

- Official Emblem-

Rules of the Civil Aviation Authority of Thailand
on Criteria for Slot Allocation for Airport Arrival and Departure of Aircraft
B.E. 2562 (2019)

By virtue of Section 15/10 (4) of the Air Navigation Act B.E. 2497 (1954) amended by Air Navigation Act (No.14) B.E. 2562 (2019), the Director General stipulates the rules on Criteria for Slot Allocation for Airport Arrival and Departure of Aircraft as follows;

Article 1. These Rules shall be cited as the “Rules of the Civil Aviation Authority of Thailand on Criteria for Slot Allocation for Airport Arrival and Departure of Aircraft B.E. 2562 (2019)”

Article 2. These Rules shall come into force from the 1st of January B.E. 2563 (2020).

Article 3. In these Rules;

“Airline” means a commercial air transport operator and foreign air operator granted with the permission from the Director General;

“Aircraft Operator” means an aerial work operator or general aviation operator, such as an aircraft operator undertaking business aviation or an aircraft operator undertaking private jet aviation;

“Airport” means a Licensed Aerodrome providing services for public;

“Airport Level” means classification of airports based on its level of congestion as Level 1, Level 2 and Level 3;

“Airport Operator” means an owner or operator of a Licensed Aerodrome providing services for public;

“New Entrant” means an airline requesting a series of slot at an airport on any day where, if the airline's request were accepted, it would in total hold fewer than five slots at that airport on that day;

“Coordination” means facilitation at a Level 2 airport and slot allocation at a Level 3 airport;

“Coordination Parameters” means the operational factors and limits of all technical, operational and environmental factors at the airport;

“Demand and Capacity Analysis” means the process of assessing airline demand and determining maximum airport capacity, taking into account all physical, operational and environmental constraints at the airport;

“Season” means the summer season commencing on the last Sunday in March, or the winter season commencing on the last Sunday in October;

“Equivalent Seasons” means consecutive summer seasons (two summers) or consecutive winter seasons (two winters) as opposed to two consecutive seasons (a summer and a winter season);

“Consecutive Seasons” means two adjacent seasons from one summer continuing to consecutive one winter or one winter continuing to consecutive one summer;

“Flight” means the operation of one or more legs with the same flight designator;

“Historic Precedence” means the principle whereby airlines are entitled to a series of slots that were operated at least 80% of the time during the period allocated in the previous equivalent season;

“Initial Coordination” means the process that occurs between the Initial Submission Deadline and Slot Initial Allocation List Message (SAL) Deadline dates for each season, whereby a Slot Coordinator allocates slots at a Level 3 airport and a Facilitator recommends voluntary schedule adjustments at a Level 2 airport;

“Calendar” means Calendar of Coordination Activities of International Air Transport Association (IATA);

“Initial Submission Deadline” means the deadline of 23:59 UTC on this date, as set out in the Calendar, by which airlines must submit their planned operations to Slot Coordinator and Facilitators at Level 3 and Level 2 airports;

“Historics Baseline Date” means the reference date used for the 80% usage calculation to determine historic precedence, being 23:59 UTC on 31 January (summer) and 23:59 UTC on 31 August (winter);

“Series Return Deadline” means the date by which airlines must return series of slots that they do not intend to operate, as set out in the calendar;

“Slot” means a permission given by a Slot Coordinator for a planned operation to use the full range of airport infrastructure necessary to arrive or depart at a Level 3 airport on a specific date and time;

“Series of Slots” means at least 5 slots allocated at the same time on the same day-of-the-week, distributed regularly in the same season;

“Ad Hoc Slot” means an allocated slot which is not eligible for historic precedence;

“UTC” means Universal Time Coordinated also referred to as Z or GMT;

“Slot Conference (SC)” means a forum organized by IATA for the coordination of planned operations at Level 2 and Level 3 airports, held twice each year for the summer and winter seasons;

“Slot Historic Listing (SHL)” means a standard message used by a Slot Coordinator to inform airlines of the status of their historic slots;

“Slot Monitoring” means an analysis carried out by a Slot Coordinator to measure the operational performance of airlines compared with the slots allocated to them;

“Slot Pool” means the slots available at a Level 3 airport after historic slots allocated and changes to historic slots are allocated;

“Slot Swap” means a process whereby allocated slots are swapped on a one-for-one basis between airlines at the same airport as stipulated in these Rules;

“Slot Transfer” means a process whereby allocated slots are transferred from one airline to another airline as stipulated in these Rules;

“Waitlist” means a non-prioritized list of outstanding requests, including both allocated slots in the process of improvements to match requests with no slot allocated, as the case may be.

