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Department of Infrastructure and Transport

Sydney Airport Slot Management Administration Manual

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1 Introduction

1.1 Background

The Department of Infrastructure and Transport (the Department) oversees administration of Slot Management at Sydney Airport under the *Sydney Airport Demand Management Act 1997* (the Act) and the following subordinate legislation that gives effect to the Act:

- Sydney Airport Demand Management Regulations 1998;
- Sydney Airport Slot Management Scheme 2013; and
- Sydney Airport Compliance Scheme 2012.

The Act and subordinate legislative instruments provide the framework for the long-term management of demand at Sydney Airport. The Act establishes a regime intended to control the scheduled movement times of airlines so that no more than 80 movements occur on the runway in any hour. Capping the aircraft movement limit is an essential element of noise sharing and achieving balance between the efficient use of the airport and broader environmental impacts.

The slots legislative regime is designed to implement the movement limit by controlling the scheduling of aircraft movements under the Slot Management Scheme and requiring timely performance through the Compliance Scheme. Special provisions in the legislative regime that differentiate it from worldwide industry standards relate to the 80 per hour movement cap; guaranteed slots for NSW regional services; greater access for new entrants; size of aircraft test and a compliance regime to encourage timely performance.

The Act does not deal with the operation of aircraft in the Sydney Airport Curfew period. Flights that are delayed into the curfew period are not assessed for compliance under the Act, unless meeting the requirements for off-slot or no-slot movements. The *Sydney Airport Curfew Act 1995* deals with aircraft operating in the curfew period.

The Slot Management Scheme's day-to-day administration is undertaken by the Slot Manager, currently Airport Co-ordination Australia (Slot Manager). The specific functions of the Slot Manager, provided for by section 60 of the Act, are to develop, administer and amend the Slot Management Scheme and any other functions as outlined in the relevant legislation. The Slot Manager also uses the Worldwide Slot Guidelines produced by the International Air Transport Association (IATA) in administering the Scheme. The Slot Manager is appointed by the Minister.

1.1.1 Sydney Airport Demand Management Act 1997

The Act prescribes Parliament's intention to limit aircraft movements through a Slot Management Scheme in combination with penalties to encourage compliance. The Act provides the framework within which the Slot Management Scheme is to be developed and operated. The operation of the Act is outlined primarily in legislative tools. The most significant of these are the *Sydney Airport Slot Management Scheme 2013* and the *Sydney Airport Compliance Scheme 2012*.

1.1.2 Sydney Airport Demand Regulations 1998

The regulations outline the role of the Compliance Committee in monitoring and enforcing the Slot Management Scheme for Sydney Airport. The regulations detail the membership requirements and processes required to run the Compliance Committee. The regulations also include the functions of the Slot Manager, and the requirements in relation to maintaining and transferring records of the Slot Manager.

1.1.3 Sydney Airport Slot Management Scheme 2013

The Sydney Airport Slot Management Scheme outlines the processes for the allocation and management of aircraft movement slots. The basic purpose of the Scheme is to provide a system for the allocation of permissions for gate movements at Sydney Airport. A slot allocated under the Scheme will permit a specified gate movement at a specified time on a specified day.

The Slot Management Scheme has been developed with reference to internationally recognised IATA Worldwide Slot Guidelines. The Slot Management Scheme at Sydney Airport provides additional provisions in relation to regional access, new entrants and the “size of aircraft test”.

1.1.4 Sydney Airport Compliance Scheme 2012

The Act established the slots compliance framework at Sydney Airport. The Act applies penalties for unauthorised aircraft movements i.e. no-slot and off-slot movements where the operator knowingly or recklessly allows the aircraft to engage in no-slot or off-slot movement. The Act enables a compliance framework for a system of infringement notices for civil contraventions (no-slot and off-slot movements) as an alternative to civil prosecution.

The Sydney Airport Compliance Scheme 2012 establishes what a no-slot and off-slot movement is and outlines the corresponding rate of fines. It provides for the Compliance Committee and Slot Manager to oversee compliance by operators and, as necessary, apply enforcement provisions in relation to slot management.

1.1.5 International Air Transport Association (IATA)

The International Air Transport Association (IATA) is an international trade body that represents, leads and serves the airline industry. The Worldwide Slot Guidelines (WSG) are published by IATA to provide the global air transport community with an internationally recognised single set of standards for the management of airport slots.

The policies, processes and principles in this document are intended as best practice for worldwide application and have been considered in development of the Sydney Airport Slot Management Scheme. Where sovereign nations have in place legislation to govern the management of demand, such as the Sydney Airport Demand Management Act, the legislation takes precedence over IATA Worldwide Slot Guidelines.

1.2 Purpose

This manual provides guidance to stakeholders in the administration of Slot Management at Sydney Airport. This manual has been designed to complement the legislation governing the Scheme by providing a reference point that will assist stakeholders in administering the Scheme and to understand and comply with key obligations. This manual does not replace the relevant Act and subordinate legislation. Where differences appear, the Act and/or legislation, should take precedence.

1.3 Scope

This manual will cover:

- **Chapter 2 Governance and accountability.** Summarises the Scheme’s governance arrangements in the delivery and administration of Slot Management with a focus on the governance structure for the Scheme and legislative framework.

- **Chapter 3 Stakeholders.** Outlines the stakeholders (both internal and external) and their roles and responsibilities around the Scheme.
- **Chapter 4 Sydney Airport Demand Management Act 1997.** Outlines the requirements and underlying processes prescribed by the Sydney Airport Demand Management Act 1997, including the Sydney Airport Demand Management Regulations 1998.
- **Chapter 5 Sydney Airport Slot Management Scheme 2013.** Outlines the requirements and underlying processes for the allocation and management of aircraft movement slots prescribed by the Sydney Airport Slot Management Scheme 2013.
- **Chapter 6 Sydney Airport Compliance Scheme 2012.** Summarises the compliance requirements in relation to slot management arrangements under the Act, the Sydney Airport Demand Management Regulations 1998 and the Slot Management Scheme.
- **Chapter 7 Financial Management.** Outlines the financial management implications surrounding the Scheme, including collection and remittance of public money by the Slot Manager; and the receipt of public money and reimbursement of revenue collected from infringement notices.

Key actions and responsibilities matrices¹ have been included at the end of some chapters to summarise the key steps, the key stakeholder groups and documents involved. In addition, some key activities have been documented in process maps. The process map symbols are tabled in Attachment C.

This manual will not document in detail internal procedures for:

- Airport Coordination Australia Pty Ltd
- Airservices
- Sydney Airport Corporation Limited
- Operators

¹ The template of the matrix has been adapted from the Australian National Audit Office, *Developing and Managing Contracts Better Practice Guide*, February 2007.

2 Governance and accountability

The purpose of this chapter is to summarise the Department's governance arrangements in the delivery and administration of the Scheme with a focus on:

- the legislative framework; and
- the governance structure for the Scheme.

i Reference and guidance material

- Financial Management and Accountability Act 1997
- Financial Management and Accountability Regulations 1997
- Sydney Airport Demand Management Act 1997
- Sydney Airport Demand Management Regulations 1998
- Sydney Airport Slot Management Scheme 2013
- Sydney Airport Compliance Scheme 2012
- Department of Infrastructure and Transport, Chief Executive Instructions (CEI) on Public Money
- Competition and Consumer Act 2010

2.1 Legislative framework

Since the Act, Regulations and Schemes were established in 1997 and 1998, amendments and new schemes have been introduced. Some changes reflect government policy responses to airport capacity challenges in relation to aircraft size and protecting regional slots. In 2001, the Slot Management Scheme was amended to establish a minimum aircraft seat limit for new slot allocations and encourage airlines progressively to introduce larger aircraft; the number of regional slots allocated in peak periods was capped; and protections were put in place to prevent regional slots from being migrated out of the peak.

Other changes address administrative improvements recommended in the Australian National Audit Office report No. 29 2006-07 into the Implementation of the *Sydney Airport Demand Management Act 1997*. The ANAO findings highlighted the complex nature of aircraft operations and the need for more flexibility to maintain certain airline schedules, maximise operational efficiency and avoid unnecessary disruption of passenger services, while implementing arrangements designed to alleviate the impact of aircraft noise on the community.

The audit identified that elements of the legislation were unclear, did not operate in the way intended or were ineffective. In particular the audit found that working definitions for key terms in the legislative framework were inconsistent and criteria for the allocation of slots were not sufficiently clear.

The key changes have been the alignment of the operation of slot allocation with the maximum movement limit and rewriting the Slot Management and Compliance schemes in a more modern, plain English style that provides better clarification of key provisions. Specific changes include:

- creating a new term of gate movement to apply to a slot for the purposes of slot allocation and compliance;

- clarification of processes for prioritising slot applications and the operation of historical precedence;
- expressly limiting the number of slots that can be allocated in any regulated hour consistent with the movement limit;
- clarification of what constitutes an unauthorised movement;
- increased penalties for unauthorised movement; and
- introduction of an infringement notice regime for no-slot movements.

The Scheme is not only governed by its own legislation, that is, the Act and subordinate legislation, but also other relevant Commonwealth legislation governing actions on Commonwealth land. This includes the financial management framework which underpins the appropriation, expenditure and use of public money and resources within the Australian Government. The legislative framework (outlined in Figure 1 below), in turn, outlines relevant Commonwealth legislation.

The following sections will address the legislative requirements relevant to the administration of the Scheme.

Figure 1 - Legislative Framework

Legislative Environment

- **The Constitution**
- **Public Service Act 1999**
- **Crimes Act 1914**
- **Criminal Code Act 1995**
- **Civil Aviation Act 1988**
- **Air Navigation Act 1920**
- **Auditor-General Act 1997**
- **Appropriation Acts**

Sydney Airport Slot Management Scheme Framework

Governs Slot Management at Sydney Airport

- Sydney Airport Demand Management Act 1997
- Sydney Airport Demand Management Regulations 1998
- Sydney Airport Slot Management Scheme 2013
- Sydney Airport Compliance Scheme 2012

Financial Management Framework

Governs financial management

- Financial Management and Accountability Act 1997
- Financial Management and Accountability Regulations 1997
- Financial Management and Accountability Orders 1997
- Finance Circulars

Agency Chief Executive's Instructions (CEIs) and Internal Procedures / Operational Guidelines

Provides the detailed operational guidance to the Department's officials on the administration of the Scheme.

- Public Money CEI
- Administration Manual
- Recordkeeping procedures

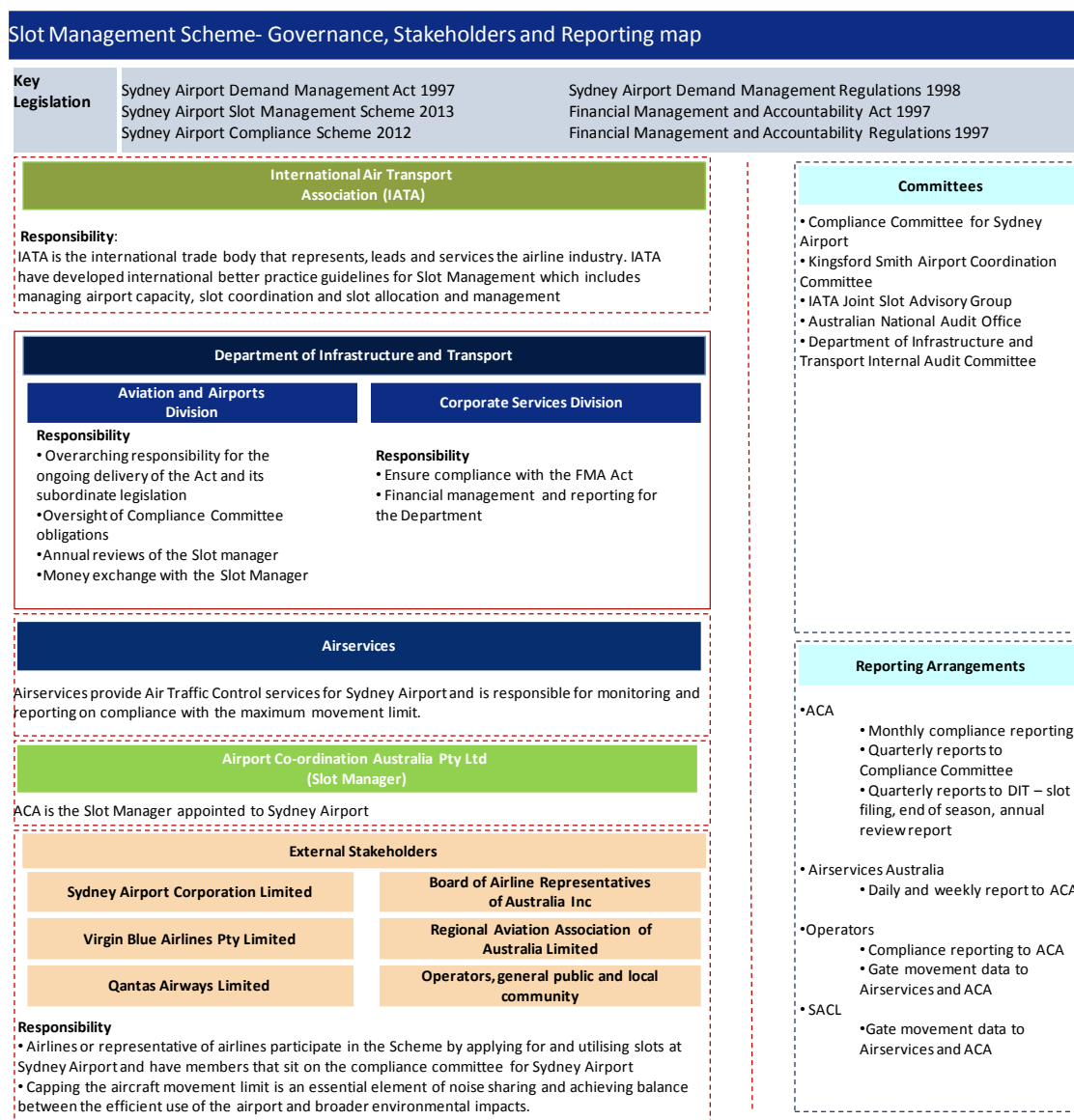
2.1.1 Financial management framework

The Department is a Financial Management and Accountability (FMA) agency; and, as such, must comply with the *Financial Management and Accountability Act 1997* (FMA Act); and *Financial Management and Accountability Regulations 1997* (FMA Regulations).

The money collected by the Slot Manager under the Scheme is Commonwealth revenue and subject to legislative control and requirements as outlined in the FMA Act and FMA Regulations.

2.2 Governance arrangements

Figure 2 - Governance structure



2.2.1 Compliance Committee

The Act states there is to be a Compliance Committee for Sydney Airport. The functions of the Committee are to develop, administer and amend the Compliance Scheme. Other functions are conferred on the Committee by the Act, the regulations and the Compliance Scheme. Committee members are to be appointed in writing by the Minister (or delegate), while regulations deal with matters such as the terms and conditions, duration and termination of appointments, as well as other matters relating to the operations of the Committee. The Compliance Committee and its individual members are not to be taken as the Commonwealth, or an authority or officer of the Commonwealth. Additionally, the Committee is not to be taken as a public authority, agency or instrumentality of the Crown.

Further information on the Compliance Committee for Slot Management at Sydney Airport can be found in Chapter 6.

2.2.2 Kingsford Smith Airport (KSA) Coordination Committee

The KSA Coordination Committee is established under the IATA Worldwide Slot Guidelines to advise the Slot Coordinator on matters relating to capacity, slot allocation and monitoring the use of slots at the KSA. The membership is open to all airlines using the airport regularly² and their representative organisations, Sydney Airport Corporation Limited, IATA representative, BARA representative, Airservices and representatives of general/business aviation. A representative of the Slot Manager may attend any meeting of the KSA Coordination Committee and the KSA Coordination Committee must ensure the Slot Manager is given reasonable notice of a meeting.

Meetings of the Coordination Committee are recommended by IATA to be held at least once per scheduling season before the initial submission deadline for the relevant season. Special meetings will be held when changes in policy or capacity are planned which could significantly affect coordination e.g. Scheme amendments. The members of the KSA Coordination Committee present may appoint one of themselves to act as Chair for the meeting.

The KSA Coordination Committee does not have any formal role in administration of the Slot Management Scheme but provides a forum for industry input to the Slot Coordinator.

2.2.3 International Air Transport Association (IATA) Joint Slot Advisory Group

The Worldwide Slot Guidelines are overseen by the IATA Joint Slot Advisory Group (JSAG), comprised of an equal number of IATA member airlines and airport coordinators. JSAG is an industry representative group.

The composition of JSAG reflects the global nature of international air transport. Each member is responsible for ensuring that their region is represented in discussing and agreeing policies and standards.

JSAG meets regularly to agree on proposals for changes to the WSG and to consult on the administration of the biannual IATA Slot Conference (SC). All changes are agreed by JSAG before being endorsed by the Heads of Delegation of the SC. This ensures that no new or changed standards or best practices can be introduced unilaterally by any airline, coordinator or IATA.

The current CEO of Airport Coordination Australia is a member of JSAG.

² Regularly, in these circumstances, is a minimum of five services per week.

3 Stakeholders

The purpose of this chapter is to summarise the key stakeholders (both internal and external) and their roles and responsibilities around the Scheme.

3.1 Internal stakeholders

3.1.1 Minister for Infrastructure and Transport

The Minister has Legislative responsibilities in relation to the Scheme including responsibility for appointment of the Slot Manager.

The Minister is required to table Airservices quarterly movement reports on compliance with the maximum movement limit in Parliament.

3.1.2 Secretary, Department of Infrastructure and Transport

The Secretary of the Department has delegated authority from the Minister for Infrastructure and Transport to appoint members of the Compliance Committee.

The Secretary provides consent for the Slot Manager to dispose of slot records after they have been maintained for a specific time period.

3.1.3 Executive Director, Aviation and Airports

The Executive Director is the direct source approver and holds delegations under FMA Regulations 9 and 10 to commit and spend funds.

3.1.4 General Manager, Airports Branch

The General Manager holds certain delegations under FMA Regulations 9 and 10 to commit and spend funds.

The General Manager is the Chair of the Compliance Committee.

3.1.5 Director, New South Wales Section, Airports Branch

The Director leads the Section responsible for administering the Act and subordinate legislation. As the Program Officer, the Director has oversight responsibility for the management of the Slot Manager.

The Director is the Alternate Member/Chair of the Compliance Committee.

3.1.6 Chief Financial Officer (CFO), Corporate Services, Financial Services

The CFO has responsibility for ensuring that the financial aspects of the Scheme comply with the FMA Act. The CFO also has oversight for financial management and reporting for the Department.

3.1.7 Collector of Public Money (CPM)

The CPM is appointed by the CFO and is responsible for the collection of money from the Slot Manager, the processing of payments in SAP and the preparation and issue of receipts and other documents to the Slot Manager and the Director, NSW Section, Airports Branch.

3.1.8 Financial Services

Financial Services process reimbursement payments to the Slot Manager in accordance with the Agreements, procurement registrations and purchase orders. Monthly reconciliations of SAP against the Program Administrator's reimbursement records are also provided to Financial Services.

