

J.O n° 258 of November 07th, 2003 - page 19026

Ministry for the Equipment, Transport, Housing, Tourism and Sea

Order of November 06th, 2003 relative to night slot allocation
at Paris - Charles-de-Gaulle airport

NOR: EQUA0301327A

The minister for the Equipment, Transport, Housing, Tourism and Sea,
The State secretary for Transports and Sea,

Considering the (EEC) Regulation N° 2408/92 of the Council of July 23rd, 1992 on access for Community air carriers to intra-Community air routes, especially Article 8, paragraph 2;

Considering the (EEC) Regulation N° 95/93 of the Council of January 18th, 1993 on common rules for the allocation of slots at Community airports;

Considering the Directive 2002/30/CE of the European Parliament and the Council of March 26th, 2002 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Community airports;

Considering the Civil Aviation Code, especially articles R. 132-4, R. 160-1 and R. 221-3;

Considering the Environment Code, especially article L. 571-13;

Considering the advice of the Environment Advisory Commission for Paris – Charles-de-Gaulle airport on 30th June, 2003;

Considering the advice of the Airport Noise Pollution Control Authority (ACNUSA) on 4th September, 2003;

Order :

Article 1

The present order concerns slots at Paris-Charles-de-Gaulle airport in the following night periods (expressed in local time) every day of the week :

- between 00:00 am and 04:59 am for departure slots,
- between 00:30 am and 05:29 am for arrival slots.

COURTESY TRANSLATION

Article 2

During the time periods respectively defined in article 1, the maximum number of slots allocated to carriers on Paris – Charles-de-Gaulle airport for the period beginning the first day of the northern Winter 2003/2004 air transport scheduling season and ending the last day of the northern Summer 2004 air transport scheduling season (52 weeks) is fixed to 22 500.

For the following scheduling seasons, on the basis of two consecutive scheduling periods (Winter + Summer), the above mentioned maximum number will be reduced by the total number of unused or returned slots from carriers in application of article 3 and adjusted to the number of weeks in the corresponding scheduling periods.

Article 3

Without prejudice to the provisions of article 10.3 of the above mentioned EEC Regulation N°95/93, any slot allocated at Paris-Charles-de-Gaulle airport during the time periods respectively mentioned in article 1 will not be re-allocated in the case it is unused or abandoned by an air carrier during the course of, or at the end of the season or in the case it becomes available again to the Paris airports Co-ordinator for any reason whatsoever.

Article 4

During the time periods respectively defined in article 1 and without prejudice to the provisions of article 2 of the present order, the maximum number of slots that can be allocated to an air carrier at Paris-Charles-de-Gaulle during a scheduling season, starting at the Winter 2003/2004 scheduling season, is, within the limit of the number of slots requested by this carrier before the deadline fixed by the Co-ordinator, the higher of the following two figures :

- the number of slots at this airport for which it can justify an historical precedence during the above mentioned night periods in the previous equivalent scheduling season, adjusted if necessary to the number of weeks of the concerned scheduling periods,
- the number of slots that it has used at the airport during the above mentioned night periods in the previous equivalent scheduling season, adjusted if necessary to the number of weeks of the concerned scheduling periods.

Article 5

The provisions of the present order do not conflict with the slot management at Paris - Charles-de-Gaulle Airport, such as results from the measures of the above mentioned EEC Regulation N° 95/93, provided that an increase of the maximum number of slots allocated mentioned in article 2 does not ensue.

Article 6

The minister in charge of civil aviation can grant waivers to the measures of Articles 3 and 4 of this present order, when circumstances require.

COURTESY TRANSLATION

Article 7

The measures of the present order are not applicable to, first of all, emergencies related to the security of flights or of persons, secondly, to movements related to a humanitarian mission.

Article 8

The Director General of Civil Aviation and the Paris airports Coordinator, are responsible, as it concerns each of them individually, for the application of the present order which shall be published in the « Journal Officiel » of the French Republic.

Paris November 06th, 2003.

The minister for the Equipment, Transport,

Housing, Tourism and Sea,

Gilles de Robien

The State secretary for Transports and Sea,

Dominique Bussereau

J.O n° 260 of November 09th, 2003 - page 19199

Ministry for the Equipment, Transport, Housing, Tourism and Sea

Order of November 06th, 2003 establishing a ban on non slotted aircraft take-off
between 00:00 am and 05:00 am LT at Paris - Charles-de-Gaulle airport

NOR: EQUA0301328A

The minister for the Equipment, Transport, Housing, Tourism and Sea,
The State secretary for Transports and Sea,

Considering the (EEC) Regulation N° 2408/92 of the Council of July 23rd, 1992 on
access for Community air carriers to intra-Community air routes, especially Article 8,
paragraph 2;

Considering the (EEC) Regulation N° 95/93 of the Council of January 18th, 1993 on
common rules for the allocation of slots at Community airports;

Considering the Directive 2002/30/CE of the European Parliament and the Council of
March 26th, 2002 on the establishment of rules and procedures with regard to the
introduction of noise-related operating restrictions at Community airports;

Considering the Civil Aviation Code, especially articles L.227-4 and R.221-3;

Considering the Environment Code, especially article L. 571-13;

Considering the advice of the Environment Advisory Commission for Paris – Charles-de-
Gaulle airport on 30th June, 2003;

Considering the advice of the Airport Noise Pollution Control Authority (ACNUSA) on 4th
September, 2003;

Order :

Article 1

In order to reduce noise pollution at Paris – Charles-de-Gaulle airport, any aircraft take-off
between 00:00 am and 04:59 am (block local time) without duly allocated slot in this period
and date will be strictly forbidden.

