.I. 2021/1200 reg. 2\(4\)\(d\)](#)
- Art. 10(4)(f) inserted by [S.I. 2022/368 reg. 2\(3\)](#)
- Art. 10(4)(g) words inserted by [S.I. 2023/1133 reg. 2\(2\)](#)
- Art. 10(4)(g) words inserted by [S.I. 2023/325 reg. 2\(2\)](#)
- Art. 10a(3a) inserted by [S.I. 2022/822 reg. 2\(2\)](#)
- Art. 10a(3c) inserted by [S.I. 2023/325 reg. 2\(3\)](#)
- Art. 10a(3d) inserted by [S.I. 2023/1133 reg. 2\(3\)](#)
- Art. 10aa inserted by [2021 c. 12 s. 12\(2\)](#)
- Art. 12(1)(a) word substituted by [S.I. 2019/276 reg. 17\(3\)\(b\)](#)
- Art. 12(1)(b) word substituted by [S.I. 2019/276 reg. 17\(3\)\(b\)](#)
- Art. 12(1)(c) word omitted by [S.I. 2019/276 reg. 17\(3\)\(c\)\(i\)](#)
- Art. 12(1)(c) word substituted by [S.I. 2019/276 reg. 17\(3\)\(c\)\(ii\)](#)
- Art. 13(1a) inserted by [2021 c. 12 s. 12\(3\)\(a\)](#)
- Art. 14(c) inserted by [S.I. 2021/1200 reg. 2\(6\)\(c\)](#)
- Art. 14(6)(a) words omitted by [S.I. 2021/1200 reg. 2\(6\)\(a\)\(ii\)](#)
- Art. 14(6)(a) words substituted by [S.I. 2021/1200 reg. 2\(6\)\(a\)\(i\)](#)
- Art. 14(6)(b) words substituted by [S.I. 2021/1200 reg. 2\(6\)\(b\)](#)
- Art. 14(6)(c) words inserted by [S.I. 2022/368 reg. 2\(4\)](#)