3.1.9 Division and Branch finance officers

The Division and Branch finance officers require periodic reporting on matters such as accruals, appropriations, year-to-date spending, etc.

3.2 Key external stakeholders

3.2.1 Airport Co-ordination Australia Pty Ltd (ACA)

ACA has been appointed to provide Slot Management services under the Sydney Airport Slot Manager Appointment Instrument by the Minister.

The following table outlines the shareholders of ACA and the corresponding number of shares held.

Table 1 - ACA shareholders as at August 2012

Owner	Number of Shares
Virgin Australia Pty Ltd	352
Qantas Airways Limited	408
Regional Aviation Association of Australia	140
Sydney Airport Corporation Limited	100

The Board of ACA meets four times per year and voting is carried out on an 80 per cent acceptance rather than a majority. The Chair of the board is shared between directors on a rotational basis. The current Chair is an airline representative and the former chair was from Sydney Airport Corporation Limited.

As at July 2013, the five directors that compromise the ACA Board are:

- Paul Anthony Tyrell, Chief Executive Officer, Regional Aviation Association of Australia (Chair of ACA)
- Amanda Majarres, Head of Domestic Network, Qantas Australia
- Ernst Jurgen Krolke, Chief Executive Officer, ACA
- Elpida Antzoulatos, General Manager Network Management, Virgin Australia Pty Ltd
- Shelley Roberts, Executive Director Aviation, Sydney Airport Corporation Limited

Funding for the functions performed by the Slot Manager is through a levy on industry and a fee on each slot allocated to a domestic carrier³.

As the Slot Manager, ACA has responsibility for administration of slot management at Sydney airport, including slot allocation, reporting and monitoring, compliance and financial

³ International carriers are not charged a fee for an allocated slot.

management. The current level of staffing comprises four people: the Slot Coordinator and three coordination staff.

3.2.2 Airservices

Airservices provides air traffic control services at Sydney Airport. They are required to report quarterly to the Minister for Infrastructure and Transport on all occasions where movements at Sydney Airport exceed the regulated hourly maximum movement cap. Airservices provide movement data to the Slot Manager and has a representative that is a member of the Compliance Committee.

Under arrangements with ACA, where an application for an ad hoc slot is made outside the normal working hours of the Slot Coordinator (currently 8:00am – 4:30pm Monday to Friday), or on a public holiday, Airservices will assess the application and make a decision to approve or reject the application.

3.2.3 International Air Transport Association (IATA)

The International Air Transport Association (IATA) is an international trade body that represents, leads and serves the airline industry. The Sydney Airport Slot Management Scheme was developed with reference to the IATA Worldwide Slot Guidelines. The Sydney Airport Demand Management Act 1997 and subordinate legislation takes precedence over IATA Worldwide Slot Guidelines for slot management at Sydney Airport.

3.2.4 Sydney Airport Corporation Limited (SACL)

- SACL manage Kingsford Smith Airport in which the Slot Management Scheme takes effect;
- SACL is a shareholder of ACA and have a representative on the Board of Directors;
- SACL provides gate movement data to the Slot Manager and Airservices; and
- SACL has a member on the Compliance Committee.

3.2.5 Qantas Airways Limited (Qantas)

- Qantas participates in the Scheme by applying for and utilising slots at Sydney Airport;
- Qantas is a shareholder of ACA;
- Qantas provides gate movement data to Airservices and the Slot Manager; and
- Qantas has a member on the Compliance Committee.

3.2.6 Virgin Australia Pty Ltd (Virgin)

- Virgin participates in the Scheme by applying for and utilising slots at Sydney Airport;
- Virgin is a shareholder of ACA and has a representative on the Board of Directors;
- Virgin provides gate movement data to Airservices and the Slot Manager; and
- Virgin has a member on the Compliance Committee.

3.2.7 Regional Aviation Association of Australia Limited (RAAA)

- RAAA represents the combined interests of its regional airline members who use Sydney Airport;
- RAAA is a shareholder of ACA and has a representative on the Board of Directors; and
- RAAA has a member on the Compliance Committee.

Regional Express is the alternate member for RAAA for the Compliance Committee.

3.2.8 Board of Airline Representatives of Australia Inc (BARA)

- BARA represents the combined interests of international airlines operating to and from Sydney Airport; and
- BARA has a member on the Compliance Committee.

United Airlines is the alternate member for BARA for the Compliance Committee.

3.2.9 Operators

- Operators include airlines and other aircraft operators using or planning on using Sydney Airport and participate in the Scheme by applying for and utilising slots at Sydney Airport.

3.2.10 Local community

- The local community is directly impacted by the policies and procedures of Sydney Airport. Cap regulations were considered a measure to manage capacity and environmental impacts, together with other regulatory settings at Sydney Airport.

3.2.11 General public

- Many of the general public use Sydney Airport and are the operator's customers. Communities around the airport have a strong interest in airport operations, particularly to the extent they affect aircraft noise levels and local ground transport traffic flows.

4 Sydney Airport Demand Management Act 1997

The purpose of this chapter is to outline the requirements and underlying processes prescribed by the Sydney Airport Demand Management Act 1997.

① Reference and guidance material

- Sydney Airport Demand Management Act 1997
- Sydney Airport Slot Management Scheme 2013
- Sydney Airport Compliance Scheme 2012

4.1 Limitation of aircraft movements at Sydney Airport

The Demand Management Act serves to limit aircraft movements at Sydney Airport and enables the monitoring of compliance with that limit. It also provides for the Slot Management Scheme, under which slots for gate movements at Sydney Airport are allocated. The Scheme is required to be consistent with the ‘maximum movement limit’. Under the Act, this limit has been set at 80 aircraft movements in any regulated hour. (Part 2, Section 6 (1)) The Act also provides for the Compliance Scheme, which sets out various matters relating to compliance with the requirements of the Act.

4.2 Minister’s powers

4.2.1 Approval of amendments

The Minister may approve amendment of the Slot Management Scheme provided he or she is satisfied that the proposed amended scheme would still be consistent with requirements outlined in the Act. Approval must be in the form of a written legislative instrument. Such a determination must set out the amendment in full and identify the date the amendment would come into force. (Part 4, Section 44)

Similarly, the Minister may approve an amendment of the Compliance Scheme as prepared or as amended by the Compliance Committee or Minister, provided he or she is satisfied that the proposed amended Scheme would be consistent with requirements outlined in the Act. Approval must be in the form of a written legislative instrument as detailed above. (Part 5, Section 58)

4.2.2 Powers in relation to slot allocation

The Minister may direct the Slot Manager to issue, vary, suspend or cancel slots that have been allocated under the Slot Management Scheme. Any direction must be made in writing. The Minister must outline his or her reasons for giving the direction and provide a copy of the direction to be tabled in each House of Parliament no later than six sitting days from the day on which the direction is given. The Slot Manager, and any person authorised under the Scheme (e.g. Airservices and Sydney Airport Corporation Limited), must comply with a direction by the Minister. (Part 4, Division 3, Section 46)

4.2.3 Compliance

The Minister has several powers relating to compliance and is responsible for appointing the members of the Compliance Committee. The Minister has the power to delegate this and has delegated responsibility to the Secretary, Department of Infrastructure and Transport.

Airservices are required to produce a quarterly report of operator compliance with the maximum movement limit. The Minister then tables the report before the Houses of Parliament. The Minister may appoint another provider in the monitoring role should Airservices cease to provide air traffic control services to Sydney Airport. (Part 2, Section 9)

The Minister may also determine additional requirements with which the Compliance Scheme must be consistent. Any such requirements must be consistent with the existing maximum movement limit and articulated via a legislative instrument. (Part 5, Section 50)

4.3 Penalties for unauthorised gate movements

Penalties apply for unauthorised gate movements under Part 3 of the Act. An operator may be ordered to pay a pecuniary penalty to the Slot Manager by the Federal Court. This is payable on behalf of the Commonwealth. The Court must be satisfied, on the balance of probabilities, that a person has contravened a civil penalty provision. In determining the pecuniary penalty, the Court must have regard to the following: the nature and extent of the contravention; the nature and extent of any loss or damage suffered as a result of the contravention; the circumstances in which the contravention took place; and whether the operator has previously engaged in similar conduct.

Under section 15, the Slot Manager may apply to institute proceedings in the Federal Court for the payment of a pecuniary penalty. The proceedings must be commenced within six years after the contravention. The Federal Court will then apply the rules of evidence and procedure relating to heading and determining civil matters.

Additionally, a system of infringement notices has been created as an alternative to proceedings for civil prosecutions. The Compliance Committee may direct the Slot Manager to issue an infringement notice to an operator who has committed a civil contravention. The penalty is payable to the Slot Manager, on behalf of the Commonwealth. (Part 3, Division 3)

The pecuniary penalty is not to exceed 2000 penalty units for a contravention by a body corporate of a no-slot movement, or 400 penalty units for an individual. For off-slot movements, a penalty cannot exceed 1000 penalty units for a body corporate or 200 penalty units for an individual. (Part 3, Division 2, Section 14) A table of fines can be found at Section 6.4.

4.4 The Slot Management Scheme

4.4.1 Framework for the Scheme

The Act provides the framework for the development and operation of the Slot Management Scheme. The basic purpose of the Scheme is to provide a system for the allocation of permissions for gate movements at Sydney Airport. A slot allocated under the Scheme will permit a specified gate movement at a specified time on a specified day. Section 35 of the Demand Management Act outlines the content requirements of the Scheme.

The Scheme must be consistent with the maximum movement limit for aircraft movements. It must also be consistent with any requirements of the *Sydney Airport Curfew Act 1995*. Additionally, the Scheme must set out guidelines relating to the exercise of the Slot Manager's power and other provisions relating to the performance of the Slot Manager's functions. The Minister may, by legislative instrument, determine additional requirements with which the Scheme must be consistent. The Minister must consult the Slot Manager about any proposed determination of the Scheme. (Part 4, Division 1, Sections 33-36)

4.4.2 Development and amendment of the Scheme

It is the responsibility of the Slot Manager to develop a draft Slot Management Scheme for Sydney Airport. The draft Scheme is then submitted to the Minister for approval. The Minister may request the Slot Manager to amend the draft Scheme to address a particular issue identified by the Minister and resubmit the amended Scheme accordingly. If the Slot Manager refuses or fails to comply with the request to the satisfaction of the Minister within an appropriate period of the request being made, the Minister may amend the draft Scheme to address the issue.

The Minister's power to request an amendment of the draft Scheme, or to amend the draft Scheme, may be exercised even if the Scheme is already consistent with section 35 of the Act. Alternatively, the Slot Manager may develop amendments of their own accord and submit them to the Minister for approval.

The Minister may only approve the draft Scheme (either the original Scheme developed, or as amended by the Slot Manager or the Minister) if he or she is satisfied that the Scheme is consistent with section 35 of the Act. The Minister must signal their approval of the Scheme via legislative instrument. The determination of approval must set out the Scheme in full, and specify the day on which the Scheme is to come into force as the Slot Management Scheme. (Part 4, Division 2, Sections 38- 45)

4.5 The Slot Manager

The Act states there is to be a Slot Manager for Sydney Airport. The functions of the Slot Manager are to develop, administer and amend the Slot Management Scheme. Other functions are conferred on the Slot Manager by the Act, the regulations, the Slot Management Scheme and the Compliance Scheme. (Part 6, Section 60)

The Minister may, in writing, appoint a body corporate to be the Slot Manager. A company incorporated under the Corporations Act 2001 may also be classified as a body corporate. The appointment cannot exceed three years. The Minister must consider the body corporate to have a good general understanding of aviation and of the issues involved in the slot allocation process. The appointment of a body corporate to be the Slot Manager does not confer a separate legal personality to the body corporate. Furthermore, the Slot Manager should not be taken as an authority, officer, agency or instrumentality of the Commonwealth. The Slot Manager is only taken as a Commonwealth entity under sections 134.1, 134.2, 135.5 and 135.2 of the *Criminal Code*. (Part 6, Sections 61, 62) However, no legal action can be taken against the Slot Manager, or an employee or agent of the Slot Manager for any loss or damage caused by the Slot Manager, employee or agent in the course of their regular duties. (Part 6, Sections 61, 62, 64)

The Minister may terminate the appointment of a body corporate as the Slot Manager at any time for any reason. The termination must be in writing. There are also provisions in the Act which allow for the Slot Manager to be replaced for reasons other than termination. (Part 6, Sections 63, 65)

4.5.1 Process for appointment/reappointment of the Slot Manager

The process for the reappointment of the Slot Manager requires the Department to:

- perform an environmental scan including consulting with key industry stakeholders;
- investigate alternate providers for the role;
- seek to identify if stakeholders support the Slot Manager's professional competence and collectively endorse the reappointment of the current Slot Manager; and

- confirm the current Slot Manager has:
 - successfully implemented the Scheme through a consultative process;
 - demonstrated their expertise in the slot allocation process; and
 - demonstrated a sound understanding of airport processes and infrastructure.

The Department may, in writing, recommend the appointment of the Sydney Airport Slot Manager to the Minister. The Minister then may, in writing, appoint the recommended body corporate to be the Slot Manager for a period of three years.

4.5.2 Slot Manager records

The Sydney Airport Demand Management Regulations 1998 outline the requirements of the Slot Manager in maintaining records. The Slot Manager is required to keep the following records:

- a slot that is allocated to an operator of an aircraft by the Slot Manager under the Slot Management Scheme;
- where a declaration is made that an operator did not comply with the ‘use it or lose it’ test;
- gate movement times;
- a copy of the reasons (if any) that an operator of an aircraft has given to the Slot Manager under any requirements for the operators to give times and reasons for a specified gate movements;
- a copy of a document prepared by the Slot Manager in relation to a proceeding in the Federal Court;
 - for the payment of a pecuniary penalty under the civil penalties (section 14) of the Demand Management Act 1997; and
 - in which the Slot Manager is the applicant;
- a copy of an infringement notice; and
- a copy of an evidentiary certificate made under section 70 of the Act.

The Slot Manager is required to maintain records for seven years subject to any transfer of records undertaken under Part 5 of the regulations. If the Slot Manager has kept the record for seven years, they may request in writing to the Secretary to dispose of the record. The Secretary is required, no later than 14 days after receiving the request, to respond to the Slot Manager by giving approval for disposal of the record or requesting the Slot Manager retain the record for a specified period, outlining the reasons why. The Slot Manager must not dispose of a Slot Management record until consent has been provided by the Secretary. (Part 3, Section 16 and 17, Sydney Airport Demand Management Regulations 1998).

4.5.3 Access to Slot Manager records

The Secretary may in writing request access to Slot Manager records. If the Secretary makes such a request the Slot Manager must make the record available to the Secretary no later than 14 days after the request has been made. The Slot Manager can make the record available at the registered office of the Slot Manager or at another place that is agreed between the Secretary and the Slot Manager. The Secretary may take a copy of the record.

The Secretary may require the Slot Manager or Compliance Committee to report on matters in relation to Slot Management at Sydney Airport. For this purpose, the Secretary may request, in writing, a report from the Slot Manager in relation to:

- a scheduling season; or
- other periods that are agreed between both parties.

The Slot Manager is required to provide the Secretary, in writing and within 14 days, reports on any or all of the following matters:

- the number of slots allocated to an operator of an aircraft by the Slot Manager;
- the number of declarations made under the ‘use it or lose it’ test under Section 7 of the Slot Management Scheme 2013, including any calculations made in making the declaration;
- the times in which all gate movements occurred during the scheduling season or other period;
- the reasons an operator has provided to the Slot Manager in relation to a specified gate movement (as outlined in Regulation 20 of the Sydney Airport Demand Management Regulations 1998);
- the number of proceedings that are in Federal Court, being proceedings in which the Slot Manager is the applicant seeking payment of a pecuniary penalty under the Sydney Airport Demand Management Act 1997;
- the number of infringement notices that were issued during the scheduling season or other period;
- the number of evidentiary certificates that were made under section 70 of the Act (where an operator has conducted an off-slot or no-slot movement).

(Regulation 19, Sydney Airport Demand Management Regulations 1998)

4.5.4 Transfer of Slot Manager records

If a body corporate ceases to be the Slot Manager and another body corporate becomes the Slot Manager (at the time the old Slot Manager ceases to be the Slot Manager), the old Slot Manager must transfer the Slot Manager records held by it to the new Slot Manager as soon as practicable after ceasing to be the Slot Manager.

If no other body corporate has been appointed as a Slot Manager at the time the old Slot Manager ceases to be the Slot Manager, the old Slot Manager must transfer the records to the Department as soon as practicable after ceasing to be the Slot Manager. If the Department receives Slot Manager records for this purpose, the Department must hold onto the records until a new Slot Manager is appointed, at which time they should transfer the records to the new Slot Manager no later than 14 days after the new Slot Manager is appointed.

The new Slot Manager is required to maintain records as outlined in section 4.5.2 above. (Regulation 24, Sydney Airport Demand Management Regulations 1998)

4.5.5 Slot Manager reporting

The Slot Manager produces a number of reports for the Department. Reporting in relation to the Compliance Committee can be found in Chapter 6. It is the responsibility of the ACA Board to provide an undertaking to the Department that the slots for the scheduling season being reported on have been issued by the Slot Manager in accordance with the statutory rules

governing entitlement and precedence as prescribed in Part 2 of the Slot Management Scheme 2013.

The Slot Manager provides the following reports to the Department including:

- Start of season report (October and March) which covers:
 - seasonal slot allocation from historic precedence to slot handback;
 - hourly runway movements;
 - weekly runway utilisation;
 - hourly movement shares between operators;
 - any growth in the off peak period;
 - management of demand during the peak periods; and
 - level of allocated and protected slots.
- End of season report (November and April) which covers:
 - an overview of the season;
 - management of demand during the peak periods;
 - any growth in the off peak period;
 - protected slots;
 - hourly runway movements;
 - weekly runway utilisation;
 - hourly movement shares between operators; and
 - level of allocated and protected slots.
- Record of Slots allocated (November and April) including:
 - List of all slots allocated during scheduling season.

4.5.6 Annual review of the Slot Manager

An annual review process is carried out to monitor the Slot Manager's compliance with legislative objectives and obligations of the slots regime.

The review includes an annual assessment of the Slot Manager's progress against the objectives of Cap Management and the Slot Regime at Sydney Airport, the Slot Manager's compliance with the Sydney Airport Demand Management Act 1997 and a risk assessment of the Slot Manager's role and responsibilities.

4.5.6.1 Annual Review

Prior to the annual review meeting, the Department provide a *Schedule of Information Required* to the Slot Manager outlining the information necessary for the annual review. This information relates to the following areas:

- Objectives of the Cap Management and Slot Regime at Sydney Airport, to:
 - provide an effective means of administering the movement limit;
 - help alleviate delays caused by congestion;

- guarantee access to slots for regional services;
- spread aircraft movements more evenly within hours; and
- provide equal access to slots for new entrants.
- Sydney Airport Demand Management Act 1997 and subordinate legislation:
 - to assess if the Slot Manager has complied with their legislative obligations during the review period;
 - objectives of the slot regime;
 - functions of the Slot Manager in relation to compliance reporting;
 - dispensations in exceptional circumstances;
 - variation, suspension or cancellation of allocated slots;
 - historical precedence;
 - ‘use it or lose it’ test;
 - slot applications and the general process of slot allocation;
 - slot Manager records;
 - reporting; and
 - cost recovery.