“Slot Coordination Committee” means a committee established by the Authority to constitute a policy and monitor slot allocation of the Slot Coordinator, facilitator as well as the use of slots of airlines or aircraft operators;

“Facilitator” means authority of the airport or authority designated by airport which is responsible for collecting data on planned operations at a Level 2 airport, and for providing recommendations on voluntary schedule adjustments as necessary;

“Slot Coordinator” means the Authority’s Division which is responsible for slot allocation for a Level 3 airport;

“Director General” means the Director General of the Civil Aviation Authority of Thailand;

“Authority” means the Civil Aviation Authority of Thailand (CAAT).

Part 1

Scope and Applicability

Article 4. These Rules shall apply to slot allocation for airport arrival and departure of aircraft for airlines and aircraft operators intending to operate within the Kingdom of Thailand except an airline and aircraft operator using helicopter in its operation.

Part 2

Slot Coordination Committee

Article 5. The principal tasks of the Slot Coordination Committee are to:

(1) contemplate to constitute policy and regulation on airport slot allocation of Thailand;

(2) contemplate to resolve conflicts regarding slot allocation;

(3) coordinate with relevant parties regarding slot allocation for data support or collaboration;

(4) appoint other appropriate task forces as necessary.

Article 6. Meetings shall be held at least twice a year in order to review the coordination parameters on a seasonal basis, or when changes in policy or capacity are planned which could significantly affect coordination.

Part 3

Airport Level Categorisation

Article 7. Level of airport congestion is divided into 3 levels:

(1) Level 1 airport – an airport where the capacity of the airport infrastructure is generally adequate to meet the demands of airport users at all times;

(2) Level 2 airport – an airport where there is potentiality for congestion during some periods of the day, week, or season which can be resolved by schedule adjustments mutually agreed between the airlines and Facilitator.

(3) Level 3 airport – an airport where capacity providers have not developed sufficient infrastructure, or where governments have imposed conditions that make it impossible to meet demand.

The Authority shall issue the notification determining the Level 2 airport and Level 3 airport categorisation in order to coordinate slot allocation.

Article 8. The designation of Level 2 or Level 3 airports, or a change in level categorisation shall only occur once:

(1) A full demand and capacity analysis has been undertaken;

(2) All interested parties have been consulted on the analysis and proposed change of level categorisation and views have been taken into account;

(3) There is no practical way to alleviate the short-term congestion problem.

Article 9. An airport operator has a duty to conduct an analysis on demand and capacity at the airport in the following cases:

(1) When the Authority ordered such analysis be carried out or;

(2) Following a written request from an airline and aircraft operator representing to the Authority more than half of the operations at an airport;

If an airport operator considers that it is necessary and appropriate, it may conduct analysis on demand and capacity and proposes it to the Authority for consideration of airport level categorisation or airport level changing.

Article 10. The demand and capacity analysis shall consider the ability of the airport infrastructure to accommodate demand at desired levels of service.

The analysis in paragraph one should determine any infrastructure, operational, or environmental constraints that prevent demand being satisfied and identify options for

overcoming such shortages through infrastructure, operational or policy changes and improvements.

Article 11. The Authority shall publicise the results of the demand and capacity analysis in order to encourage cooperation and to alleviate and resolve any constraints on demand.

Article 12. The Authority shall designate the airport level categorisation in special case in some period of time, if it has exceptional circumstances and appropriate period affect to the airports.

Exceptional circumstances in paragraph one may include:

(1) temporary reduction of airport capacity for planned maintenance and airport development;

(2) other unexpected reduction of airport facility capacities for a prolonged period.

Part 4

Requirements on Facilitation and Coordination

Article 13. The Facilitator of a Level 2 airport and Slot Coordinator of a Level 3 airport, must act in an independent, neutral, transparent and non-discriminatory way.

Article 14. Applications for allocation of slots or facilitation of schedules should be directed to the appointed Slot Coordinator or Facilitator using the IATA Standard Schedules Information Manual (SSIM) by e-mail.