COURTESY TRANSLATION

Article 2

The measures defined in article 1 do not forbid take-off, on an exceptional basis, to the following aircrafts :

Aircrafts operating humanitarian or sanitary missions,

Aircrafts mentioned in article L.110-2 of the Civil Aviation Code,

Aircrafts operating official or Government flights,

Aircrafts in emergency situation related to the security of flights or of persons.

Article 3

A list of take-off authorised under provisions set up in article 2 will be published and sent every year to the Environment Advisory Commission for Paris – Charles-de-Gaulle airport by the Civil Aviation services.

Article 4

The provisions of this present order are applicable from the first day of the northern Summer 2004 scheduling season onwards.

Article 5

The Director General of Civil Aviation and the Director General of Aéroports de Paris are responsible, as it concerns each of them individually, for the application of the present order which shall be published in the « Journal Officiel » of the French Republic.

Paris November 06th, 2003.

The minister for the Equipment, Transport,

Housing, Tourism and Sea,

Gilles de Robien

The State secretary for Transports and Sea,

Dominique Bussereau

COURTESY TRANSLATION

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Ministry for the Equipment, Transport, Housing, Tourism and Sea

Order of November 06th, 2003 establishing night operation restrictions
for aircrafts breaking a noise level while take-off or landing
at Paris - Charles-de-Gaulle airport

NOR: EQUA0301329A

The minister for the Equipment, Transport, Housing, Tourism and Sea,
The State secretary for Transports and Sea,

Considering the International Civil Aviation Convention of 07th December, 1944, all protocols modifying that convention and especially the protocol of 24th September, 1968, concerning the authentic trilingual text of the International Civil Aviation Convention;

Considering the (EEC) Regulation N° 2408/92 of the Council of July 23rd, 1992 on access for Community air carriers to intra-Community air routes, especially Article 8, paragraph 2;

Considering the (EEC) Regulation N° 95/93 of the Council of January 18th, 1993 on common rules for the allocation of slots at Community airports;

Considering the Directive 2002/30/CE of the European Parliament and the Council of March 26th, 2002 on the establishment of rules and procedures with regard to the introduction of noise-related operating restrictions at Community airports;

Considering the Civil Aviation Code, especially articles L.227-4 and R.221-3;

Considering the Environment Code, especially article L. 571-13;

Considering the advice of the Environment Advisory Commission for Paris – Charles-de-Gaulle airport on 30th June, 2003;

Considering the advice of the Airport Noise Pollution Control Authority (ACNUSA) on 4th September, 2003;

Order :

Article 1

In order to reduce noise pollution at Paris – Charles-de-Gaulle airport, the following operation restrictions are implemented :

COURTESY TRANSLATION

- I. Without prejudice to the provisions of § III and IV of this present article, no aircraft with a certified overflying noise level (according to standards established in annex 16 of the International Civil Aviation Convention of 07th December, 1944) higher than 99 EPNdB will be allowed to take off at Paris – Charles-de-Gaulle airport between 00:00 am and 04:59 am (block local time).
- II. Without prejudice to the provisions of § III and IV of this present article, no aircraft with a certified approach noise level (according to standards established in annex 16 of the International Civil Aviation Convention of 07th December, 1944) higher than 104.5 EPNdB will be allowed to land at Paris – Charles-de-Gaulle airport between 00:30 am and 05:29 am (block local time).
- III. Any carrier wishing to operate flights within the night periods defined in § I and II of this present article might receive the authorisation once a reproducible flight conduct has been recognised by the minister in charge of Civil Aviation as equivalent to an aircraft which has an acoustic certification that is in accordance with levels defined in § I and II.

To support the request, the carrier must produce a file to the minister in charge of Civil Aviation including :

- the detailed definition of the corresponding take-off or landing procedures,
- the measures taken by the carrier to comply with the approved flight conduct procedures and to allow the administration supervision.

The Airport Noise Pollution Control Authority (ACNUSA) is consulted for advice on this request.

- IV. The measures defined in § I and II of this present article do not forbid take-off, on an exceptional basis, to the following aircrafts :
 - Aircrafts operating humanitarian or sanitary missions,
 - Aircrafts in emergency situation related to the security of flights or of persons,
 - Aircrafts mentioned in article L.110-2 of the Civil Aviation Code,
 - Aircrafts operating official or Government flights.

Article 2

The provisions of this present order are applicable from the first day of the northern Summer 2004 scheduling season onwards.

Article 3

A synthesis of movements authorised under provisions set up in § IV of article 1 of this present order will produced at each Environment Advisory Commission for Paris – Charles-de-Gaulle airport meeting and published once a year by the Civil Aviation services.

COURTESY TRANSLATION

Article 4

The Director General of Civil Aviation and the Director General of Aéroports de Paris are responsible, as it concerns each of them individually, for the application of the present order which shall be published in the « Journal Officiel » of the French Republic.

Paris November 06th, 2003.

The minister for the Equipment, Transport,

Housing, Tourism and Sea,

Gilles de Robien

The State secretary for Transports and Sea,

Dominique Bussereau