Upon receipt of the information, the Department performs the review.

4.5.6.2 *Risk Assessment*

The Department performs a risk assessment to identify any issues that may pose any specific risk to the Slot Manager achieving full compliance with relevant obligations. This is undertaken using the approach outlined in the Department’s Risk Management Guidelines. The risk assessment includes:

- risk number;
- potential risk event;
- risk level;
- proposed risk treatment; and
- responsible parties.

Following the Department’s review and risk assessment, the annual review meeting is held to discuss the findings. Attendees include:

- Slot Manager Chairman;
- Slot Coordinator;
- General Manager, Airports Branch, Department of Infrastructure and Transport;
- Director, NSW Section, Department of Infrastructure and Transport;
- Assistant Director, NSW Section, Department of Infrastructure and Transport;
- Team Member, NSW Section, Department of Infrastructure and Transport.

The Department determines if it is satisfied with the information provided and if there are any outstanding issues requiring a response from the Slot Manager.

The General Manager then approves the findings of the Slot Manager annual review and formally advises the Slot Manager in writing of any follow up matters. Once all matters are addressed by the Slot Manager and Department, the General Manager advises the Slot Manager in writing that the annual review is complete.

4.6 The Compliance Committee

The Act further states that there is to be a Compliance Committee for Sydney Airport, with its members appointed by the Minister (or delegate). The functions of the Committee are to develop, administer and amend the Compliance Scheme. Other functions are conferred on the Committee by the Act, the regulations, the Compliance Scheme or the Slot Management Scheme. The regulations may deal with matters such as the terms and conditions, duration and termination of appointments, as well as other matters relating to the operations of the Committee.

The Compliance Committee and its individual members are not to be taken as the Commonwealth, nor an authority or officer of the Commonwealth. Additionally, the Committee is not to be taken as a public authority, agency or instrumentality of the Crown. No legal action can be taken against the Committee for any loss or damage caused by the Committee in the course of their regular duties. (Part 7, Sections 66-69) Refer to Chapter 6 for further details.

4.6.1 Power of the Compliance Committee in relation to slot allocation

The Compliance Committee may recommend the Slot Manager to vary, suspend or cancel slots that have been allocated under the Slot Management Scheme. The Slot Manager must have regard to the recommendation, but is not required to comply with it under the Act. (Part 4, Division 3, Section 47)

4.7 Airservices

Airservices monitors and reports compliance with the maximum movement limit. They provide a quarterly report to the Minister outlining the extent of any infringements of the limit in the quarter. This must be submitted within 28 days of the end of each quarter. Quarters are defined in the Act as beginning 1 January, 1 April, 1 July and 1 October in any given year. The Minister must lay a copy of each report before each House of Parliament within 15 sitting days of receiving the report.

Airservices is not required or authorised to take any action to enforce compliance with the limit. Furthermore, if Airservices cease to provide air traffic services at Sydney Airport, their monitoring role will be transferred to the new provider of these services. (Part 2, Section 9)

4.8 Key actions and responsibilities matrix

<p>This matrix shows the key steps around deliverables; and the key stakeholder groups and documents involved:</p> <div><div>!</div>Has responsibility for this step</div> <div><div>↻</div>Involved in this step (for example, giving advice, being informed)</div> <div><div>👉</div>Gives formal approval</div> <div><div>📄</div>Document is used</div> <div><div>📁</div>Documents are created or updated</div>													
	Minister	Slot Manager	Compliance Committee	Airservices	Houses of Parliament	The Department (including Secretary)	General Manager	Legislative instrument	Slot Management Scheme	Compliance Scheme	Slot Manager reports	Written notice	Records
	Request an amendment to the Slot Management Scheme	!	↻						📄				
	Approve an amendment to the Slot Management Scheme	👉							📁				
	Approve an amendment to the Compliance Scheme	👉								📁			
Determine additional requirements with which the Slot Management Scheme must be consistent	!							📄					
Develop a draft Slot Management Scheme		!							📁				
Submit draft Scheme to the Minister for approval	↻	!							📁				
Approve the draft Scheme via a legislative instrument	👉							📁	📁				
Appoint a body corporate as the Slot Manager in consultation with the Department	!	↻				↻						📁	
Terminate the appointment of a body corporate as the Slot Manager	!	↻										📁	
Recommend the appointment of the Slot Manager to the Minister	↻						!					📁	

<p>This matrix shows the key steps around deliverables; and the key stakeholder groups and documents involved:</p> <ul style="list-style-type: none"> ! Has responsibility for this step ↻ Involved in this step (for example, giving advice, being informed) 👍 Gives formal approval 📄 Document is used 📁 Documents are created or updated 													
	Minister	Slot Manager	Compliance Committee	Airservices	Houses of Parliament	The Department (including Secretary)	General Manager	Legislative instrument	Slot Management Scheme	Compliance Scheme	Slot Manager reports	Written notice	Records
Step													
Maintain Slot Manager records according to regulations		!											📁
If appointment ceases, transfer Slot Manager records held to the new Slot Manager		!											
Annual Review of the Slot Manager		↻				!							
Appoint members of the Compliance Committee	!												
Monitor compliance with the maximum movement limit				!									
Produce quarterly report of operator compliance with the maximum movement limit within 28 days if the end of each quarter	↻			!							📁		
Table quarterly report before the Houses of Parliament within 15 sittings days of receipt	!				↻						📄		
Produce start of season report for the Department		!	↻			↻	👍				📁		
Produce end of season report for the Department		!	↻			↻	👍				📁		
Produce slot performance report for the Department		!	↻			↻	👍				📁		

5 Sydney Airport Slot Management Scheme 2013

The purpose of this chapter is to outline the requirements and underlying processes for the allocation and management of aircraft movement slots prescribed by the Sydney Airport Slot Management Scheme 2013.

① Reference and guidance material

- Sydney Airport Demand Management Act 1997
- Sydney Airport Demand Management Regulations 1998
- Sydney Airport Slot Management Scheme 2013
- Sydney Airport Slot Management Scheme 1998
- Sydney Airport Compliance Scheme 2012

5.1 Application for a slot, slot series or slot group

Any operator may apply for a slot under the Scheme, and may apply for a single slot, a slot series or a slot group. The Slot Manager will invite operators to apply for slots. This requires a written application to be submitted to the Slot Manager outlining the relevant details of the single slot, slot series or slot group applied for.

An operator may only apply for a slot to offer a regional service if the slot is a permanent regional service slot; the slot is not during a peak period; or the slot is to be used to meet a special need and is not part of an existing slot series or slot group. Additionally, an operator may only apply for a slot series or slot group to operate a service using an aircraft that has fewer than 18 passenger seats if it is for permanent regional service slots. (Part 2, Division 1, Sections 11, 12 and 13)

5.1.1 Permanent Regional Services Slots – including ‘ringfencing provisions’

The Slot Management Scheme provides for the allocation of slots to operators of regional services. A regional service is defined as a service that takes off and lands within New South Wales.

A slot series is considered a ‘permanent regional service series’ (PRSS) if the equivalent slot series in the previous equivalent scheduling season was a permanent regional service series under the Scheme. The number of PRSS during peak periods was capped in 2001 at the northern winter and northern summer rates under the *Slot Management Scheme 1998*.

Additionally, this category applies when, for each slot in the series, the equivalent slot in the previous equivalent scheduling season was a permanent regional service slot under the *Slot Management Scheme 1998*.

A new permanent regional service series may be created, or an existing series extended if the equivalent slot in each of the two previous scheduling seasons was allocated to the operator to conduct a regional service and the aircraft size requirement was met. A slot series is not a permanent regional service slot series if it includes a slot that in the previous two equivalent scheduling seasons, the equivalent slot was allocated to an operator for a non-regional service and the operator met aircraft size requirements. (Part 1, Section 6)

The ‘ringfencing provisions’ under the Scheme ensure that current peak regional services cannot be progressively moved out of these hours in favour of international or interstate services. A regional services operator may only swap a permanent regional service slot with a

non-regional operator if the time of the other slot is within 30 minutes of the original time of the permanent regional service slot.

Case Study

A permanent Regional Services Slot (PRSS) was allocated for Tuesday morning at 9:00am in 2001. In 2007, the operator of that PRSS swapped the slot with a non-regional operator moving to a 9:15am slot.

The Slot Manager has just received a request from the PRSS operator to swap slots with a non-regional operator moving to a slot time of 9:40am. The Slot Manager is unable to accommodate the request as the new time is outside the 30min allowable period from the original slot time of 9:00am. The PRSS operator can only swap a regional flight to a non-regional flight with slots operated between 8:30am and 9:30am (within 30mins of the original slot allocation time).

5.1.2 New entrants

An operator is deemed a ‘new entrant’ if, after initial allocation of historic slots, they have been allocated less than four slots on the particular day they are applying for. This principle also applies to ‘related operators’ where an operator (the first operator) is considered a related operator to another operator (the second operator) if the first operator holds 25 per cent or more of the relevant interests in the second operator’s shares or the first operator effectively controls the second. (Part 1, Section 3)

A potential new entrant must provide evidence (normally the Airport Operator Certificate (AOC)) that it will comply with statutory requirements before the start of the scheduling season. During the application process for the AOC, the Slot Manager will often consult with the new entrant to discuss progress. In addition, a new entrant may lose its allocated slot if it fails to comply with statutory requirements to operate the proposed service. (Part 2, Sections 23 and 24)

5.1.3 ‘Size of aircraft’ test

The ‘size of aircraft’ test may apply to a slot series where a size requirement for the aircraft has been specified by the Slot Manager. After the completion of a slot series where the ‘size of aircraft test’ was applied, the Slot Manager must assess whether the operator used an aircraft that satisfied the size requirement for at least 80 per cent of the slots. No declaration is required if the operator is taken to have satisfied the test in relation to the series.

However, the Slot Manager is required to make a declaration if he or she is unsatisfied with the results of the test. The Slot Manager must state that the operator did not comply with the ‘size of aircraft’ test in relation to the series and notify the operator and the Secretary of the declaration. Furthermore, the Slot Manager will consult with the operator to determine the reasons for the non-compliance. (Part 1, Sections 8 and 9)

The Slot Manager is able to verify the aircraft used via the Slot Coordination System to ensure that any size of aircraft provisions are being adhered to. An operator may lose the slot if it does not comply with the size of aircraft requirements.

5.2 Assessment of applications

5.2.1 Preparation for allocation before scheduling season starts

Prior to the next scheduling season, the Slot Manager must decide which slots in the upcoming season to which each operator has historical precedence. The Slot Manager must notify each operator in writing of the slots to which the Slot Manager considers it has historical precedence (*the slot historics list*) before the *slot historics deadline* (3rd Monday in September for Northern Summer and 3rd Monday in April for Northern Winter).

Historical Precedence Definition

*Subject to this section, an operator of a regular public transport operation has **historical precedence** to a slot series if:*

- *the corresponding slot series in the previous equivalent scheduling season was allocated to the operator; and*
- *the operator satisfied the ‘use it or lose it’ test and any ‘size of aircraft’ test that applied in relation to that slot series.*

An operator does not have historical precedence to a slot series that includes a permanent regional service slot for which the operator has applied to conduct a service that is not a regional service, if:

- *in each of the previous two equivalent scheduling seasons, the corresponding slot was allocated to an operator to conduct a service that was not a regional service; and*
- *the operator conducted the other service and satisfied any ‘size of aircraft’ requirement that applied to the slot.*

An operator does not have historical precedence to a slot series that includes:

- *a slot for which the operator has applied to conduct a service with an aircraft that has less than 18 passenger seats; or*
- *a slot in a peak period slot for which the operator has applied to conduct a regional service; (unless the slot is a permanent regional service slot).*

Operators must notify the Slot Manager if they disagree with the slot historics list by a specified date, known as the *agreed historics deadline* (approximately two and half weeks after the slot historics list is sent to operators).

The Slot Manager then invites operators to apply for slots in the next scheduling season before the *initial submission deadline* (normally seven days after the agreed historics deadline as per IATA guidelines). (Part 2, Division 2, Section 14)

The Slot Manager must offer a slot series to an operator who has historical precedence unless it would be inconsistent with Section 18. (Part 2, Division 2, Section 15) Section 18 is described in paragraph 5.3.1 of this Manual.

5.3 Allocation of a slot, slot series or slot group

5.3.1 General rules for allocation

The Slot Manager must not offer a slot to an operator if:

- allocating the slot would be likely to lead to the maximum movement limit being exceeded;

- the slot would permit a gate movement during a curfew period; or

the Slot Manager considers that allocating the slot would produce an unacceptable degree of clustering in gate movements. In such cases, the Slot Manager must consult with the operator and offer another slot. The Slot Manager must not offer an operator a permanent regional service slot (series) if another operator has historical precedence to the slot (series). (Part 2, Division 2, Section 15)

The Slot Manager must have regard to any advice about the likely effect of the allocation on the operational efficiency or the capacity of the airport from the air traffic control body at Sydney Airport (Airservices) or the airport operator company (Sydney Airport Corporation Limited). The Slot Manager holds regular meetings with SACL to discuss any changes to the airport that impacts capacity and receives formal capacity advice from Airservices. When offering a slot to an operator, the Slot Manager may specify a size requirement for the aircraft (see Section 5.1.3) to be used for the slot or slot series. (Part 2, Division 2, Section 18)

When allocating slots, the Slot Manager must have regard to any advice received from the airport operator and any guidelines published by IATA (where those guidelines are consistent with the Act and its relevant instruments). Furthermore, the following aims should be pursued:

- giving priority to changes in historic slots over allocating new requests for the same slot;
- resolving competing applications through consultation and negotiation;
- maintaining a service to routes where regional services have ceased to operate, and of introducing a service to routes where no regional service operates;
- giving priority to applications for slots to operate larger aircraft over applications for slots to operate smaller aircraft; and
- giving priority to operators that propose to operate a year-round service.
- ; and

When allocating slots for a particular scheduling season, the Slot Manager may be required to prioritise applications received before the initial submission deadline. The Slot Manager must give a lower priority to applicants, who in the previous equivalent scheduling season, returned slots after the *slot return deadline*.

If an operator does not accept an offer within 14 days after it is made, the slot is returned to the slot pool and the application is taken to be withdrawn. (Part 2, Division 2, Section 19)

5.3.2 Initial coordination

The Slot Manager completes an initial round of slot allocations according to historical precedence, new entrant and regional service provisions, normally 14 days before the biannual IATA Slot Conference. The Slot Manager will do this by making an offer to an operator who is required to notify the Slot Manager of acceptance of the slot. The Slot Manager must offer slots in accordance with those that applied under the initial coordination process first.

Where a new entrant and another operator apply for a number of slots, the Slot Manager should as close as possible offer 50 per cent of slots to the new entrant. The main purpose of this provision is for 50 per cent of retimed historic slots to be made available to new entrants over incumbent operators, thereby enabling greater access for new entrants to peak slots. This differs from worldwide industry standards which allow retimed historic slots to be offered to incumbents before new entrants. Additionally, a permanent regional service slot should be

offered to an operator that proposes to conduct a regional service. (Part 2, Division 2, Section 16)

5.3.3 IATA Slot Conference

The IATA Slot Conference is held biannually, normally the Thursday after the second Saturday in November (Northern Summer) and June (Northern Winter) as per IATA guidelines. The Slot Manager will attend the conference and hold further discussions with the operators. Following the conference the Slot Manager will confirm all allocations and finalise a waiting list for slots.

5.3.4 Slot hand back

For the purposes of assessing historical precedence, general provisions require an operator to hand back any slots they do not wish to use by the *slot return deadline* (normally 15 August for Northern Winter and 15 January for Northern Summer). The Slot Manager will update the slot allocations and baseline the slots allocated on the *historics baseline date* (31 January for the Northern Summer and 31 August for the Northern Winter). This baseline is used to assess an operator against the ‘use it or lose it’ test at the end of the scheduling season.

Airport Coordination Australia is trialling special hand back provisions for domestic slots impacted by a prolonged downturn in business travel during the Australian summer holiday period (December-January). The three year trial applies to three Northern Winter Scheduling seasons (October-March) commencing at the start of the 2012 Northern Winter Scheduling season and ending at the conclusion of the 2014 Northern Winter Scheduling Season. The outcomes of the trial will inform consideration of more permanent arrangements.

For the purposes of assessing historical precedence, the holiday period trial requires airlines to file one of three scheduling profiles for the Northern Winter Scheduling Season. An operator may still hand back slots that will not be used by the slot return deadline for the Slot Manager to update the slot allocation record and historics baseline. The historics baseline is still used to assess the operator against the ‘use it or lose it’ test but would be applied to one of the three profiles and not only the full scheduling season as applied under general provisions.

The three scheduling profiles that operators can file for include the full 22 week season, six week holiday period or sixteen week business period (period excluding holiday period).

The Slot Manager has the authority to conduct the trial through its discretionary powers under Part 1, Section 9, Subsection (2)(b).

5.3.5 Slot swaps

Two operators may apply to the Slot Manager to swap slots. The Slot Manager must consider the operational efficiency of Sydney Airport when deciding whether to approve a slot swap. Approval from the Slot Manager is required before the swap comes into effect. An operator is taken to have been allocated a slot that it obtained by a slot swap in order to meet the civil penalty provisions of the Act. Slot swap periods may vary in duration at the discretion of the Slot Manager. (Part 2, Division 3, Section 20)

A permanent regional service slot may only be swapped with a slot that is not a regional service slot for a period of more than one day only if the other slot authorises a gate movement that is within 30 minutes of the time of the gate movement that was authorised by the permanent regional services slot when it first came into effect. (Part 2, Division 3, Section 21) See section 5.1.1

5.3.6 Application for slots after initial allocation

Operators may apply for further slots in a scheduling season at any time after initial coordination. Accordingly, the Slot Manager may offer available slots to applicants at any time after the slot return deadline for a scheduling season. (Part 2, Division 2, Section 17)

The operator will apply to the Slot Manager in writing for a slot during the scheduling season. The Slot Manager will make an assessment of the application taking into consideration the requirements for the peak/off peak period and if the slot is for a permanent regional services slot. Requirements outlined in the general rules for allocation above should also be taken into consideration.

If a slot is not available the Slot Manager will offer an alternate slot to the operator and place the operator on a waitlist for the original slot. If the slot is available and meets the requirements, the Slot Manager will offer the slot to the operator. Where an offer is made for a slot, the operator must accept the offer by notifying the Slot Manager within 14 days of the slot being offered (Part 2, Division 2 Section 19 (3))

5.3.7 Applying for an ad hoc slot

An operator may apply for an ad hoc slot to conduct a gate movement. The current operational hours for the Slot Manager are 8:00am-4:30pm and operators may apply for an ad hoc slot in this time period through the Slot Manager. If an ad hoc application is required outside these hours, or on the proposed day of the movement, the operator can apply to Airservices.