Article 15. No airline or aircraft operator shall operate at a Level 3 airport without first obtaining an allocated slot from the Slot Coordinator.

Article 16. All airlines and aircraft operators are required to cooperate with the Facilitator and Slot Coordinator and also adjust the timing of operations in accordance with allocated time.

In the timing adjustment in paragraph one, airlines and aircraft operators must consider timing of operations in accordance with allocated slots at airport of departure and airport of destination.

Article 17. An airport operator of a Level 2 or Level 3 airports shall:

- (1) Support the Facilitator or Slot Coordinator in seeking full airline cooperation;
- (2) Provide the infrastructure necessary to handle planned airline operations within agreed levels of service;
- (3) Keep the Facilitator, Slot Coordinator and all interested parties informed of any capacity limitations, and give timely warning if one or more of these limitations might be reached or exceeded in the near future;
- (4) Inform the Facilitator or Slot Coordinator of any capacity changes and of the coordination parameters in good time prior to the initial slot allocation, in accordance with globally recognised timelines.

Part 5

Coordination Parameters

Article 18. At a Level 2 or Level 3 airports, the Authority shall ensure the determination of the parameters for slot allocation twice yearly, while taking into account of all relevant technical, operational and environmental constraints as well as any changes thereto.

Article 19. The airport operator or other competent body should regularly conduct a thorough demand and capacity analysis, using commonly recognised methods. In particular, demand and capacity should be assessed whenever there are significant changes in airport infrastructure, operational practices, or patterns of demand.

Article 20. The parameters shall be communicated to the Authority for Winter Season within 31 March and for Summer Season within 31 August prior the parameter consideration into the meeting of Slot Coordination Committee. The confirmation of final coordination parameters and details of available capacity shall be announced in accordance with the Calendar.

Article 21. The determination of the parameters and the methodology used as well as any changes thereto shall be discussed in detail within the Slot Coordination Committee with a view to increase the capacity and number of slots available for allocation, before a final decision on the parameters for slot allocation is taken.

All relevant documents shall be made available on request to interested parties.

Part 6
Eligibility for Historic Precedence

Article 22. Historic precedence shall only be granted for a series of slots if the airline can demonstrate to the satisfaction of the Slot Coordinator that the series was operated at least 80% of the time during the period allocated in the previous equivalent season.

Article 23. Slot Coordinator must provide timely feedback to airlines about flights at risk of failing to meet the minimum 80% usage requirement during the season.

Article 24. Slot Coordinator and airlines shall consider the following when assessing eligibility for historic precedence:

- (1) Only a series of slots is eligible for historic precedence;
- (2) 80% of the series of slots must be operated;
- (3) The series of slots held on the Historic Baseline Date is used as the basis for determining eligibility for historic precedence;
- (4) For a series of slots newly allocated after the Historic Baseline Date, the number of slots in the series on the date of first allocation forms the basis of the 80% usage calculation;
- (5) If a series of slots is extended after the Historic Baseline Date, the airline is eligible for historic precedence for the extended period of operation, subject to the 80% usage of the extended series.

Article 25. The Slot Coordinator must provide each airline with the details of their historic slots at Level 3 airports as a Slot Historic Listing (SHL) message. These messages must be distributed for each airport when the historic slots are determined by the Slot Coordinator, but not later than globally standardised deadlines. When creating the SHL the Slot Coordinator shall:

- (1) Reconstruct the records of series of slots qualified for historic precedence, but which were fragmented by schedule changes during the season. A single historic record should be created for each series of slots before distributing the SHLs to airlines, provided that the reconstruction fits within the coordination parameters of the airport;
- (2) The dates of operation in the SHL must be expressed in dates applicable to the new season. When flights do not operate for the full season, the start and end dates in the new season should be the closest dates (earlier or later) for the same day(s) of operation.

Article 26. Slots requested on an ad hoc basis are not eligible for historic precedence.

Article 27. Slots requested as a series but initially allocated on an ad hoc basis shall not be eligible for historic precedence.

Article 28. Airlines holding more than one series of slots at the same time with identical or overlapping periods of operation, shall have usage of each series calculated separately.

