

Replies to the 7 questions from the comprehensive impact assessment framework for policy and legislation (IAK)

Draft decree in connection with the potential introduction of a traffic distribution rule between Amsterdam Airport Schiphol (AAS) and Lelystad Airport (LA)

The comprehensive impact assessment framework for policy and legislation contains standards sound policy and sound legislation need to comply with. Extensive information may be found on www.naarhetiak.nl.

For application please refer to:

<https://www.kcwj.nl/kennisbank/integraal-afwegingskader-beleid-en-regelgeving>

1. What is the immediate cause?

Within the framework of it being in the public interest to maintain and strengthen the (inter) continental network of connections at AAS, it is important to use the scarce capacity at AAS for the kind of traffic that adds the most value to the Dutch economy; intercontinental traffic and feeder traffic. The regional airports (Eindhoven and Lelystad) are mainly aimed at point to point and leisure traffic. This is also called the selectivity policy. The selectivity policy is cabinet policy, which has recently been affirmed politically and is based on the Alders Agreement (2008), White paper on Dutch Aviation (2009) and the Schiphol Action Programme (2016).

The selectivity policy consists of 3 parts:

1. The creation of regional airport capacity and good access by land;
2. The operator of the airports - Schiphol Group - stimulates airlines through market incentives to opt for the regional airports to serve leisure destinations which are relocated from AAS
3. The formulation of a government measure to relocate leisure traffic from AAS to LA; a so-called traffic distribution rule.

A traffic distribution rule between AAS and LA may make it possible to realise the selectivity policy, in case the market approach of the operator of the airports (Schiphol Group) does not produce the intended effect. In the end the European Commission will have to approve the measure.

2. Who are the parties concerned?

- Airlines which operate from Schiphol
- Airlines which wish to operate from Lelystad Airport;
- Passengers;
- Schiphol Group;
- Slot co-ordinator;
- Ministry of Infrastructure and Water Management

3. What is the problem?

The extensive network of (inter)continental connections offered at AAS is of essential importance to the Dutch economy and business climate. The Netherlands has many businesses that operate world-wide, and the cabinet wishes the Netherlands to remain an attractive business location for foreign companies in the future. In the years to come the demand for air transport will increase further, and the maximum number of aircraft movements allowed of 500,000 will be reached before 2020. To maintain AAS' position as a major European hub within the capacity available, it is important to control the type of traffic to accommodate at AAS, starting with those timeframes that are most essential to the hub operation, and where scarcity is also the most acute. In this scenario AAS is primarily destined for intercontinental traffic and feeder traffic.

4. What is the goal?

The goal of the rule is:

1. Relocating leisure destinations from AAS to LA;
2. Using the capacity at LA exclusively for traffic which has been relocated from AAS;
3. Using the released capacity at AAS exclusively for intercontinental traffic and feeder traffic.

5. How is government intervention justified?

The covering letter to this document sets out how the market approach by the operator of the airports and the traffic distribution rule formulated by the government relate to each other in terms of contents and time schedule in order to express the selectivity policy effectively.

6. What is the best instrument? Pay attention to legality, effectiveness and feasibility.

In case of the introduction of a traffic distribution rule it will be established through a decree under article 8a.52 Act on Aviation.

7. What are the consequences for civilians, trade and industry, the government and the environment?

The expectation is that the measure will bring financial consequences, administrative costs and/or compliance costs for the parties concerned. This will, inter alia, be elaborated within the framework of the Dutch Advisory Board on Regulatory Burden (ATR).