An application can be made in writing for an ad hoc slot, to either the Slot Manager or Airservices. Once the application is received, it will be assessed to identify:

- if a slot is available;
- if there is terminal capacity for the gate movement; and
- that it will not result in a breach of the movement cap or curfew period.

Based on this assessment, the Slot Manager or Airservices may offer the ad hoc slot to the operator. Where Airservices assess the application, they will notify the Slot Manager the following day after the application has been assessed if an ad hoc slot has been allocated. The Slot Manager keeps a record of all ad hoc slots in the slot compliance database.

Following breaches of the movement limit in 2010-2011, new operational procedures were introduced by Airservices to manage the risk of further breaches. One of the measures implemented restricts the allocation of ad-hoc slots in peak periods, so no slots can be allocated to unscheduled flights during periods of high compliance risk.

5.3.8 Loss of allocation

An operator may return a slot to the slot pool at any time. However, operators are encouraged to return slots before relevant slot return deadline, 15 January before the northern summer commences and 15 August before the northern winter commences. (Part 2, Division 4, Section 22)

New entrants may be in danger of losing their allocated slots if they do not satisfy the requirements outlined below, at least two months before the start of the scheduling season. The new entrant must comply with all the statutory requirements to operate the proposed service and must produce evidence that it will comply with those requirements before the start of the scheduling season. If the operator fails to do so, any slot that has been allocated to the operator is returned to the slot pool. (Part 2, Division 4, Section 23)

The Slot Manager may return any slot allocated to an operator to the slot pool if they cease to comply with the statutory requirements to operate during a scheduling season. The suspension of an operator's Air Operator's Certificate is not taken as an event of non-compliance. (Part 2, Division 4, Section 24)

5.3.9 Declarations

Under subsection 11(4) of the Act regarding the meaning of off-slot and no-slot movements, the Slot Manager may declare that gate movements do not have to be in accordance with allocated slots for the whole or a part of a day. The Slot Manager may take into account

- whether it appears the physical capacity of the airport is, or has recently been, limited to 36 or fewer arrivals per hour;
- whether airspace or a runway is unavailable or its use is restricted and whether airspace or a runway is unsafe to use because of adverse weather conditions;
- any industrial action by people needed for the safe and efficient operation of the airport;
- any failure of, or defect in, the equipment required for the safe and efficient operation of the airport;
- any aircraft accident, serious incident, or incident; and
- any act of unlawful interference with aviation.

If the Slot Manager declares that gate movements do not have to be in accordance with allocated slots for a particular time period on the basis of a reduction of the physical capacity of the airport, the Slot Manager must consider whether the declaration should cover a subsequent period to account for disrupted movements and resultant delays caused by the period of reduced capacity. The Slot Manager must consult with the air traffic control body and the airport operator before making the declaration and the declaration must be made in writing. (Part 4, Section 27)

5.3.10 Dispensations in exceptional circumstances

The Slot Manager may grant a dispensation in authorising an aircraft to make a gate movement in circumstances that would otherwise result in the operator breaching a civil penalty provision if the Slot Manager is satisfied that there are exceptional circumstances justifying the take-off or landing. Exceptional circumstances arise where the refusal of the Slot Manager to allow an aircraft to make a gate movement could threaten the safety of a person, or Australia's international relations. A dispensation should be subject to a condition that approval is only for a single gate movement. (Part 5, Section 28)

5.3.11 Authorisations

The Slot Manager may authorise a person or authority such as Airservices, the body that provides air traffic control services at the airport and the airport operator to exercise any individual powers relating to the allocation of slots, or in connection with a previously allocated slot. (Part 6, Section 29) Airservices currently oversees slot management outside the hours of 8:00am – 4:30pm Monday to Friday and on public holidays.

5.4 Review of decisions

5.4.1 Internal review of decisions of the Slot Manager

Any operator unsatisfied with a decision of the Slot Manager, may apply, in writing, for a review of the decision to the Board of the Slot Manager. This must be received by the Board within 14 days of the operator being informed of the Slot Manager's initial decision. The Board will conduct a fair and reasonable review as it sees fit. If the Board is satisfied that the Slot Manager's decision is unreasonable, it may substitute any decision that the Slot Manager could have made. (Part 3, Section 25)

5.4.2 External review of decisions of the Slot Manager

Any operator unsatisfied with the Board's decision as outlined above may request the airport operator to appoint an arbitrator to review the decision of the Board. This must be received within 14 days of the operator being informed of the Board's decision. The airport operator must appoint an arbitrator that is a legal practitioner of at least seven years' standing.

The arbitrator may conduct the arbitration in any way that he or she believes is fair and reasonable, and may make any decision that the Slot Manager could have made. A legal practitioner may represent an applicant, or the Slot Manager. The arbitrator's fees and expenses are payable by the Slot Manager unless the arbitrator certifies in writing that the application was unreasonable. In this case, the arbitrator's fees and expenses are payable by the applicant. An arbitrator may not award costs against the Slot Manager or an applicant. (Part 3, Section 26)

5.5 Key actions and responsibilities matrix

<p>This matrix shows the key steps around infringement notices; and the stakeholder groups and documents involved:</p> <ul style="list-style-type: none"> ! Has responsibility for this step ↻ Involved in this step (for example, giving advice, being informed) ✋ Gives formal approval 📄 Document is used 📄📄 Documents are created or updated 												
Step	Slot Manager	The Department (including Secretary)	Aircraft operator	Air traffic control body (Airservices)	Airport operator company (SACL)	Aircraft operator – New entrant	Aircraft operator – Regional services	Airport Operator Certificate	Application	Written notice	Slot historics list	Slot waiting list
Provide evidence the potential new entrant will comply with statutory requirements before the start of the scheduling season	↻					!		📄				
Apply ‘size of aircraft’ test where applicable	!											
Decide which slots in the upcoming season to which each operator has historical precedence, as per the initial coordination process	!			!							📄	
Notify each operator in writing of the slots to which the Slot Manager considers it has historical precedence before <i>slot historics deadline</i>	!		↻							✋	📄	
Notify Slot Manager if operator disagrees with the slot historics list by the <i>agreed historics deadline</i>	↻		!							✋	📄	
Invite operators to apply for slots in the next scheduling season by the <i>initial submission deadline</i>	!		↻			↻	↻					
Submit a written application to the Slot Manager outlining relevant details of the single slot, slot series or slot group being applied for	↻		!			!	!		📄			
Offer a slot series to an operator who has historical precedence over the series, provided conditions outlined in the Scheme are met	!		↻						📄			
If conditions are not met, consult with operator and offer another slot	!		↻									
Assess applications and receive advice from stakeholders about the likely effect of an allocation on the operational efficiency or the capacity of the airport	!			↻	↻				📄			
Notify Slot Manager of acceptance of slot within 14 days of offer			↻			↻	↻		📄			

<p>This matrix shows the key steps around infringement notices; and the stakeholder groups and documents involved:</p> <ul style="list-style-type: none"> ! Has responsibility for this step ↻ Involved in this step (for example, giving advice, being informed) 👍 Gives formal approval 📄 Document is used 📁 Documents are created or updated 												
Step	Slot Manager	The Department (including Secretary)	Aircraft operator	Air traffic control body (Airservices)	Airport operator company (SACL)	Aircraft operator – New entrant	Aircraft operator – Regional services	Airport Operator Certificate	Application	Written notice	Slot histories list	Slot waiting list
Hold regular meetings with the airport operator company to discuss any changes to the airport that may impact capacity	!				↻							
Seek formal advice from the air traffic control body regarding capacity	!			↻								
Where applications must be prioritised, give a lower priority to applicants who in the previous equivalent scheduling season returned slots after the <i>slot return deadline</i>	!											
Attend biannual IATA Slot Conference	!											
Following IATA Slot Conference, confirm all allocations and finalise a waiting list for slots	👍											📁
Update slot allocations and baseline the slots allocated on the <i>Historics Baseline Date</i>	!											
Assess operators according to the ‘use it or lose it’ test at the end of each scheduling season	!											
Approve slot swaps	!								📄			
Assess applications for ad hoc slots between the hours of 8:00am and 4:30pm, and offer slots where appropriate	!								📄			
Assess applications for ad hoc slots outside the hours of 8:00am and 4:30pm, and offer slots where appropriate				!					📄			

6 Sydney Airport Compliance Scheme 2012

Summarises the compliance requirements in relation to slot management arrangements under the Act, the Sydney Airport Demand Management Regulations 1998 and the Slot Management Scheme.

① Reference and guidance material

- Sydney Airport Demand Management Act 1997
- Sydney Airport Demand Management Regulations 1998
- Sydney Airport Compliance Scheme 2012

6.1 Overview

The specific functions of the Compliance Committee (the Committee) provided for by the *Sydney Airport Demand Management Act 1997* (the Act) are to develop, administer and amend the Compliance Scheme, and such other functions as are conferred on the Compliance Committee by the Act and its subordinate legislation.

The Act established the slots compliance framework at Sydney Airport. The Act applies penalties for unauthorised aircraft movements i.e. no-slot and off-slot movements where the operator knowingly or recklessly allows the aircraft to engage in no-slot or off-slot movement.

Section 18 of the Act provides for a system of infringement notices for civil contraventions (no-slot and off-slot movements) as an alternative to civil prosecution. The Sydney Airport Compliance Scheme 2012 establishes what a no-slot and off-slot movement is and the corresponding rate of fines and provides for the Slot Manager and Committee to oversee compliance by operators and, as necessary, apply enforcement provisions in relation to slot management.

Definition of no-slot and off-slot movement⁴

No-slot movement

A gate movement is a no-slot movement if no slot permitting the movement on the day on which it occurs has been allocated under the Slot Management Scheme.

Off-slot movement

Movements that are taken to be off-slot:

- For a flight time with a block time of less than 3 hours – the movement occurs more than 15 minutes before or after the slot;
- For a flight time with a block time of more than 3 hours – the movement occurs more than 30 minutes before or after the slot.
- A gate movement is taken not to be off-slot if the circumstances that caused the movement to occur at the time it did were not within the operator's control.

⁴ Part 2 & 3 Sydney Airport Compliance Scheme 2012

6.2 Compliance Committee

6.2.1 Membership and appointment

Under the Sydney Airport Demand Management Regulations 1998 (the Regulations) the Minister may appoint up to seven people to be members of the Compliance Committee. The Minister's power for this purpose under the Act and Regulations has been delegated to the Executive Director of Aviation and Airports Division within the Department of Infrastructure and Transport.

Membership of the Committee is industry based to provide advice on the networking and organisational issues that impact on slot compliance. The Committee is comprised of up to 7 members with at least:

- three members nominated by airlines that regularly⁵ use Sydney Airport (or their representative organisation) with at least one of these members nominated by a regional service operator (or their representative organisation);
- one member nominated by the operator of Sydney Airport (e.g. the airport-lessee company); and
- one member nominated by the body that provides air traffic control services at Sydney Airport (e.g. Airservices).

6.2.1.1 Alternate Members

The Minister (or delegate) may appoint an alternate member to a member of the Compliance Committee. The alternate member may attend the meetings of the Committee, but must not vote unless the member to whom they are alternate is absent. For the purposes of this chapter member includes an alternate member.

As at July 2013, the Compliance Committee membership is included in the following table:

Table 2 – Members of the Compliance Committee for Sydney Airport as at July 2013

Role	Member	Alternate Member
Chair	Leonie Horrocks, General Manager, Airports Branch, Department of Infrastructure and Transport	Adam Sutherland, Director, NSW Section, Airports Branch, Department of Infrastructure and Transport
Member	Jennifer Birdsall, National Operations Centre Line Manager, Airservices	John Terlich, National Operations Centre Line Manager, Airservices
Member	Paul Petrykowycz, Manager International Schedule Planning, Qantas Airways Limited	Dylan Calder, Manager Domestic Scheduling, Qantas Airways Limited
Member	Andre Younes, Manager Operations Planning, Sydney Airport Corporation Limited	Luke Kameron, Head of Aviation Strategy, Sydney Airport Corporation Limited

⁵ An operator regularly uses Sydney airport if the operator operates 10 or more scheduled aircraft movements per week (on average during a scheduling season) through the airport – Regulation 5 (7) Sydney Airport Demand Management Regulations

Role	Member	Alternate Member
Member	Barry Abrams, Executive Director, Board of Airline Representatives of Australia Inc	Alison Espley, Director, Australia and New Zealand, United Airlines.
Member	Warrick Lodge, General Manager – Network Strategy, Regional Express	Fray Bowden, Safety Manager – Brindabella
Member	David Chudleigh, Manager Schedules Planning, Virgin Australia Pty Ltd	Lee Widdicombe, Schedules Planner, Virgin Australia Pty Ltd

6.2.1.2 Duration of appointment

A member of the Compliance Committee is appointed for a period no longer than three years. The Minister (or delegate) may reappoint a member, including a member who has been previously reappointed, for further periods of no longer than three years at a time.

A member or alternate member may resign their office in writing, at any time, to the delegate. The Compliance Committee have a standing agenda item reviewing the membership of the Committee. Where a member has resigned, the Department will prepare a minute to the delegate requesting appointment of a replacement member (ensuring it meets membership requirements under the regulations as outlined above).

6.2.2 Committee meeting procedures

6.2.2.1 Chair

The Minister (or delegate) must appoint one member of the Committee to be Chair. At present, this member is the Departmental member (or alternate). If the Chair is not present at the meeting of the Committee, the members of the Committee present at the meeting may appoint one of themselves to act as Chair for the meeting.

6.2.2.2 Frequency

The committee must meet at least once in a calendar year. The Committee may determine the procedures for meetings: including when meetings should be convened, how minutes are kept and who may be invited to attend meetings.

The Committee plans to meet a minimum of four times per year, once during each season (mid season – normally July and February) and once at the end of each season (end season – normally May and December). The Committee will review slot movement data during the mid season meeting and may use this opportunity to notify operators of any series where it is likely more than a determined appropriate per cent of movements will be classified as off-slot. The Committee will meet as soon as possible after the end of each scheduling season to determine if the Slot Manager is required to issue any infringement notices for off-slot and no-slot movements relating to the prior scheduling season.

6.2.2.3 *Agenda*

The Compliance Committee have a standing agenda, with members provided the opportunity to add to agenda items as required. Movement data is considered on a series by series basis at each meeting. The standard agenda is outlined below:

Standard Agenda as at July 2013

1. Opening Remarks
 - 1.1. Attendance
 - 1.2. Nomination of Chair*
 - 1.3. Confirmation of Quorum
 - 1.4. Disclosure of Conflicts of Interest
 - 1.5. Inclusion of Members with a Conflict of Interest in Meetings
 - Members to vote on whether members or alternate members are to be excluded from the meeting on matters where there is a conflict of interest
2. Acceptance of previous meeting minutes
3. Administration matters and improvements
4. Consideration of movement data
5. Other standard business
 - 5.1. Outstanding Issues
 - 5.2. Committee Membership
6. Closure Of Meeting

A representative of the Slot Manager may attend meetings of the Committee as an observer. It is the responsibility of the Committee to ensure the Slot Manager is provided adequate notice of a meeting. The Committee may allow anyone else to attend the meeting as an observer.

6.2.2.4 *Disclosure of interest by member of the Committee*

A member who has a direct or indirect interest (for example, as an employee of an airline whose conduct is being examined by the Committee) in a matter before the Committee, including a matter that is the subject of a proposed resolution being dealt with outside of a meeting, must disclose the interest to the other members as soon as possible after he or she becomes aware of the relevant facts.

A member is not taken to have an interest because of a direct or indirect pecuniary interest that the member has only through being in the aviation industry and is in common with the members of the Committee.

If a member has information that indicates another member has a direct or indirect interest in a matter before the Committee, the member must give that information to the Committee. The Committee should make a decision by resolution whether the allegedly interested member actually has an interest in the matter and the member may not vote on the resolution.

The member may not vote on the matter and must not be present while the Committee discusses the matter, except with permission of the Committee. (Regulation 13-14, Sydney Airport Demand Management Regulation 1998)

6.2.2.5 *Decision-making*

A simple majority of votes of the members present and voting determines matters before the Committee. Each member has one vote, and, in the event of an equality of votes, the Chair has the casting vote.

6.2.2.6 *Decision-making without a meeting*

The Committee has the option to make a resolution without holding a meeting. Where a Committee member proposes a resolution without holding a meeting, the member must send a copy of the resolution to each member of the Committee. Members have the right to vote on the resolution and must do so in writing, by writing on a copy of the proposed resolution words to the effect that they approve or oppose the resolution, signing it and returning it to the Chair.

Members are to be given 14 days to vote on the resolution. If within the 14 days, enough members⁶ vote for the resolution it is deemed to have passed. If 14 days have passed, the resolution will be deemed to be passed if two-thirds of the votes received by the Chair within the period are in favour of the resolution. If not, the resolution is taken to be lost.

It is the responsibility of the Chair to record the passing or loss of the resolution and notify, in writing, the members of the Committee and the Slot Manager. (Part 2 Regulation 15 Sydney Airport Demand Management Regulations 1998)

6.2.2.7 *Minutes and record keeping*

The Department acts as Secretariat for the Compliance Committee. The Department is responsible for ensuring that accurate minutes are taken at all meetings and that the minutes are retained for a period of seven years.

6.2.3 *Consideration of gate movement data*

The Slot Manager is required to gather relevant data for the Compliance Committee to make a determination if a slot movement was a no-slot or off-slot movement. The Slot Manager will use information gathered from the following sources:

- Airservices;
- Sydney Airport Corporation Limited; and
- Operators.

Under Regulation 21 of the Sydney Airport Demand Management Regulations 1998, Airservices can be requested, in writing, by the Slot Manager, for information relating to:

- gate movement times for each slot that has been allocated to an operator of an aircraft by the Slot Manager; and
- gate movement times that occur without a slot and without an exemption granted under the exemptions outlined under Division 5 of Part 3 of the Act.

Airservices must provide this information to the Slot Manager, in writing, no later than 14 days after the request is made. Airservices and ACA have a Memorandum of Understanding in place to manage the flow of information.

⁶ *Enough members* means two-thirds of the number of members who, if the proposed resolution were put to a meeting, would be entitled to vote – Regulation 15 (5) Sydney Airport Demand Management Regulations 1998

6.2.3.1 Collection of data

The Slot Manager supplies Airservices with a file that outlines the expected movements for each particular day (includes cancellations). Airservices are provided gate movement information from operators for domestic services and from SACL for international services. This data is sourced from both a mix of system generated and manually entered information. This data is collected electronically by Airservices and input into the Slot Compliance database. Every Tuesday (Wednesday for a public holiday week) Airservices send the compliance report to the Slot Manager. Airservices conducts sample testing of movement data provided by operators and SACL on an ad hoc basis to ensure reliability. The Slot Manager will undertake a review of the data on a monthly basis and identify possible no-slot and off-slot movements.

The Slot Manager or the Compliance Committee may request an operator to give the Slot Manager or the Compliance Committee the time a specified gate movement occurred and the reasons why the specified gate movement occurred when it did. The request must be in writing and the operator must give the information to the Slot Manager or Compliance Committee (whichever is applicable), in writing, no later than 14 days after the request is made.