Article 29. Flights operating on more than one day-of-week, shall be considered separate series of slots for each day-of-week.

Article 30. Time changes allocated by the Slot Coordinator for part of a series of slots do not affect eligibility for historic precedence, provided that the 80% usage requirement is met over the whole period of operation of the service.

Article 31 . Historic precedence shall take into account the latest times approved by Slot Coordinator for a series of slots, unless otherwise agreed between the Slot Coordinator and Airline.

Article 32. Relating to cancellations made prior to the Historics Baseline Date:

(1) The cancellation of 5 or more consecutive weeks will reduce the period eligible for historic precedence or result in separate periods eligible for historic precedence. Where the separate periods are recognised as part of the same service (for example, same flight number, route, etc.), the 80% usage shall be calculated for the total number of operations across all periods;

(2) The cancellation of periods of less than 5 consecutive weeks does not reduce the period eligible for historic precedence, provided that the total number of cancellations is 20% or less of the period between the first and last date of the series of slots.

Article 33 . All cancellations made after the Historics Baseline Date are considered as non-utilisation of the series of slots in the 80% usage calculation.

Part 7

Level 2 Airport Schedule Allocation

Article 34 . Facilitators shall immediately acknowledge receipt of initial submissions. It is the responsibility of each airline to ensure that its initial submission has been received by the Facilitator.

Article 35. Facilitators should consider and apply the following priorities when identifying the schedule adjustments necessary to avoid exceeding the airport's coordination parameters:

(1) Services operated as approved during the previous equivalent season should have priority over new demand for the same timings;

(2) Services that plan to operate unchanged from the previous equivalent season should have priority over services that plan to change time or other capacity relevant parameters;

(3) New operations that extend an existing operation into a year round operation should have priority over other new operations. In evaluating whether the year round priority applies, Facilitators should allow flexibility on timings to allow for the differing requirements of short and long haul services;

(4) The schedule that will be effective for a longer period of operation in the same season should have priority;

(5) Regularly planned operations should have priority over ad hoc operations;

(6) Operations that are constrained by slots or a curfew period at the other end of the route, or other relevant operational factors, should have priority over other demand where the air carrier may have timing flexibility.

Article 36. Any schedule adjustments should be mutually agreed between the Facilitator and airline concerned on the basis of an open dialogue and discussion.

Article 37. Facilitators shall provide airlines with reasons for any requested schedule adjustments.

Article 38. Airlines operating at a Level 2 airport must be willing to make schedule adjustments in order to avoid exceeding the coordination parameters, otherwise the airport could be designated as a Level 3 airport, requiring mandatory slot allocation.

Article 39. Airlines may ask the Facilitator to keep their requested timings on the waitlist. The Facilitator must maintain a waitlist of all pending requirements and should try to satisfy pending requests as soon as possible.

Part 8

Level 3 Airport Slot Allocation

Article 40. An airline and aircraft operators must have a slot allocated to it before operating at a Level 3 airport.

Article 41. Airlines and aircraft operators must not intentionally operate services at a significantly different time or use slots in a significantly different way from those allocated by the Slot Coordinator.

Article 42. The Slot Coordinator shall set up a slot pool, containing all remaining available capacity after the allocation of slots with historic precedence.

Article 43. Slot shall be allocated according to the declared capacity based on the following broad priority order:

- (1) A series of scheduled services;
- (2) Non-scheduled services or ad hoc services;
- (3) Other operations.

Article 44. Slot Coordinator shall apply the following priorities:

- (1) Slots approved with historic precedence;
- (2) Changes to slots with historic precedence;
- (3) Slot requests where the airline is eligible for new entrant status;
- (4) Requests to extend existing operations to operate on a year round basis.

Slot Coordinator should allow flexibility on timings to cater for the differing requirements of short and long haul services;

- (5) Other new slots requests.

The slot adjustment as mentioned in the above paragraph must consider necessity to avoid exceeding coordination parameters of the airport.

Article 45. Where priority may not be identified referring to the criteria under Article 44, the following additional criteria should be considered:

(1) The schedule that will be effective for a longer period of operation in the same season should have priority;

(2) The balance of the different types of services (scheduled, charter and cargo) and market condition (domestic, regional and long haul), load factor and the development of the airport route network should be considered;

(3) Slot Coordinator should try to ensure that due account is taken of competitive factors in the allocation of available slots;

(4) When a curfew at one airport creates a slot problem elsewhere, priority should be given to the airline whose schedule is constrained by the curfew;

(5) Higher frequency such as more flights per week should not in itself imply higher priority for slot allocation.

