

## **ACA Submission to the Senate Select Committee on Bilateral Air Service Agreements**

Airport Coordination Australia (ACA) is an Australian owned private company that provide slot coordination services to airports in Australia and overseas.

ACA does not have any involvement in approving traffic rights, this is done solely by the Government. All slots that ACA allocates are subject to Regulatory approvals. These Regulatory approvals include Bilateral agreements. I refer you to the Sydney Airport Demand Management Scheme Division 4, section 23 and 24 of the Scheme below which outlines this:

### **23 Operators that do not comply with relevant statutory requirements**

- (1) This section applies if:
    - (a) a slot is allocated to an operator; and
    - (b) at the time of the allocation, the operator does not comply with all of the statutory requirements to operate the proposed service (the *relevant statutory requirements*).
  - (2) The Slot Manager may return the slot to the slot pool unless, at least 2 months before the start of the scheduling season, the operator:
    - (a) complies with the relevant statutory requirements; or
    - (b) produces evidence that it will comply with those requirements before the start of the scheduling season.
- Note* The relevant statutory requirements include:
- holding an Air Operator's Certificate under the *Civil Aviation Act 1988* or (in the case of a foreign airline) being permitted by the Civil Aviation Safety Authority to fly to or within Australia; and
  - establishing a security program under the Air Navigation Act.
- (3) If the operator fails to comply with the relevant statutory requirements before the start of the relevant scheduling season, any slot that has been allocated to the operator is returned to the slot pool.

### **24 Operators that fail to comply with statutory requirements**

- (1) If during a scheduling season an operator ceases to comply with the statutory requirements to operate a service, the Slot Manager may return any slot allocated to the operator to the slot pool.
- (2) To avoid doubt, an operator is not taken, for subsection (1), to cease to comply with those requirements if the operator's Air Operator's Certificate is suspended.

ACA will allocate a slot on the condition that Bilateral's are approved and will either cancel a slot or the airline will cancel it themselves before the start of the season (at the handback deadline which is approximately 2 months before the start of a season) if the airline has not be attained the appropriate Regulatory approvals.