The Director of Public Prosecution can issue a penalty up to 50 penalty units if an operator does not comply with a request to provide the time a specified gate movement occurred (a penalty cannot be issued where the response is not received within 14 days). (Regulation 20, Sydney Airport Demand Management Regulations 1998)

The Compliance Committee has agreed on a set of standardised reasons to be used when explaining why a movement did not occur on time. The list is available from the Airport Coordination Australia website. . The operator should try to use the standardised reasons where possible to provide information to the Slot Manager for the particular gate movement.

6.2.3.2 Data assessment

Once the information is received from the operator, the Slot Manager will input this information into the Slot Compliance database. ***If the operator does not provide a reason, the committee treats the movement as a no-slot or off-slot movement.***

Once the Slot Manager has reviewed the data collected, they will produce and send a report to the Department, as soon as possible after the end of each month, including all movement data and those assessed as being out of tolerance.

OffSlot Program

The Department will enter the data received into the its OffSlot program. The program groups flights together on the basis of sets of slots, as defined in the Sydney Airport Compliance Scheme 2012. The Department then undertakes an assessment of sets of slots where over 20 per cent of movements are operated off slot to determine whether any movements should be exempt under Section 4 of the Compliance Scheme. This assessment is undertaken on the basis the Compliance Committees interpretation of Section 4 of the Scheme and the Committee positions outlined in the Standardised Reasons.

Under Regulation 22 of the Sydney Airport Demand Management Regulations 1998, the Slot Manager may be requested to provide information in relation to specified gate movements to the Compliance Committee. The Slot Manager is required to produce this information in writing to the Compliance Committee no later than 14 days after the request is made.

6.2.3.3 *Reporting to the Compliance Committee*

For the mid season meeting the Committee will review the series most at risk of exceeding a determined per cent off slot movements at the end of the season. Where appropriate, the Committee may notify operators these series are likely to exceed 20 per cent off slot movements by the end of the Season and may result in compliance action, to allow operators to review the information provided and ensure further movements within the series are operated in accordance with slots.

For an end season meeting, the Department produces a report identifying series brought under 20 per cent by the Department applying the Standardised Reasons. The committee will then review any series where the operator still has more than 20 per cent off-slot movements for the period under review.

For both meetings, a report identifying any no-slot movements is prepared.

The Committee is responsible for reviewing the reason for each potential no-slot and off-slot movement and make a decision if the reason exempts the movement under the relevant parts of the Compliance Scheme. The Committee only needs to have a reasonable belief that the circumstances that caused the off-slot movement were outside the control of the operator to assess that the movement not be classified as a no-slot or off-slot movement.

Where a lack of information does not allow the Committee to make a decision, the Committee will treat the movement as not exempt under the Compliance Scheme.

CASE STUDY 1

Operator X has a slot allocated at 11:00am on a Monday morning for a flight from Sydney to Los Angeles. The flight did not depart the gate until 12:15pm on the same day making it 1hr15mins late.

Because the block time is greater than 3hrs, the tolerance period for the movement is +/-30mins. The operator is outside the tolerance and is required to provide the Committee with a reason for why the movement occurred when it did.

The operator has provided the following reason to the Committee:

- 60mins is due to waiting for passengers off a connecting flight; and
- 15mins is due to Airport External Facilities, congestion on the runway.

Under standardised reasons, the delay due to Airport External Facilities (15mins) is not within the operator's control. However, the 60-minute delay due to holding for connecting passengers is within the operator's control. For the purposes of compliance, this movement would be taken to be an off-slot movement. If the operator has more than 20 per cent off-slot movements for a series in a scheduling season, they may be subject to an infringement notice.

CASE STUDY 2

Operator Y has a slot allocated at 6:10am on a Tuesday for a flight from Sydney to Melbourne. The flight departed the gate at 6:40am on the same day making it 30 minutes late.

Because the block time is less than 3hrs, the tolerance period for the movement is +/-15mins. The operator is outside the tolerance and is required to provide the Committee with a reason for why the movement occurred when it did.

The operator has provided the following reason to the Committee:

- 30mins is due to thick fog at the airport.

Under standardised reasons, the delay due to weather (30mins) is not within the operator's control. In this instance, the off-slot movement would be classified as acceptable.

6.2.3.4 *Notification to the operator of a possible contravention*

The Compliance Committee is required to inform the relevant operator as soon as practicable after identifying that a gate movement is in contravention and may result in the Committee giving a direction to the Slot Manager to issue an infringement notice. (Part 5, section 9 Sydney Airport Compliance Scheme 2012)

The chair of the Compliance Committee will write to the Slot Manager requesting that they notify operators within this category following a Compliance Committee meeting.

CASE STUDY

During the assessment of no-slot or off-slot movements at the mid season meeting, the Compliance Committee identifies an operator is outside the determined per centage tolerance level. The Compliance Committee is required to inform the relevant operator.

6.3 **Infringement notices**

6.3.1.1 *Decision on when an infringement notice should be issued*

At the end of each Scheduling Season, as soon as practicable afterwards, the Compliance Committee is required to:

- Make a decision in relation to each operator; and
- Determine if they will give a direction to the Slot Manager to issue an infringement notice in relation to no-slot or off-slot movements.

(Part 5, section 10 Sydney Airport Compliance Scheme 2012)

6.3.1.2 *No-slot movement*

Where a no-slot movement is identified and is deemed by the Compliance Committee to be a contravention (e.g. within the operators control) an infringement notice should be issued. It is expected that the Slot Manager will institute civil prosecution for a no-slot movement except in circumstances where the operator has been allocated a slot on the previous day and the operator did not conduct a gate movement using that slot.

If the Slot Manager has instituted a civil prosecution for a no-slot movement, an infringement notice should not be issued. Any infringement notice issued should be done so after the end of the scheduling season but needs to be issued less than 12 months after the date of the gate movement. (Part 3, section 5, Sydney Airport Compliance Scheme 2012)

CASE STUDY

An operator has an allocated slot for 9.00pm on a Wednesday night. The operator is unable to conduct the gate movement on time because of waiting for connecting passengers and because of the curfew period at 11.00pm is unable to operate the service that night. The next morning at 11.00am the operator leaves Sydney airport without obtaining another slot.

The operator did not have a slot allocated for the movement on the Thursday morning and this movement will be treated as a no-slot movement. The operator had a slot for the previous day so the Slot Manager is unlikely to pursue the matter through a civil prosecution. However, because the operator did not apply for another slot on the Thursday the Compliance Committee may direct the Slot Manager to issue an infringement notice.

6.3.1.3 *Off-slot movements*

It is appropriate for the Compliance Committee to request the Slot Manager to issue an infringement notice where:

- The movement resulted in more than 20 per cent of gate movements conducted in relation to the set of slots being off-slot movements; or
- The movement occurred after the movement mentioned above.

It is not appropriate for the Slot Manager to issue an infringement notice under any other circumstances. If the Slot Manager has instituted a civil prosecution against the operator, an infringement notice should not be issued. Any infringement notice issued should be done so after the end of the scheduling season but needs to be issued less than 12 months after the date of the gate movement. (Part 3, section 6, Sydney Airport Compliance Scheme 2012)

CASE STUDY

At the end of the Northern Winter Scheduling season the Compliance Committee have identified that Operator X had 10 gate movements assessed as off-slot movements. In this particular series, the operator has 20 slots. This has resulted in 50 per cent of slots being off-slot movements. The operator is allowed 4 gate movements before being penalised (first 20 per cent).

The operator is therefore subject to 6 contraventions and the Compliance Committee should direct the Slot Manager to issue an infringement notice. The Slot Manager has used the rates of fine table at Section 6.4, identified the operator is a body corporate and issued the operator with a fine for \$15,300. If the operator were an individual, the fine would be one-fifth this amount.

6.3.1.4 *Issuing of infringement notices*

As per section 19 of the Demand Management Act, the Slot Manager is responsible for issuing an infringement notice to the respective operator upon direction from the Compliance Committee. The penalty payable under the infringement notice is payable to the Slot Manager, on behalf of the Commonwealth, within 28 days after the day on which the notice is issued. The Slot Manager may extend the time within which the penalty must be paid under the following provisions:

- an extension must not be for longer than 28 days;
- only one extension may be given; and
- an extension may be given before or after the end of the initial time for payment of the penalty.

(Section 21- 22, Sydney Airport Demand Management Act 1998)

An infringement notice, at minimum must include the following:

- be identified by a unique number;
- state its date of issue;
- give brief details of the civil contravention/s; including:
 - i. the date and approximate time of the contravention/s;
 - ii. where the contravention/s happened;
 - iii. the civil penalty provision that was contravened;

- iv. a unique identifier for each contravention;
- state the name of the person to whom it is issued (being the operator of the aircraft involved in the civil contravention);
- state the registration number of the aircraft involved in the civil contravention/s; and
- state the penalty payable under the notice for the civil contravention/s.

The infringement notice must tell the person to whom it is issued how they may pay the penalty and consequences for paying/not paying the penalty within the identified timeframe (section 23, Demand Management Act).

6.3.1.5 *Withdrawal of an infringement notice*

As per section 25 of the Demand Management Act, the Slot Manager is responsible for withdrawing an infringement notice from the respective operator upon direction from the Compliance Committee. When withdrawing an infringement notice, the Slot Manager must have regard to the provisions of the Compliance Scheme (subsection 25(1) of the Act). This Compliance Scheme specifies an infringement notice may be withdrawn in any of the following circumstances:

- the Slot Manager institutes proceedings against the operator in relation to the gate movement to which the infringement notices relates to;
- the infringement notice is issued more than 12 months after the relevant gate movements; and
- the Compliance Committee ceases to believe that the person/operator the infringement notice was issued to committed the civil contravention (e.g. if the Committee no longer believed that a gate movement that took place outside the tolerance was within the operators control it would be appropriate to withdraw that infringement notice).

It is not appropriate for the Slot Manager to withdraw an infringement notice in any other circumstances. (Part 3, section 7, Sydney Airport Compliance Scheme 2012) The Slot Manager must have regard to this when withdrawing an infringement notice.

If the operator has paid the infringement notice, the Slot Manager must refund it to the operator.

Notice of the withdrawal of the infringement notice must include the following:

- the number of the infringement notice;
- the persons/operators name and address;
- the date of issue of the infringement notice;
- state the infringement notice is withdrawn; and
- if the Slot Manager intends to bring a civil prosecution against the person/operator for the civil contravention – state that a civil prosecution may be brought against the person in a court for the civil contravention.

6.4 Rate of Fines for Body Corporate

Contravention	Northern Winter		Northern Summer	
	P.U. (x no. of contraventions)	Cumulative Total	P.U. (x no. of contraventions)	Cumulative Total
1	5	\$850	5	\$850
2	5	\$1,700	5	\$1,700
3	10	\$5,100	5	\$2,550
4	10	\$6,800	10	\$6,800
5	15	\$12,750	10	\$8,500
6	15	\$15,300	10	\$10,200
7	25	\$29,750	15	\$17,850
8	25	\$34,000	15	\$20,400
9	40	\$61,200	15	\$22,950
10	40	\$68,000	25	\$42,500
11	60	\$112,200	25	\$46,750
12	60	\$122,400	25	\$51,000
13	100	\$221,000	40	\$88,400
14	100	\$238,000	40	\$95,200
15	200 (max)	\$510,000	40	\$102,000
16	200	\$544,000	60	\$163,200
17	200	\$578,000	60	\$173,400
18	200	\$612,000	60	\$183,600
19	200	\$646,000	100	\$323,000
20	200	\$680,000	100	\$340,000
21	200	\$714,000	100	\$357,000
22	200	\$748,000	200 (max)	\$748,000
23 (cont).	200	\$782,000	200	\$782,000

The rate of fine for an individual is one fifth of that for a body corporate.

Chapter 6 | Sydney Airport Compliance Scheme 2012

6.5 Key actions and responsibilities matrix

<div>This matrix shows the typical sequence of steps for the removal and disposal of vehicles; and the key stakeholder groups and documents involved:</div> <div><div><div>!</div><div>Has responsibility for this step</div></div><div><div>↻</div><div>Involved in this step (for example, giving advice, being informed)</div></div><div><div>👍</div><div>Gives formal approval</div></div><div><div>📄</div><div>Document is used</div></div><div><div>📝</div><div>Documents are created or updated</div></div></div>	Slot Manager	The Department	Compliance Committee	Committee Chairperson	The Minister (or delegate)	Aircraft operator	Airservices	Director of Public Prosecutions	Minute	Infringement notice	Copy of proposed resolution	Written notice	Compliance report	List of standardised reasons	Movement data report	
	Appoint members of the Compliance Committee according to membership requirement under the regulations				!											
	Appoint one member of the Compliance Committee to be the chairperson				!											
	Review the membership of the Committee during Committee meetings			!												
	Where a member has resigned, prepare a minute to the Minister requesting the appointment of a replacement member		!							📝						
	Determine procedures for meetings, including minute keeping and invited attendees			!												
Provide adequate notice to the Slot Manager prior to a meeting taking place	↻		!													
Review slot movement data during the mid season and end season meetings			!													

<p>This matrix shows the typical sequence of steps for the removal and disposal of vehicles; and the key stakeholder groups and documents involved:</p> <div><div>!</div>Has responsibility for this step</div> <div><div>↻</div>Involved in this step (for example, giving advice, being informed)</div> <div><div>👍</div>Gives formal approval</div> <div><div>📄</div>Document is used</div> <div><div>📝</div>Documents are created or updated</div>																
	Slot Manager	The Department	Compliance Committee	Committee Chairperson	The Minister (or delegate)	Aircraft operator	Airservices	Director of Public Prosecutions	Minute	Infringement notice	Copy of proposed resolution	Written notice	Compliance report	List of standardised reasons	Movement data report	
	Notify any operator of movements recorded as off-slot movements for the review period if the operator has more than the determined per cent of movements classified as off-slot			!		↻										
	Determine whether the Slot Manager is required to issue any infringement notices for off-slot and no-slot movement relating to the prior scheduling season	↻		!						📄						
	Disclose any individual conflicts of interest to other Committee members			!												
	If a member has any information that indicates another members has a direct or indirect conflict of interest in a matter before the Committee, the member must provide that information to the Committee			!												
Make a decision by resolution whether the allegedly interested member has an interest in the matter			!													
Ensure accurate meeting minutes are taken at all meetings, and that meeting minutes are retained for seven years		!							📝							
Gather relevant data for the Compliance Committee to determine if a slot movement was an off-slot or no-slot movement	!															
Maintain Slot database							!									
Send compliance report to the Slot Manager on a weekly basis	↻						!						📝			

<p>This matrix shows the typical sequence of steps for the removal and disposal of vehicles; and the key stakeholder groups and documents involved:</p> <ul style="list-style-type: none"> ! Has responsibility for this step ↻ Involved in this step (for example, giving advice, being informed) 👉 Gives formal approval 📄 Document is used 📁 Documents are created or updated 	Step	Slot Manager	The Department	Compliance Committee	Committee Chairperson	The Minister (or delegate)	Aircraft operator	Airservices	Director of Public Prosecutions	Minute	Infringement notice	Copy of proposed resolution	Written notice	Compliance report	List of standardised reasons	Movement data report
	Conduct sample testing of movement data on an ad hoc basis							!								
	Review data on a monthly basis, and identify possible off-slot and no-slot movements	!						↻								
	Agree on a set of standardised reasons to be used when explaining why a gate movement did not occur on time			!											📄	
	Analyse all data collected and produce monthly report to the Department	!	↻													📁
	Review full suite of data each month and produce reports to prepare for upcoming Compliance Committee meetings	↻	!											📄		📄
	For the mid season meeting, apply the standardised reasons to series to determine series likely to exceed the determined per cent off slot movements for the season as a whole		!													📄
	For the end season meeting, undertake initial analysis of series where a determined per cent of movements have been operated off slot		!													📄
	For the end of season meeting, consider series with over 20 per cent of movements potentially are off slot in accordance with Section 4 of the Sydney Airport Compliance Scheme			!												
	Inform the relevant operator as soon as practicable after identifying a gate movement that is in contravention and may result in the Committee directing the Slot Manager to issue an infringement notice			!			↻									

<p>This matrix shows the typical sequence of steps for the removal and disposal of vehicles; and the key stakeholder groups and documents involved:</p> <ul style="list-style-type: none"> ! Has responsibility for this step 🔄 Involved in this step (for example, giving advice, being informed) 👍 Gives formal approval 📄 Document is used 📝 Documents are created or updated 															
Step	Slot Manager	The Department	Compliance Committee	Committee Chairperson	The Minister (or delegate)	Aircraft operator	Airservices	Director of Public Prosecutions	Minute	Infringement notice	Copy of proposed resolution	Written notice	Compliance report	List of standardised reasons	Movement data report
Request the Slot Manager to notify any operator in this category	🔄			!								📝			
Determine whether the Slot Manager is required to issue any infringement notices for off-slot and no-slot movement, at the end of each scheduling season	🔄		!							📄					
Issue an infringement notice to the operator where a no-slot movement is deemed by the Compliance Committee to be a contravention	!		🔄			🔄				📄					
Institute civil proceedings for a non-slot movement (except in circumstances where the operator has been allocated a slot on the previous day and did not conduct a gate movement using that slot)	!									📄					

7 Financial management

The purpose of this chapter is to outline the financial management implications surrounding the Scheme, including collection and remittance of public money by the Slot Manager; and the receipt of public money and reimbursement of revenue collected from notice and civil penalties.

i Reference and guidance material

- Financial Management and Accountability Act 1997
- Financial Management and Accountability Regulations 1997
- Department of Infrastructure and Transport Chief Executive Instruction Public Money
- Sydney Airport Demand Management Act 1997
- Sydney Airport Demand Management Regulations 1998

7.1 Overview

The overarching purpose of the Scheme is to provide a system for the allocation of permissions for gate movements at Sydney Airport.

The Department is a Financial Management and Accountability (FMA) agency and as such, must comply with the *Financial Management and Accountability Act 1997* (FMA Act); and *Financial Management and Accountability Regulations 1997* (FMA Regulations).

All monies collected by the Slot Manager under the Act and Compliance Scheme are Commonwealth revenue and subject to legislative requirements as outlined in the FMA Act and FMA Regulations. All monies collected by the Slot Manager.

The following steps need to be considered throughout the tenure of the Slot Manager:

- set up of bank accounts;
- issue of infringement notices (see Section 6.3);
- collection and remittance of public money by the Slot Manager;
- reimbursement of penalty revenue collected by the Department;
- accounts showing how the Slot Manager has applied penalty money for the purposes of the performance of its functions; and
- reconciliation or recovery.

7.2 Bank accounts

7.2.1 Department's official account

The Department's official account means 'Administered Receipts Account, BSB Number - 092009, Account Number - 110978'. Note: infringement notices are not to be paid into this account but according to the information specified on the Infringement Notice.

Under section 9 of the FMA Act, the Finance Minister must open and maintain at least one bank account of which the name must include the word 'official'.