Article 46. Slot Coordinator must immediately acknowledge receipt of initial submissions. It is the responsibility of each airline to ensure that its initial submission has been received by the Slot Coordinator.

Article 47. If a requested slot cannot be accommodated, the Slot Coordinator shall inform the requesting airline of the reasons and shall indicate the nearest available alternative slot.

Article 48. Airlines may ask the Slot Coordinator to keep their requested timings on the waitlist. The Slot Coordinator must maintain a waitlist of all outstanding requirements and should try to satisfy outstanding requests as soon as possible.

Article 49. Where a series of slots becomes available only on a non-historic basis, the Slot Coordinator may reallocate those slots to another airline on an ad hoc basis. Usage of such a series of slots does not entitle an airline to claim historic precedence. Historic precedence remains with the original slot holder, provided that airline applies for its historic slots in the next equivalent season.

Part 9 New Entrant

Article 50. 50% of the slot pool shall first be allocated to new entrants unless requests for slot allocation by new entrants are less than 50% of the slot pool.

In allocating slots among new entrants, the criteria for slot allocation according to Article 45 shall apply *mutatis mutandis*.

Article 51. A new entrant offered with a series of slots within one hour before or after the time requested but has not accepted this offer shall not retain its new entrant status for that scheduling period.

Article 52. If any serious problem continues to exist for new entrants, the Slot Coordinator shall recommend the responsible authority to convene a meeting of the Slot Coordination Committee to examine possibilities for mitigating the situation.

Part 10

Slot Transfer, Slot Swap and Shared operation

Article 53. Slots may be transferred and swapped in the following cases:

- (1) transferred by an airline from one route or type of service to another route or type of service operated by that same airline;
- (2) transferred between parent and subsidiary companies, and between subsidiaries of the same parent company;
- (3) transferred as part of the acquisition of control over the capital of an airline or in the case of a total or partial take-over when the slots are directly related to the airline taken over;
- (4) Swapped, one for one, between airlines.

To be the parent and subsidiary company under (2), the parent company shall hold 50% or more of the share in the subsidiary company.

Article 54. All the transfers or swaps shall be notified to the Slot Coordinator and shall not take effect prior to the express confirmation by the Slot Coordinator. The Slot Coordinator shall decline to confirm the transfers or swaps if:

- (1) The swap or transfer is not in conformity with the requirements of these Rules;
- (2) Declared airport capacities would be exceeded.

Article 55. Slots allocated to a new entrant, as defined, shall not be transferred for a period of two equivalent scheduling periods, except in the case of a legally authorised takeover or the activities of a bankrupt undertaking.

Article 56. Slots allocated to a new entrant shall not be swapped for a period of two equivalent scheduling periods, except in order to improve the slot timings for these services in relation to the timings initially requested.

Article 57. A shared operation involving slots held by one airline being used by another airline shall be governed by these Rules.

Article 58. Airlines engaging in a shared operation shall notify the Slot Coordinator in advance to confirm the nature and feasibility of the operation. The information required by the Slot Coordinator to confirm feasibility and for slot monitoring purposes includes:

- (1) The names of the airlines involved;
- (2) The details of the slots involved, for example, operating flight number; and
- (3) The period of the shared operation.

Article 59. Under a shared operation, the original slot holder retains historic precedence, not the operator of the slots. The slot holder is responsible for initial submissions and typically retains control of the slots until the Series Return Deadline.

Article 60. Day-to-day management of the slots (the authority to amend and cancel slots on an ad hoc basis) after the Series Return Deadline should be agreed between the airlines concerned and the Slot coordinator but will typically transfer to the operating airline.

Article 61. The operating airline is responsible for all usage and performance requirements.

Article 62. At the end of the shared operation or if the operating airline loses its operating license or the permission granted by the Director General in the case of foreign air operator, the slots involved in a shared operation remain allocated to the original slot holder.

