



Guidance to the Sydney Airport Slot Manager – Operator Non-Compliance

August 2026

Sydney Airport Slot Management Scheme 2025

This document provides guidance to the Sydney Airport Slot Manager about administrative actions available under section 32 of the Sydney Airport Slot Management Scheme 2025 (the Scheme) in relation to operator non-compliance with Division 4 of Part 3 of the *Sydney Airport Demand Management Act 1997* (the Act).

This document is guidance published by the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (the department) and is accompanied by other materials including the *Sydney Airport Demand Management Compliance & Enforcement Strategy* and the *Guidance to the Sydney Airport Slot Manager – Publication* published on the [department's website](#).

Administrative Actions

Section 32 of the Scheme provides a number of remedial actions available to the Slot Manager where, following monitoring, the Slot Manager is satisfied on reasonable grounds that an airline operator has failed to comply (the non-compliance) with a civil penalty provision of Division 4 of Part 3 of the Act.

Subsection 32(2) of the Scheme provides the Slot Manager may, by written notice (the compliance notice) to the operator, take one or more of the following actions.

- a) To inform the operator of the non-compliance and warn the operator of the action that may be taken in response to the apparent non-compliance.
- b) Refer the non-compliance to the Compliance Committee.
- c) Refer the non-compliance to the Minister for possible action under Part 5 of the Act.
- d) Enter into a performance plan with the operator under which the operator agrees to take specified actions, or agrees to refrain from taking specified actions, to improve the operator's performance in relation to slot use.
- e) Suspend the slot, slot group or slot series allocated to the operator for a specified period (which must not exceed the remainder of the scheduling season).
- f) Cancel the slot, slot group or slot series allocated to the operator.

The [Minister's Statement of Expectations](#) outlines an obligation for the slot manager to work with the department to establish a routine transfer of information about slot use and non-compliance with the Act. This information will be used by the department to track non-compliance with the Act in addition to the Slot Manager's application of section 32 of the Scheme.

Slot Use Data

The Slot Manager should keep records about slot use at Sydney Airport. It is important the Slot Manager:

- Monitors, gathers and analyses data using a robust methodology.
- Checks its data as appropriate, calling on a range of sources of slot use information including data held by Airservices Australia, operators and Sydney Airport Corporation Ltd (SACL).

Sections 40, 42 and 43 of the Sydney Airport Demand Management Regulations 2025 (the Regulations) permit the Slot Manager to request access to records about slot use from Airservices, an operator and SACL. These provisions enable:

- Regular systemic cross-checking of slot allocations with actual air movements recorded by Airservices and SACL.
- Engagement between the Slot Manager and an operator about ad hoc non-compliance with the Act to help prevent repeated non-compliance.
- Slot Manager collection of information mandated for publication under section 47 of the Regulations.

The Slot Manager should monitor slot use data with a focus on identifying a pattern in operator non-compliance, following which it should promptly act to address non-compliance with the Act by leveraging its powers under section 32 of the Scheme.

Issuing a Compliance Notice

A compliance notice is appropriate where there are reasonable grounds for the Slot Manager to believe there is a pattern of non-compliance with a civil penalty provision of the Act.

Compliance notices should clearly present:

- The relevant instances identified by the Slot Manager of apparent non-compliance with the Act.
- Slot Manager observations about the pattern of non-compliance.
- Slot Manager nomination of the appropriate remedial action.
- Next steps for the operator.

Remedial actions should be nominated based on data records held by the Slot Manager; the risk associated with the pattern of non-compliance and be focused on achieving compliance with the Act.

Risk-based – The Slot Manager should consider if the pattern of slot misuse impacts on the competitive use of Sydney Airport’s limited capacity and the efficient utilisation of slots as well as any intelligence gathered by or known to the Slot Manager about the willingness or ability of the operator to comply with the Act.

Outcomes focused – The remedial action nominated by the Slot Manager should aim to achieve compliance with the Act. The Slot Manager should consider which remedial action is most likely to result in a timely correction of the identified pattern of non-compliance.

Slot Manager & Operator Resolution

In some instances of non-compliance with the Act, an operator may be willing and able to correct the pattern if it is clearly identified by the Slot Manager and brought to the operator’s attention.

Circumstances where, with the support of the Slot Manager, compliance may be achieved by an operator as a change from previous patterns of non-compliance include where:

- The pattern of non-compliance is newly identified.
- The Slot Manager anticipates that with education or support an operator is likely to achieve compliance with the Act in the future.

In these circumstances the Slot Manager should consider which of the following remedial actions may achieve compliance with the Act.

Providing Information & Warning of Possible Actions (subsection 32(2)(a) of the Scheme)

- Provide the operator with information about the identified pattern of apparent non-compliance.
- Issue a warning about actions that may be taken if the pattern of non-compliance continues.

Entering a Performance Improvement Action Plan (PIAP) (subsection 32(2)(d) of the Scheme)

- Enter into a performance improvement plan with the operator where it agrees to take or refrain from taking a specified action in order to improve performance.

Referral to the Compliance Committee and the Minister

Referral of a pattern of non-compliance with the Act to the Minister may be appropriate when:

- an operator has not responded to an earlier approach from the Slot Manager about its non-compliance (via Slot Manager and operator resolutions as described in the section above); or
- when commencing or continuing direct engagement with an operator about its pattern of non-compliance is unlikely to result in future compliance with the Act.

In these circumstances the Slot Manager should consider referral of the pattern of non-compliance to the Minister for possible action under Part 5 of the Act (subsection 32(2)(c) of the Scheme). The Slot Manager should make efforts to verify the relevant slot data with records kept by Airservices, the operator and SACL before the pattern of non-compliance is referred to the Minister.

The Slot Manager is a member of the Compliance Committee and is aware of the Committee's priorities for reporting to the Minister. Where the Slot Manager considers a pattern of non-compliance is relevant to the Committee, the Slot Manager may choose to refer to the Minister and the Committee in parallel.

Suspension and Cancellation of Slot Allocation

A Slot Manager decision to suspend or cancel slots should only be undertaken in parallel with a referral of a pattern of non-compliance to the Minister.

A decision by the Slot Manager to either suspend (subsection 32(2)(e)) or cancel (subsection 32(2)(f) of the Scheme) a slot allocation may be taken when the Slot Manager determines prompt action is required to prevent an operator from continuing a pattern of non-compliance. The show cause process outlined in subsections 32(4) to 32(8) of the Scheme should be followed.

As only cancelled slots can be reallocated to another operator, (section 33 of the Scheme) in deciding between the suspension or cancellation of a slot allocation the Slot Manager may consider if the waitlist for slots indicates another operator would make use of the relevant slots.

Document Review

This document will be updated periodically to incorporate changes to government policy, amendments to legislation, feedback from industry and other changes required by the department. It is intended this Guidance will be reviewed after two years of operation.

Version	Release date	Approver	Reason for update
1.0	March 2026	Ben Meagher	Initial Release
2.0	August 2026	Ben Meagher	Updated legislative reference