7.2.2 Slot Manager specified bank account

The Slot Manager must nominate, in writing to the Director NSW Airports, a specified bank account upon their appointment as the Slot Manager, for the period of their appointment. The Slot Manager must ensure that:

- public money collected in performing the services under their appointment is deposited only into their specified account; and
- the funds in their specified bank account are not accessed except to remit those funds to the Department or ACA in accordance with section 27 of the Act.

The specified bank account must be a non-interest bearing account in accordance with the Agreement between the Department and ACA on *The Management Of The Payment Of Penalties Under The Sydney Airport Demand Management Act 1997* (the Agreement).

7.3 Collection and remittance of public money by the Slot Manager

7.3.1 Collection of public money

The Slot Manager is responsible on behalf of the Commonwealth⁷ for collecting and accounting for:

- notice penalties in respect of infringement notices issued; and
- civil penalties determined by the Federal Court.

A person may pay through cash, cheque or credit to the Slot Manager. Upon payment, the Slot Manager must issue a receipt to the person; and ensure all cheques received in favour of the Australian Government are crossed 'not negotiable'; and credit card remittances are processed daily.

In accordance with the Agreement the Slot Manager must deposit into their specified bank account, all public money received, within 5 business days.

In accordance with the Department's Chief Executive Instructions on Banking and Advances, public monies must not be mixed with private funds.

7.3.2 Remittance of public money

Notice penalty for infringement notice offences and civil penalties

The Slot Manager must, within five business days of depositing amounts paid into the specified bank account, , transfer that public money to the Department's official account, or offset the money into the Slot Managers own account (Section 27, Demand Management Act).

⁷ Part 3, Division 3 Section 21 Sydney Airport Demand Management Act 1997

7.4 Receipt of public money and reimbursement of revenue collected from notice and civil penalties

7.4.1 Receipt of public money

Within 10 business days of the end of each month in which the Slot Manager has handled public money, the Slot Manager will submit to the Department a:

1. monthly report
2. bank statement for the specified bank account
3. statement from the CFO or CEO that the abovementioned reports are correctly rendered
4. tax invoice

If the Slot Manager has not deposited an amount into the Specified Bank Account in any one month, it will submit to the Department a:

1. bank statement for the specified bank account confirming no deposits were made
2. statement from the CFO or CEO that no deposit has been made the bank statement is accurate

The above-mentioned documents will be sent to the Director, NSW Section Airports Section of the Department via email.

Upon receipt of the documents, the Department will enter the information into a Slot Management Infringement Notice Register and notify the Chief Financial Officer of receipt of penalty funds at email address cpm@infrastructure.gov.au.

Upon receipt of the notice, the Department's Collector of Public Money will process the public money in the Financial Management Information System and issue a receipt to the Slot Manager. A copy of the receipt will be forwarded to the Director. The Director must update the Slot Management Infringement Notice Register, with the details of the money remitted to the Commonwealth and file the copy of the receipt. Further detail on the internal Departmental process is specified at Process Map x.

7.4.2 Reimbursement of revenue collected from notice and civil penalties

As required, the Slot Manager must prepare and forward to the Director a correctly addressed and rendered tax invoice.

The tax invoice must include:

- the short title of the Agreement (i.e. Slot Management at Sydney Airport);
- the name of the Slot Manager;
- name of the Director, NSW Section, Airports Branch;
- the number of the Agreement;
- the purchase order number supplied by the Department;
- ABN of the Slot Manager (if applicable); and
- bank account details of the Slot Manager.

Upon receipt of the tax invoice from the Slot Manager, the Director must:

- ensure that the tax invoice is correctly addressed and rendered; and
- perform a reconciliation of the amount in SAP to the tracking schedule.

Where the Director has determined that the services have been performed to their satisfaction; and the reconciliation has been completed, the Department will reimburse the Slot Manager 100 per cent of the notice and civil penalty revenue collected for the quarter (Section 27, Sydney Airport Demand Management Act 1997).

The Director must 'goods receipt' the tax invoice in the Financial Management Information System and complete a claim for payment form before forwarding to the Expenditure Approver for approval, along with the reconciliation sheet. After the Expenditure Approver approves the payment, the Director should forward the claim for payment form to Financial Services for processing.

The money will be paid by electronic funds transfer into the Slot Manager's specified bank account. This should be done within 28 business days of receipt of a correctly rendered tax invoice.

7.4.3 Application of revenue collected from notice and civil penalties

As per section 28 of the Demand Management Act, if the Slot Manager has been reimbursed revenue collected from notice and civil penalties, it is to apply the amount in respect of the performance of the functions of the Slot Manager at Sydney Airport. The Slot Manager will prepare accounts showing how it has applied the money paid to the Slot Manager during the financial year. The Slot Manager will submit these accounts to the Director within 6 months after the end of each financial year (section 28 (3), Demand Management Act).

If the Department considers that the accounts adequately address how the money has been applied for the required purposes, the Department should 'accept' the account and notify the Slot Manager.

If the Department consider that the information in the account does not adequately address how the money has been applied for the required purposes, the Department should not 'accept' the account and may notify the Slot Manager of the reasons why the account is unacceptable and require the Slot Manager to re-submit the revised account within 10 business days of the notification.

If the Slot Manager has not applied the money for the required purposes or is unable to provide an acceptable account of how it has applied the money for the required purposes, the Director may notify the Slot Manager that the amount or partial amount is a debt due by the Slot Manager to the Commonwealth which is recoverable by action in a court.

7.5 Recovery of debt in respect of unpaid notice and civil penalties

A process to recover unpaid notice penalties must be conducted in accordance with section 47 of the FMA Act. For more information on the recovery of debt process, contact the FMA Compliance Manager via email address FMACompliance@infrastructure.gov.au.

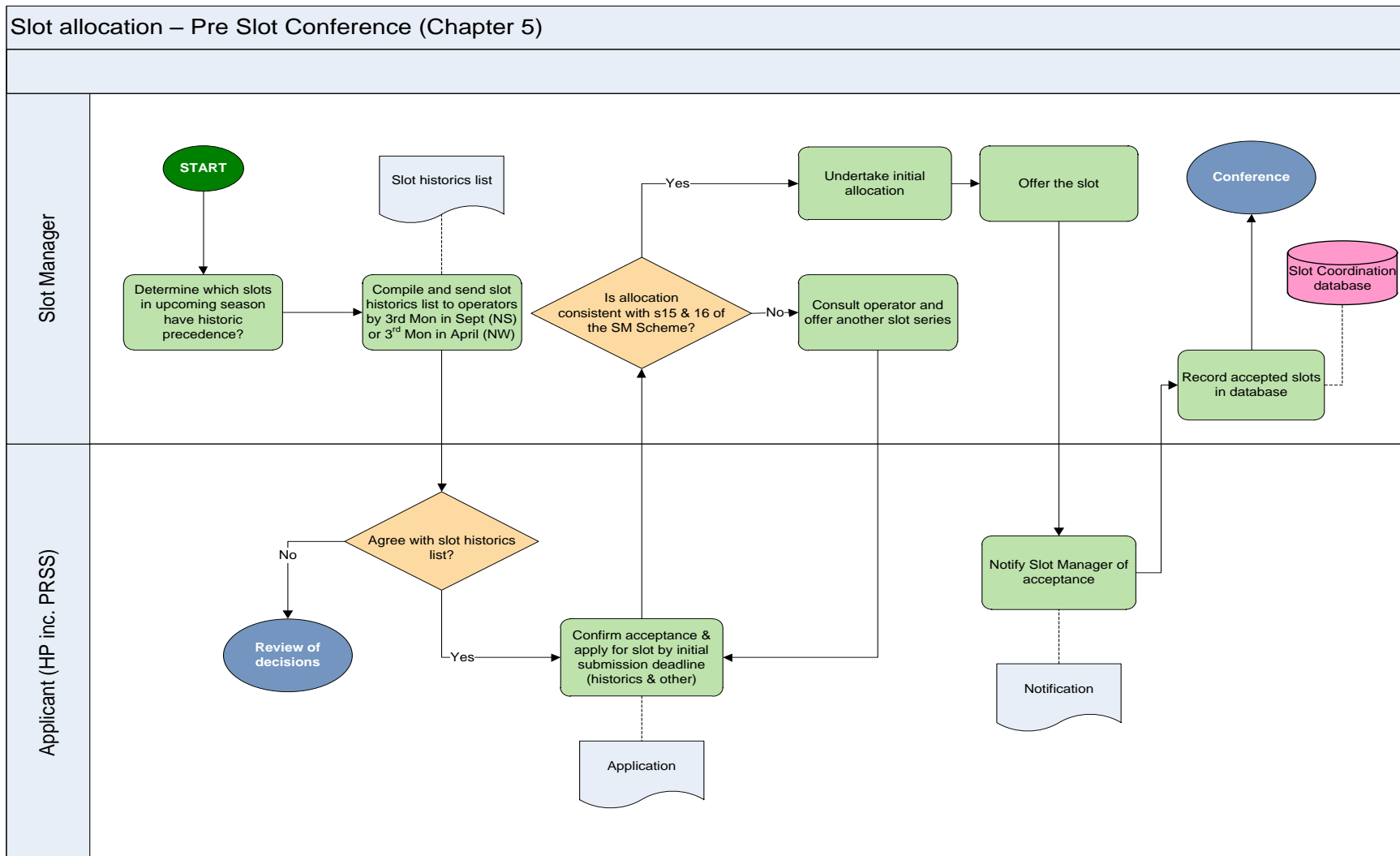
A Calendar of key activities

The calendar outlines the target timeframes for key activities around the Scheme.

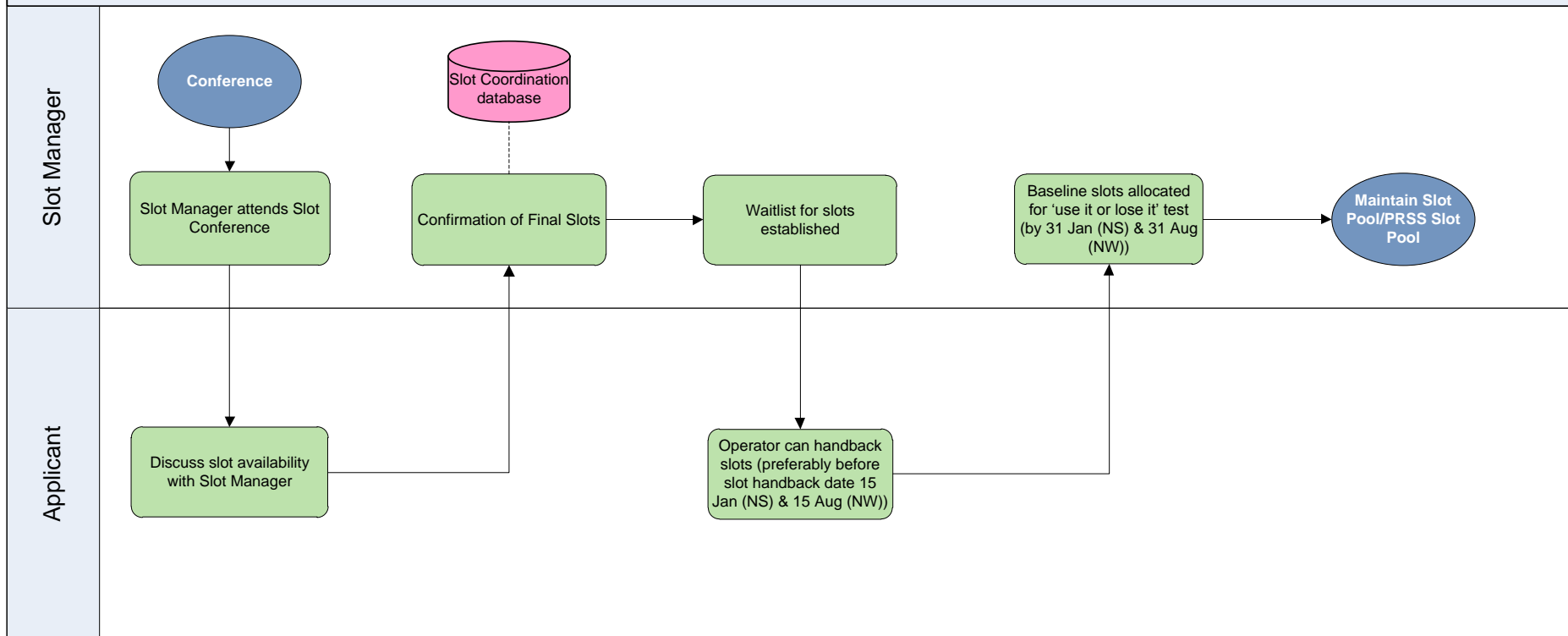
Activities	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Slot Manager must decide which slots in the upcoming season to which each operator has historical precedence (chapter 5)												
Operators can hand back any unwanted slots by the <i>slot return deadline</i> (chapter 5)												
Slot Manager will update the slot allocations based on those allocated on the <i>historics baseline date</i> (chapter 5)												
Slot Manager must notify operators of slots that the Slot Manager considers it has historical precedence before the <i>slot historics deadline</i> (chapter 5)												
Operators notify the Slot Manager is they disagree with the slot historics list (chapter 5)												
Slot Manager completes an initial round of allocations according to historical precedence, new entrant and regional service provisions (chapter 5)												
Slot Manager makes offers to operators based on the initial round of allocations (chapter 5)												
Operators must accept offers with 14 days or risk their applications being withdrawn (chapter 5)												
Slot Manager invites operators to apply for remaining slots in the upcoming scheduling season before the <i>initial submission deadline</i> (chapter 5)												
Written applications are submitted to the Slot Manager before the <i>initial submission deadline</i> (chapter 5)												
IATA Slot Conference is held (chapter 5)												
KSA Coordination Committee meetings to be held at least once per scheduling season before the initial submission deadline for the relevant season (chapter 2)												
ACA Board meetings held four times per year (chapter 2)												
Airservices to provide quarterly reports to the Minister where movements at Sydney Airport exceed the regulated hourly maximum movement limit (chapter 4)												
Annual review of the Slot Manager (chapter 4)												
Department provides a <i>Schedule of Information Required</i> to the Manager prior to the annual review taking place (chapter 4)												
Department conducts a risk assessment (chapter 4)												

Activities	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Department holds annual review meeting to discuss the findings of its review and risk assessment (c4)												
Compliance Committee mid season meetings – (chapter 6)												
Compliance Committee end season meetings – (chapter 6)												
Slot Manager undertakes a monthly review of movement data (chapter 6)												
Slot Manager produces a monthly report to the Department, including all movement data and those assessed as being a penalty breach (chapter 6)												
The Department undertakes a monthly review of movement data (chapter 6)												
For a mid season meeting, the Department produces a report highlighting any operator that has more than 10 per cent off-slot movements for the period under review												
For an end season meeting, the Department produces a report highlighting any operator that has more than 20 per cent off-slot movements for the period under review (chapter 6)												
Compliance Committee decides, in relation to each operator, whether they will direct the Slot Manager to issue an infringement notice in relation to no-slot or off-slot movements (chapter 6)												
The Slot Manager produces a start of season report (chapter 4).												
The Slot Manager produces an end of season report (chapter 4).												
The Slot Manager produces a Slot Performance report (chapter 4).												

