

Regulation Governing the Management of Slots in Domestic route Airports

Promulgated on April 4, 2002

Article 1

These Regulations are prescribed in accordance with Article 50, Paragraph 5 of the Civil Aviation Act.

Article 2

The airport slots in domestic route airports used by a civil air transport enterprise (hereinafter referred to as “slots”) shall be managed by the Civil Aviation Administration, Ministry of Transportation and Communications (hereinafter referred to as the “CAA”) in accordance with the rules contained herein. A civil air transport enterprise shall not regard the acquired slots as permanent and exclusive rights, and shall not assign them to any other civil air transport enterprise; provided that an exchange thereof may be conducted between such enterprises upon approval by the CAA.

Article 3

If any merger of civil aviation transportation enterprises is approved by the MOTC, their slots may be arranged in accordance with the following provisions, without regard to the restrictions on assignment set forth in Paragraph 2 of the preceding article:

1. A civil air transport enterprise to be merged may transfer its originally acquired slots to the surviving civil air transport enterprise upon the merger or acquisition.
2. An affiliated company of the civil air transport enterprise to be merged or acquired, which is also a civil air transport enterprise, may transfer its originally acquired slots to the surviving civil aviation transportation enterprise upon the merger.

Article 4

Slots will be coordinated and used on the basis of two seasonal schedules, i.e., winter and summer. The winter schedule runs from the first day of November till the thirty-first day of the next March, whereas the summer schedule runs from the first day of April till the thirty-first day of October.

The time fragment of slots is calculated on an hourly basis, running from the zero minute till the fifty-nine minute of each hour.

Article 5

Forty-five days prior to the effective date of each seasonal schedule, a civil air transport enterprise shall file an application with the CAA for the slots required for each season. If the slots used by a civil air transport enterprise need to be changed due to business demands, an application for such change shall be filed thirty days prior to the effective date of the new schedule, and such change shall not become effective until approval thereof is given.

Article 6

The following restrictions shall be taken into account in respect of the application and coordination of the slots in each airports:

1. Capacity of runways;
2. Number of airport terminal aprons and size of aircraft that may be parked thereon;
3. Operation hours of the airport;
4. The hourly takeoff and landing restriction for a military and civil airport;
5. Capacity of the airport lounge.
6. Security inspection.

In case of any change as to the foregoing restrictions, each airport terminals shall notify the CAA, which shall pass on such information to civil air transport enterprises.

Article 7

The CAA shall coordinate slots based on the following priorities:

1. A new air route needs to be developed due to public interest considerations or policy demands;
2. Full-season schedule for offshore island routes including those of Matsu, Kinmen and Makung;
3. The slots acquired by a civil air transport enterprise in the previous year may be used for the same time fragment and season in the current year unless otherwise provided for by the laws and/or regulations;
4. Technical orders issued by the original manufacture of an airplane require adjustment of ground retention time, causing civil aviation transportation enterprises to modify schedules accordingly;
5. Application for resumption of routes suspended by means of other than an administrative ruling;
6. A long-term schedule;
7. International routes shall take precedence over domestic routes where both routes share the same airport;
8. A new air route is developed;
9. The civil air transport enterprise that survived a merger or acquisition one year after the date thereof.
10. If the slots cannot be determined based on the priorities set forth in the preceding paragraph, they shall be determined by lot.

Article 8

If a civil air transport enterprise's seasonal rate of non-usage for slots exceeds twenty percent for reasons attributable to itself, the CAA may retract part or all of the unused slots.

The CAA shall retain the retracted slots mentioned in the preceding paragraph or re-coordinate their use among civil air transport enterprises in accordance with the priorities set forth in Article 7

hereof.

Article 9

If a civil air transport enterprise stops, combines or reduces flights without due authorization, and fails to take corrective measures within the period stipulated by the CAA, or if it otherwise violates the laws and/or regulations, the CAA may retract the slots for flights so cancelled.

Article 10

These Regulations shall become effective as of the date of promulgation.