Part 11

Holding and Returning of Slots

Article 63. Slots can only be held by an airline or aircraft operator with a valid air operating license or with effective permission granted by the Director General in the case of foreign air operator or with private aircraft operating license, as the case may be. If the airline or aircraft operator ceases to hold a valid operating license or to be granted with permission, its slots shall revert to the slot pool automatically.

Article 64. Airlines may only hold slots that they intend to operate, transfer, swap or use in a shared operation. Airlines must immediately return any slots not being used.

In a case where an airline appointed a representative to apply to the Slot Coordinator for slot allocation, such representative shall follow the rules on holding and returning of slots in this part and its acts shall be deemed as those undertaken by the airline.

Article 65. Series of slots that an airline does not intend to operate must be returned no later than the Slot Return Deadline.

Airlines that return series of slots after Slot Return Deadline, will receive a lower priority by the Slot Coordinator during the Initial Coordination of the next equivalent season.

Article 66. The Slot Coordinator shall maintain and publish a list of airlines that return slots later than the Slot Return Deadline, excluding those under Article 68 and Article 69.

Article 67. An airline that ceases operations at an airport must immediately return all slots for the remainder of the season and for the next season (if already allocated), and advise the Slot Coordinator whether or not it will use the slots in the future.

Where any airline fails to provide the necessary information by a reasonable deadline set by the Slot Coordinator, the Slot Coordinator may withdraw and reallocate the slots.

Article 68. An airline may hold slots for flights for which it does not yet hold all of the required traffic rights. If an airline holding such provisional slots does not receive the required traffic rights, then the Slot Coordinator must be informed immediately.

Article 69. In the case of bankruptcy (or similar proceedings), the representatives of the airline shall enter into dialogue with the Slot Coordinator to discuss their future intentions for the slots and provide the contact details of the administrator.

The slots may be reserved by the Slot Coordinator pending reinstatement of the airline's operating license or a formal takeover of the airline's activities.

The airline, its legal representatives, or the responsible of the Authority or the Air Operating Licensing Authority in the case of foreign airline, as the case maybe, must keep the Slot Coordinator informed of the airline's status. If dialogue has not been initiated prior a reasonable deadline set by the Slot Coordinator, and if there is no legal protection linked to bankruptcy under national law, then the Slot Coordinator should reallocate the slots.

Part 12

Slot Performance Monitoring

Article 70. The Slot Coordinator shall monitor the conformity of airlines' operations with the slot allocated to them.

For monitoring purpose in paragraph one, the Slot Coordinator shall cooperate with airport operator and shall base their consideration on time and other critical parameter of that airport.

Article 71. The responsible authority in the airport shall ensure that the Slot Coordinator receive frequent, quality, operational data from the most appropriate source.

Article 72. It shall be deemed as slot misuse where an airline or aircraft operator intentionally and repeatedly operates or plans to operate slots in a manner other than allocated by the Slot Coordinator.

Article 73. The Slot Coordinator shall identify that airline or aircraft operator's slot misuse for intentional and repeated cases of:

- (1) Operations without a slot;
- (2) Operations of a slot at a significantly different time;
- (3) Operations of a slot in a significantly different way;
- (4) Holding slots with no intention to operate, transfer, swap, or use in a shared operation;
- (5) Application for slot allocation for an operation other than that indicated, with the intention of gaining improved priority as specified in Part 8.

The Slot Coordinator shall not consider operations as slot misuse where factors impacting slot usage were unforeseen, could not have been planned for, or are outside of an airline or aircraft operator's control.

Article 74. Where the misuse of slots has been identified, the Slot Coordinator shall inform the airline or aircraft operator to submit a performance improvement plan to the Slot Coordinator for approval.

Where the airline or aircraft operator does not submit the performance improvement plan or slot misuse continues, the Slot Coordinator may consider imposing the following disciplinary actions:

- (1) Continued operations without a slot shall be brought to the attention of the Coordination Committee;
- (2) Continued operations of slots at a significantly different time or significantly different way, will result in the airline not being entitled to historic precedence for either the slots allocated or operated;
- (3) Continued holding or requesting slots without intention to operate, will result in the airline or aircraft operator receiving a lower priority by the Slot Coordinator during the initial coordination of the next equivalent season.

When considering any form of disciplinary action, the airline or aircraft operator must be given the opportunity to rectify proven misuse before disciplinary actions are imposed.