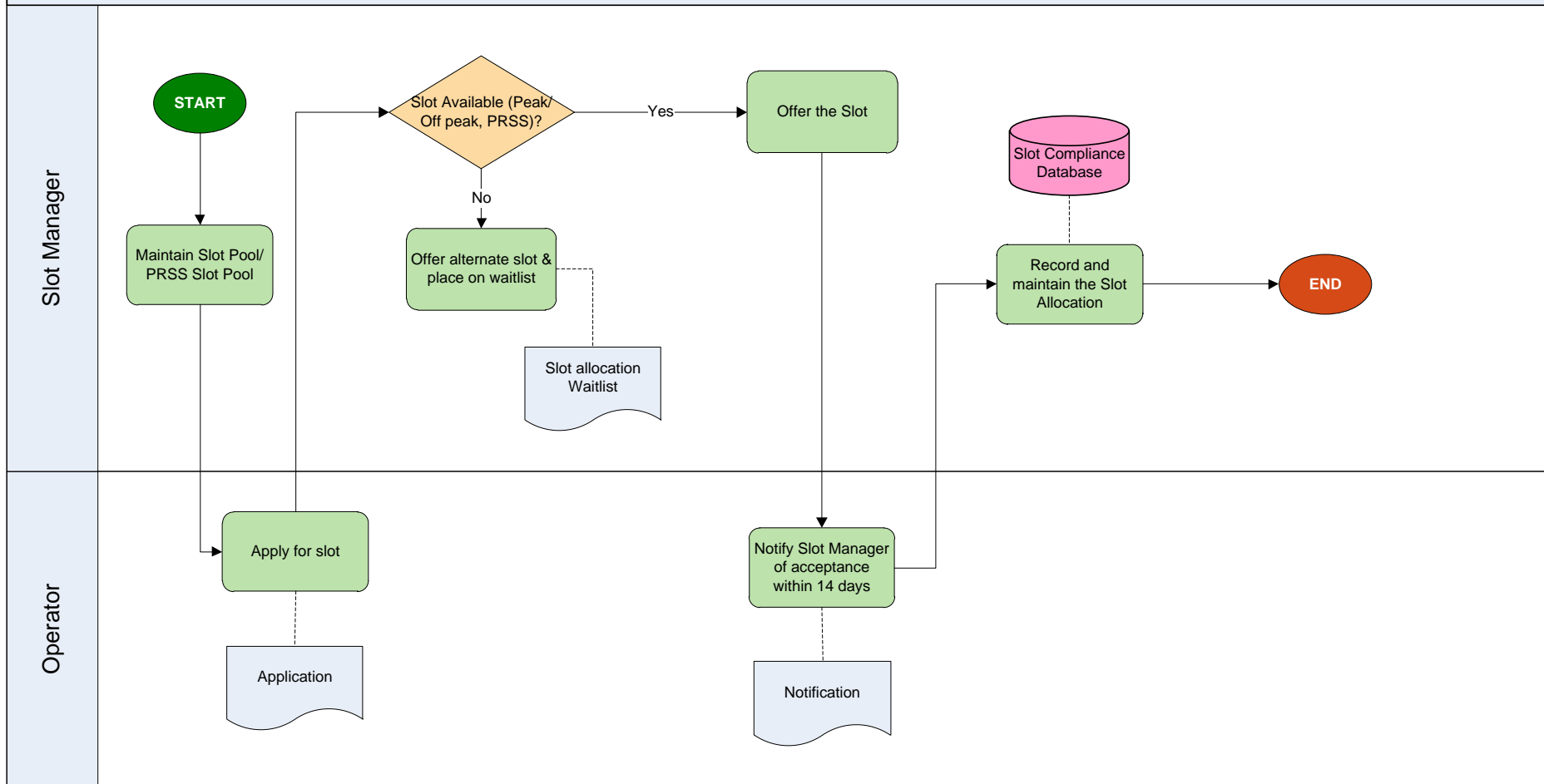
B Process Maps



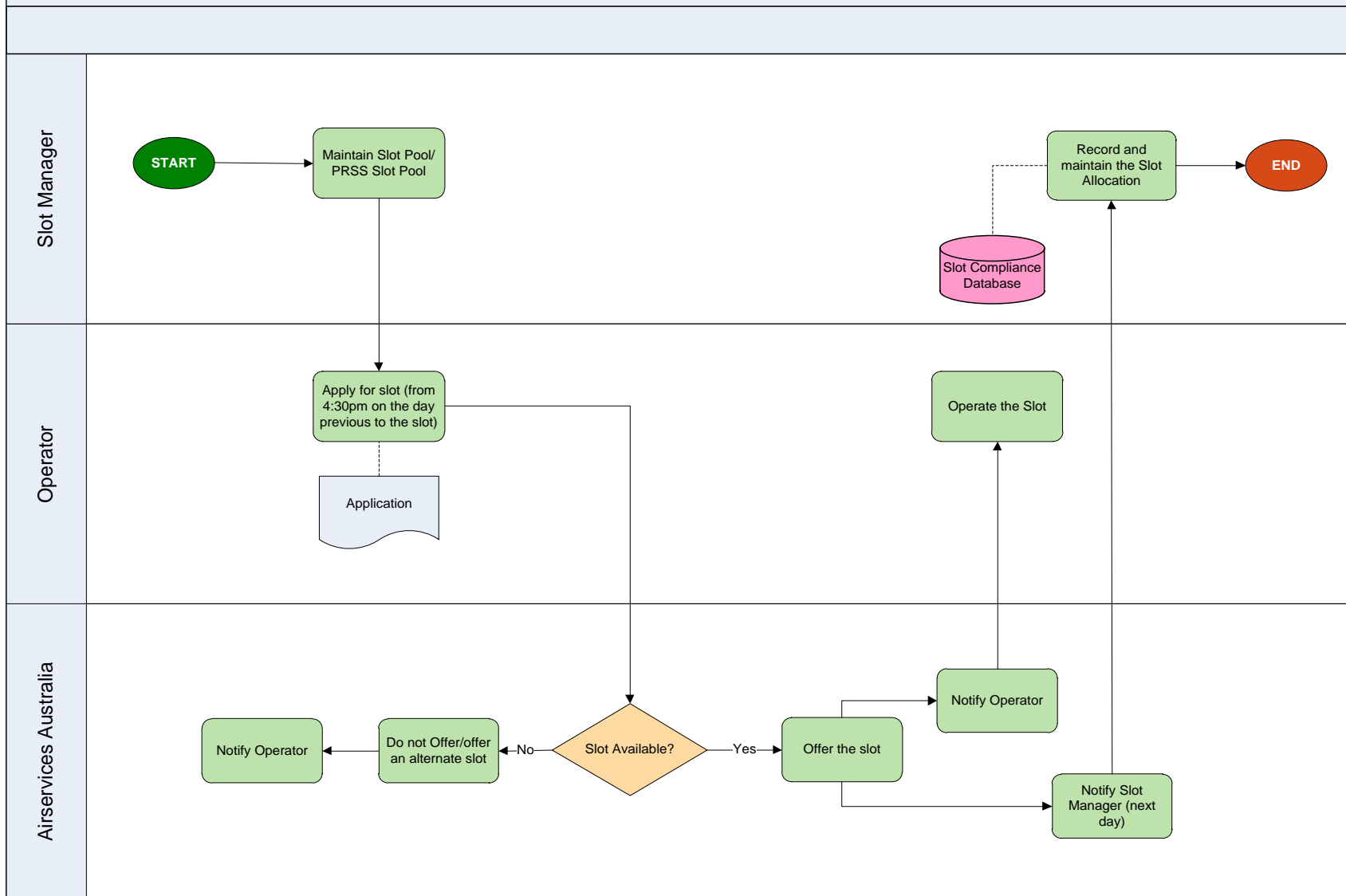
Slot allocation – Slot Conference to Scheduling Season (Chapter 5)



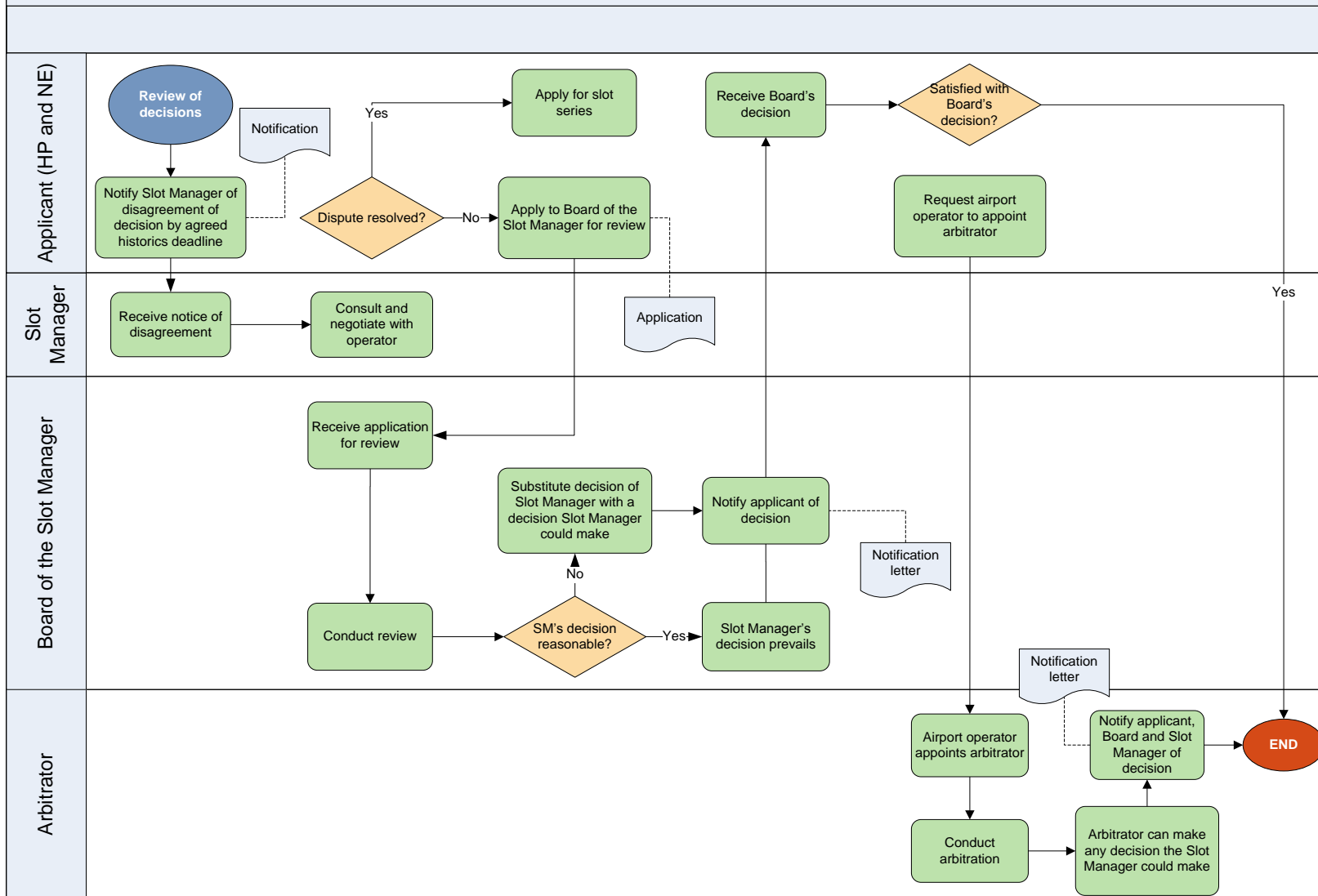
Slot allocation – In Season (Chapter 5)



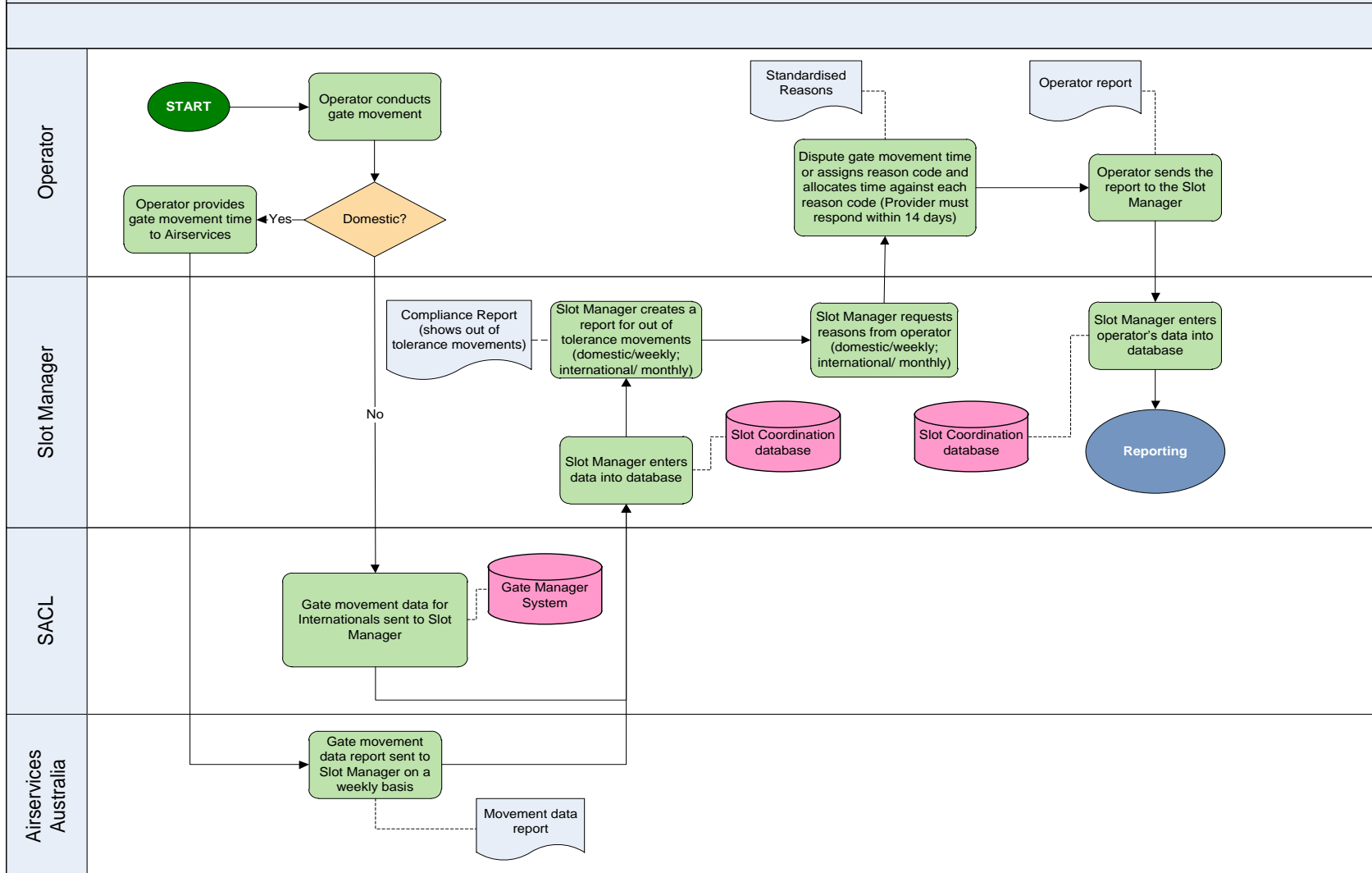
Slot allocation – In Season – ‘On the Day Process’ (Chapter 5)



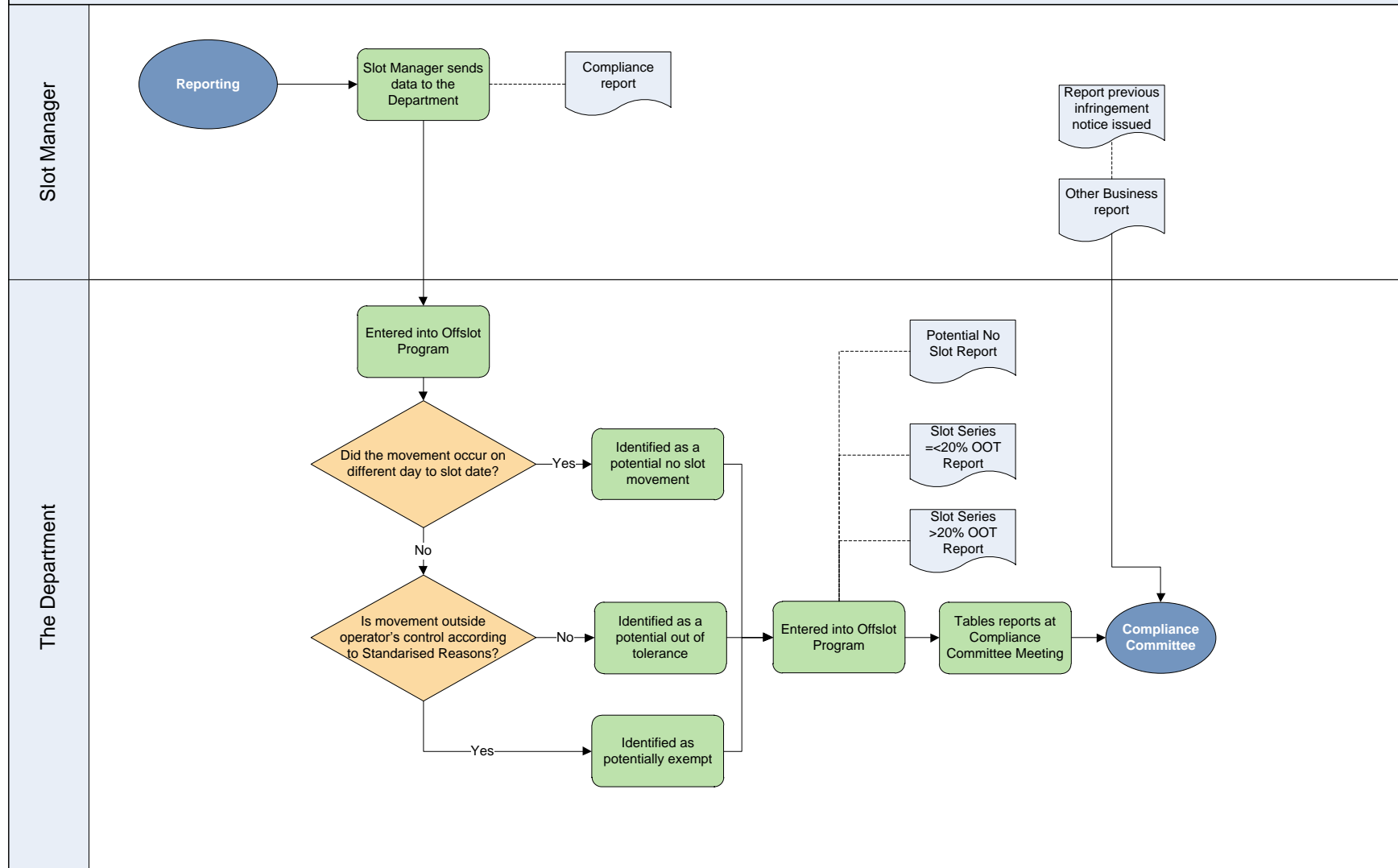
Review of decisions (Chapter 5)



Compliance (Off-slot) – Collection of Movement Data (Chapter 6)

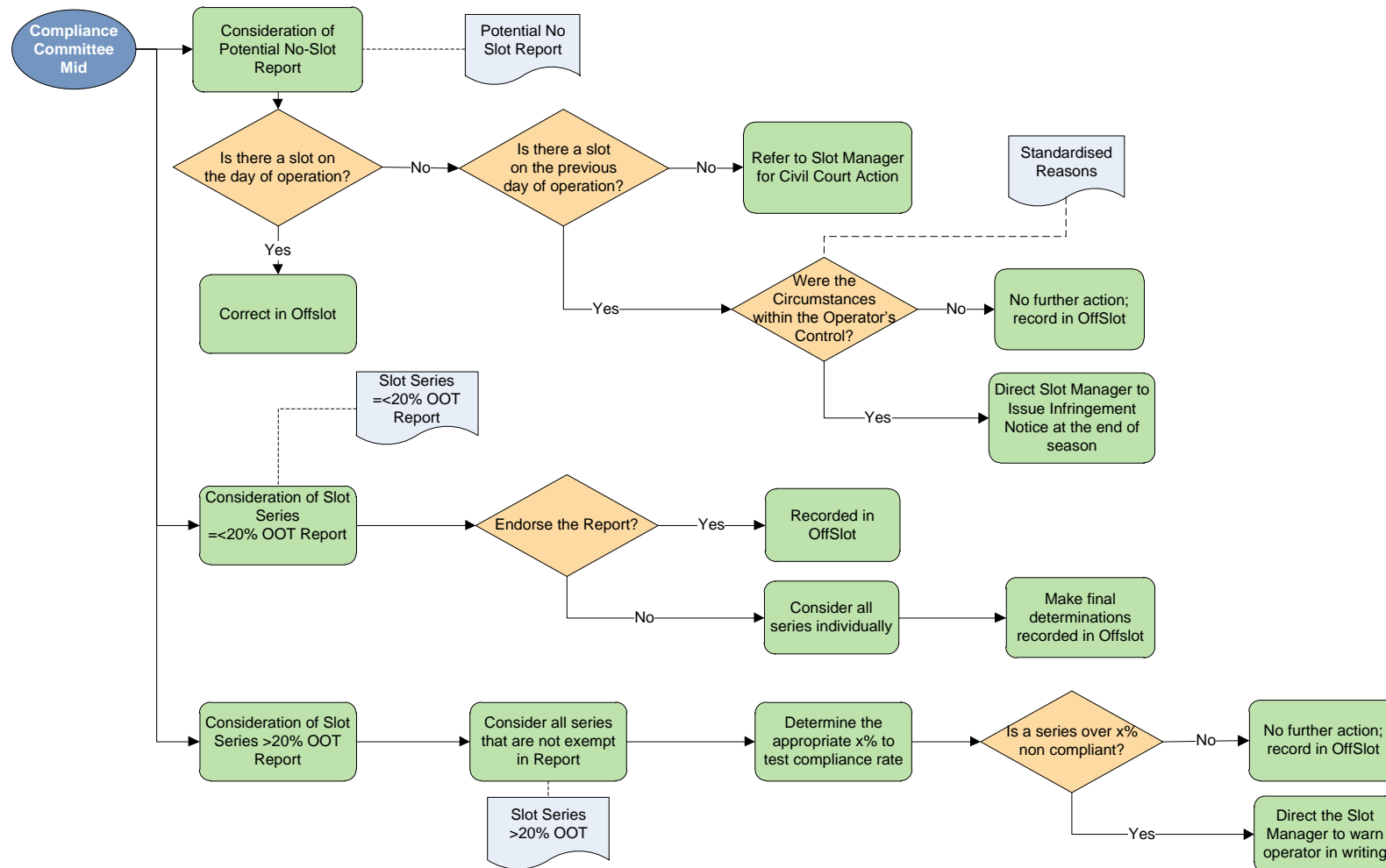


Compliance (Off Slot) - Reporting to Compliance Committee (Chapter 6)



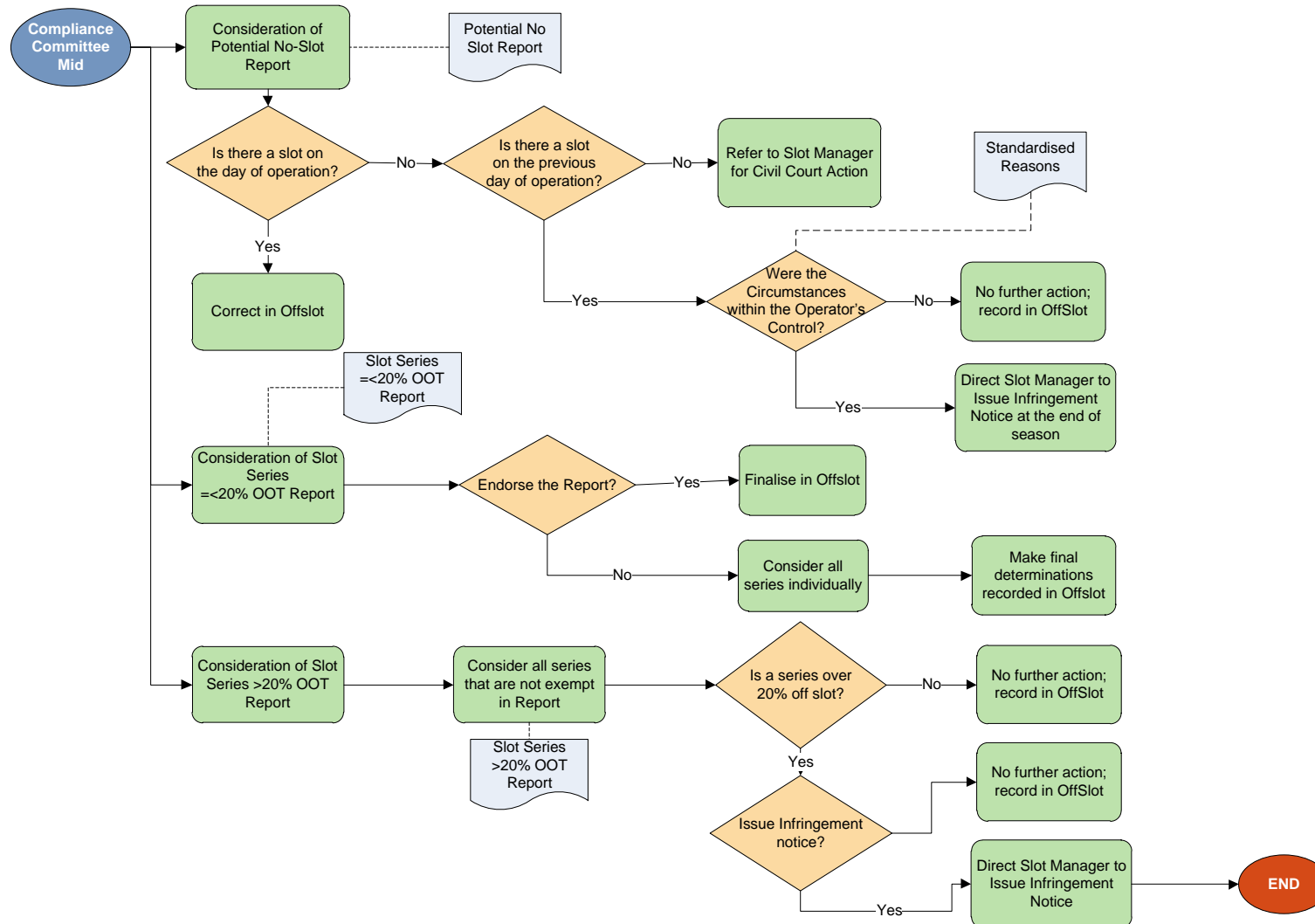
Compliance Committee Proceedings – Mid Season meeting - July and February (Chapter 6)

Compliance Committee

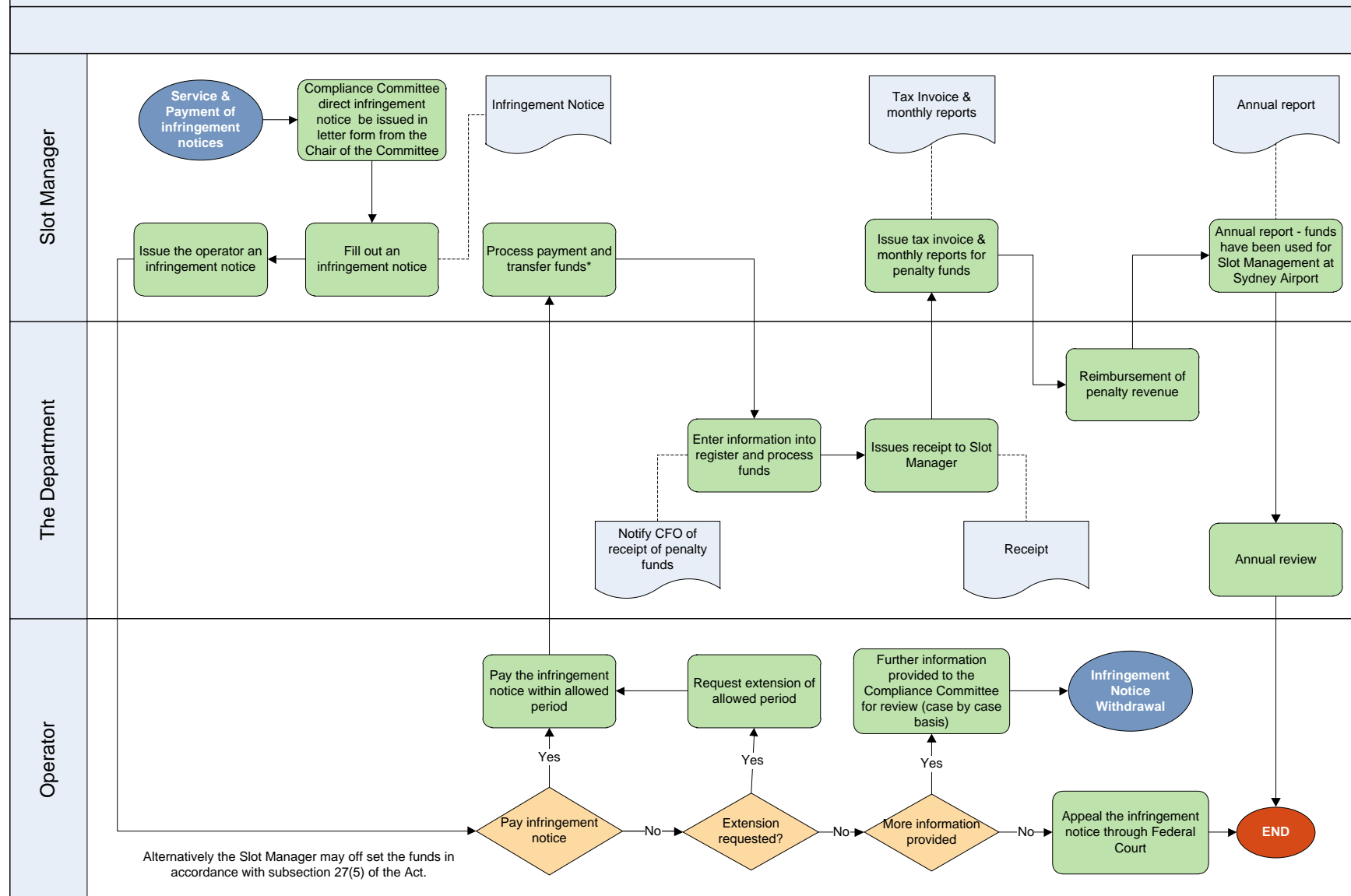


Compliance Committee Proceedings – End of Season meeting - May and December (Chapter 6)

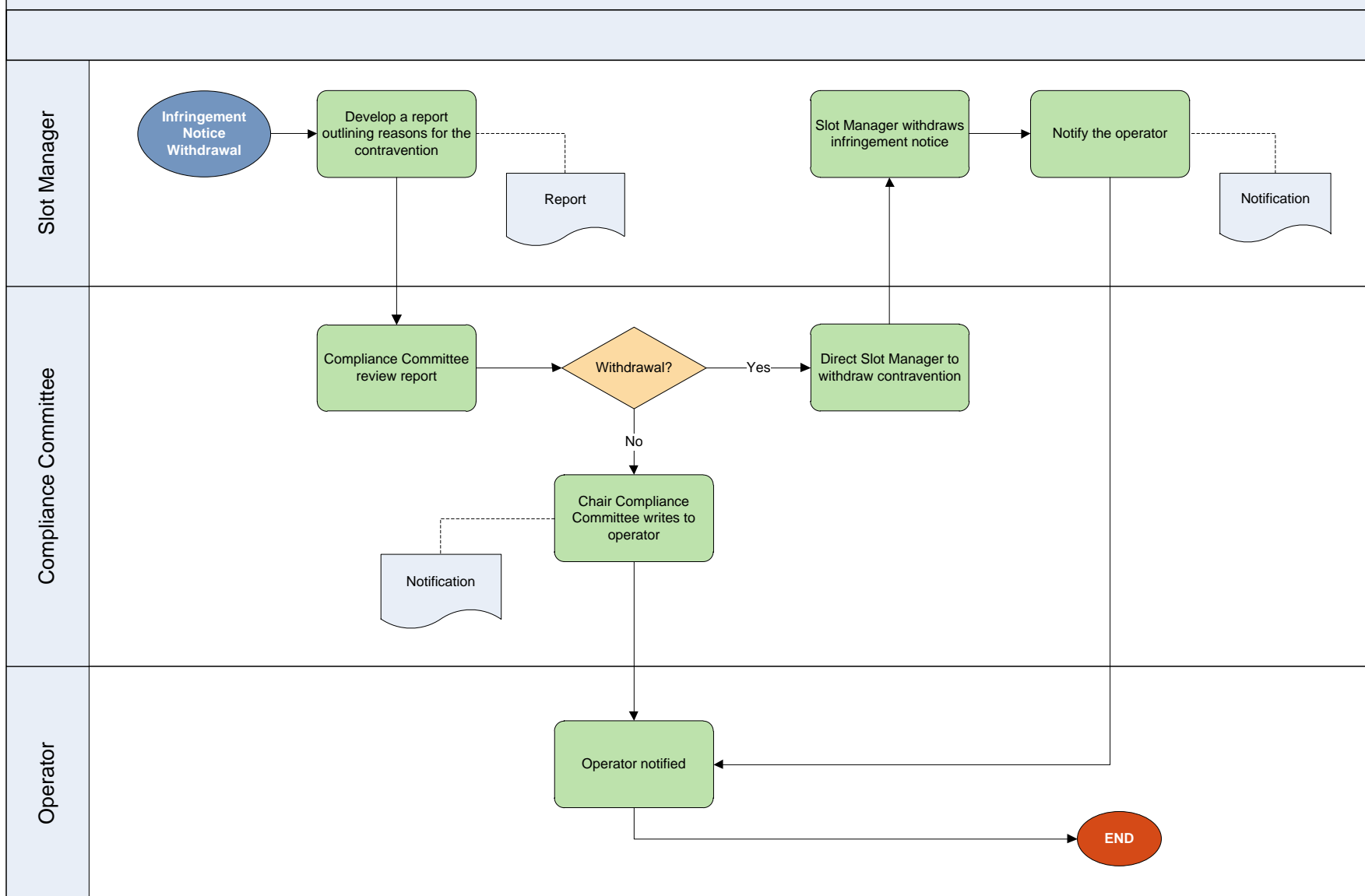
Compliance Committee






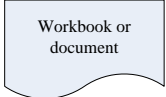
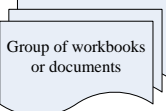

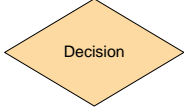
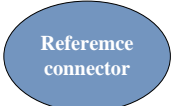
Service and Payment of infringement notices (Chapter 6 & 7)



Infringement Notice Withdrawal (Chapter 6)



Process Map Symbols

Symbol	Meaning
	This is the start symbol. It highlights the start of the process map.
	The end symbol is used to highlight to users the end of the process map.
	This is a process or sub-process symbol.
	This is the symbol for a single workbook or document. The title of the document is placed in the symbol.
	This is the symbol for a group of workbooks or documents.
	This is the symbol for an electronic database.
	This is the symbol used to represent a decision point in the process. Typically, the statement in the symbol will require a 'yes' or 'no' response and branch to different parts of the flowchart accordingly.
	This is the 'reference' connector symbol. It provides the link to the related processes on other process map(s). The title of the process map(s) is placed in the symbol to provide the linkage.

C Reference and guidance materials

External reference and guidance materials

- Sydney Airport Demand Management Act 1997
- Sydney Airport Demand Management Regulations 1998
- Sydney Airport Compliance Scheme 2012
- Sydney Airport Slot Management Scheme 2013
- Financial Management and Accountability Act 1997
- Financial Management and Accountability Regulations 1997
- IATA Worldwide Slot Guidelines 2012 (third edition)

Internal reference and guidance materials

- Department of Infrastructure and Transport Chief Executive Instructions
- ‘ENTR’ Department of Infrastructure and Transport Intranet

D Abbreviations and glossary

In this handbook:	Airport Coordination Australia Pty Ltd (current Slot Manager at Sydney Kingsford Smith Airport)
ACA	
the Act	<i>Sydney Airport Demand Management Act 1997</i>
agreed historic deadline	The date by which operators must notify the Slot Manager if they disagree with the slot historic list
Aircraft	Any machine or craft that can derive support in the atmosphere from the reactions of the air
aircraft movement	<ul style="list-style-type: none"> a) The landing of an aircraft on a runway; or b) The taking off of an aircraft from a runway
airport operator	The airport-lessee company for the airport for the purposes of the <i>Airports Act 1996</i>
Allocated	A slot is allocated to an operator when the Slot Manager offers the slot to the operator and the operator accepts the offer
Compliance Committee	The Committee appointed in accordance with the regulations for the purposes of section 67 of the Act
Compliance Scheme	<i>Sydney Airport Compliance Scheme 2012</i>
curfew period	The same meaning as in the <i>Sydney Airport Curfew Act 1995</i> . Currently 11pm to 6am.
the Department	The Department of Infrastructure and Transport
equivalent scheduling season	To a northern summer means another northern summer, and to a northern winter means another northern winter
exceptional circumstances	If a refusal in the circumstances to allow an aircraft to make a gate movement could jeopardise the safety of a person or Australia's international relations.
Federal Court	The Federal Court of Australia
FMA Act	<i>Financial Management and Accountability Act 1997</i>
FMA Regulations	<i>Financial Management and Accountability Regulations 1997</i>
gate movement	<ul style="list-style-type: none"> a) The first movement of an aircraft after its external doors have been closed in preparation for an aircraft movement that is a take-off; or b) The last movement of an aircraft immediately before the moment when, after an aircraft movement that is a landing, it comes to a standstill and the engines are

	turned off
infringement notice	An infringement notice issued under section 19 of the <i>Sydney Airport Demand Management Act 1997</i>
historical precedence	The same meaning as in section 9 of the <i>Sydney Airport Slot Management Scheme 2013</i>
IATA	International Air Transport Association
initial coordination	An initial round of slot allocations completed by the Slot Manager using sections 14 and 15 of the <i>Sydney Airport Slot Management Scheme 2013</i>
initial submission deadline	The date the Slot Manager invites operators to apply for slots in the next scheduling season
maximum movement limit	The same meaning as in section 6 of the <i>Sydney Airport Demand Management Act 1997</i> . Currently set at a maximum of 80 aircraft movements in any regulated hour.
the Minister	The Minister for Infrastructure and Transport
new entrant	The same meaning as in section 3 of the <i>Sydney Airport Slot Management Scheme 2013</i>
northern summer	The period that begins at the beginning of the last Sunday in March and ends immediately before the beginning of the following northern winter (in each case in accordance with Universal Coordinated Time)
northern winter	The period that begins at the beginning of the last Sunday in October and ends immediately before the beginning of the following northern summer (in each case in accordance with Universal Coordinated Time)
no-slot movement	A gate movement is a no-slot movement if no slot permitting the movement on the day on which it occurs has been allocated under the Slot Management Scheme
off-slot movement	A gate movement is an off-slot movement if: <ul style="list-style-type: none"> a) A slot permitting the movement on the day on which it occurs has been allocated under the Slot Management Scheme, and; b) The circumstances are such that, according to the provisions of the Compliance Scheme, the movement is an off-slot movement.
operator	The person who, when a gate movement using the aircraft occurs, is: <ul style="list-style-type: none"> a) Unless paragraph (b) applies – the owner of the aircraft; or

	b) If the aircraft is under a lease at the time of the movement – the lessee of the aircraft
peak period	The period between 6am and 11am on a day other than a Saturday or a Sunday; and between 3pm and 8pm on a day other than a Saturday
penalty unit	Currently set at \$170 per penalty unit
Permanent regional service (slot)/(series)	The same meaning as in section 6 of the <i>Sydney Airport Slot Management Scheme 2013</i>
regional ringfence	Permanent Regional Services Slots that cannot be removed from the peak period
regional service	A service that takes off and lands within New South Wales (whether or not the aircraft crosses the border during flight)
regulated hour	A regulated hour is a period of 60 minutes starting on the hour, or at 15, 30 or 45 minutes past the hour. However, a period is not classified as a regulated hour if it starts during, or less than 60 minutes before a curfew period.
SACL	Sydney Airport Corporation Limited
scheduling season	The two northern hemisphere airline scheduling seasons, northern summer and northern winter
The Secretary	The Secretary of the Department of Infrastructure and Transport
‘Size of aircraft’ test	The same meaning as in section 8 of the <i>Sydney Airport Slot Management Scheme 2013</i>
slot	A permission for a gate movement
slot group	Two or more slots that together authorise gate movements for flights operated over a nominated period for a specific event
slot historics list	The slots to which the Slot Manager considers an operator has historic precedence
slot pool	A slot that has not, at any given time, been allocated is taken to be part of the slot pool
slot series	Five or more slots that authorise the same kind of gate movement at the same time or, if that is not possible, approximately the same time, on the same day of consecutive weeks within one scheduling season
slot return deadline	For a northern summer – 15 January before the northern summer commences; and

	For a northern winter – 15 August before the northern winter commences
Slot Management Scheme	<i>Sydney Airport Slot Management Scheme 2013</i>
Slot Manager	The body corporate appointed under section 61 of the Act to hold the office of the Slot Manager. Position currently held by Airport Coordination Australia.
slot swap	Where two operators swap slots with permission from the Slot Manager
Sydney Airport	The airport known as Sydney (Kingsford-Smith) Airport
‘Use it or lose it’ test	The same meaning as in section 7 of the <i>Sydney Airport Slot Management Scheme 2013</i>
WSG	Worldwide Slot Guidelines (also known as the IATA guidelines)