Article 75. All communication made between the Slot Coordinator and the airline or aircraft operator, as the case maybe, should be handled in a timely manner. The Slot Coordinator should alert the operator to any slot monitoring concerns quickly and as the season develops to allow the airline or aircraft operator to make any adjustments that may be required.

Similarly, the airline or aircraft operator should provide the Slot Coordinator with timely responses to information requests and immediately alert the Slot Coordinator to any operational disruption or force majeure events where dispensation may be required.

Part 13
Force Majeure

Article 76. The Slot Coordinator or Facilitator shall take into account the causes of poor punctuality or non-utilisation of slots.

Article 77. The following events are qualified as force majeure:

(1) grounding of the aircraft of the particular types with particular engine type generally used for the air service in question;

(2) closure of an airport or airspace;

(3) serious disturbance of operations at the airports concerned, including those series of slots at other airports related to routes which have been affected by such disturbance, during a substantial part of the relevant scheduling period;

(4) Interruption of air services due to action intended to affect these services which makes it practically and/or technically impossible for the airline to carry out operations as planned;

(5) A disruption by nature fully or partially closes an airport, the approach to an airport (landside or airside), or the airspace on which that airport is dependent:

i. A volcano, earthquake, meteorite, tsunami, or other physical disruption imparts structural damage upon critical airport infrastructure;

ii. Volcanic ash, storm winds, snow, fog, or other atmospheric disruption closes or significantly restricts critical airspace surrounding an airport;

(6) A Human-made accident or disruption closes an airport, the approach to an airport, or the airspace on which that airport is dependent:

i. Accidents, hazardous chemical and/or radioactive spill, or other calamitous events force a full or partial closure of the airport or the approach to an airport;

ii. Structural damage to critical infrastructure on the approach to an airport, such as a collapsed bridge or a blocked tunnel;

(7) An airport, the approach to an airport, or the airspace on which that airport is dependent is deliberately closed because of:

i. Acts of war or terrorism that directly compromise airport infrastructure or indirectly lower airport safety and security below acceptable levels;

ii. Acts of civil unrest that impede access to airport infrastructure such as occupation of the airport itself or blockage of access points;

(8) Industrial actions such as work slowdowns or strikes:

i. External actions that impede use of the airport facilities, such as airport employees on strike;

ii. Internal actions that disallow the carrier from providing its contracted service;

- iii. Closure by the airport authority itself of the airport or the airspace on which that airport depends on an ad hoc basis, as announced by a NOTAM;
 - iv. Planned closure or partial closure by the airport authority itself of the airport or the airspace on which that airport depends in consultation with the airport's users;
 - v. Embargoes, blockades, or other political actions that impact traffic rights, overflying rights, air traffic control, or cause other limitations;
 - vi. Outbreaks of serious illness that deeply impact demand into a country or a region;
- (9) Technical reasons independent of the airport in question that disallow the airline or aircraft operator to offer the service in general.

Article 78. In case of force majeure under Article 77, the airline and aircraft operator shall inform the Slot Coordinator immediately after force majeure cease and when the Slot Coordinator already confirms the facts, it shall be deemed that flights affected by cases of force majeure as punctually operated and will count towards historic eligibility calculations as operated.

Article 79 In a case where an airport operator of level 2 airport does not desire to appoint or designate its facilitator and requests the Slot Coordinator for the slot allocation for such airport and the Slot Coordinator accepted the request, the Slot Coordinator shall proceed by the following the criteria for slot allocation for level 2 airports.

An airline or aircraft operator at a level 2 airport whose request for slot allocation was accepted by the Slot Coordinator under paragraph one must have a slot allocated to it before operating at the level 2 airports.

Article 80. All applications for slot allocation submitted prior to the date on which these Rules comes into force and still in the process of consideration shall be deemed as the application in accordance with these Rules and the Slot Coordinator shall consider them as applications for slot in accordance with these Rules and shall treat them following these Rules.

Article 81. All applications of the airline or aircraft operator for schedule allocation of winter scheduled 2563/2564 (2020/2021) shall be submitted to the Facilitator at Level 2 airport for proceeding with such allocation applications according to the calendar.

Given on 24th December B.E. 2562 (2019)

-Signature-

(Chula Sukmanop)

Director General of the Civil Aviation Authority of Thailand