



DISCLAIMER:

This Resolution is published in Portuguese and English. In case of discrepancy the Portuguese language version shall prevail.

RESOLUTION No. 682 OF JUNE 7, 2022.

This Resolution regulates airport coordination and provides for rules for the allocation and monitoring of the use of airport infrastructure.

THE BOARD OF DIRECTORS OF THE NATIONAL CIVIL AVIATION AGENCY

- **ANAC**, in the exercise of the competency granted by article 11, item V, and article 8, items XIX and XX, Law No. 11,182 of September 27, 2005, in view of the provisions of Law No. 7,565 of December 19, 1986, and considering process No. 00058.047435/2020-12 which was resolved and approved during the 3rd Extraordinary Deliberative Meeting, held on June 6, 2022,

DECIDES TO:

Article 1. Regulate airport coordination and provide the rules for the allocation and monitoring of the use of airport infrastructure.

§ 1 The definitions and guidelines for airport coordination are established in Chapter I of this Resolution.

§ 2 The classification criteria and rules for the allocation and monitoring of the use of airport infrastructure at airports declared by ANAC as facilitated airports (Level 2) are established in Chapter II of this Resolution.

§ 3 The classification criteria and rules for the allocation and monitoring of the use of slots at airports declared by ANAC as coordinated airports (Level 3) are established in Chapter III of this Resolution.

Article 2. The competent Department at ANAC will publish a specific ordinance describing the airport coordination process and the procedures related to the allocation and monitoring of the use of airport infrastructure.

**CHAPTER I
AIRPORT COORDINATION**

**Section I
Definitions**

Article 3. For the purposes of this Resolution, the following definitions apply:

I - non-coordinated airport (Level 1): airport where capacity is generally adequate to meet the demand for air operations requested by air transport companies and air operators;

II - facilitated airport (Level 2): airport where the level of capacity occupation has the potential for congestion which can be resolved by schedule adjustments mutually agreed between the airport operator and air transport companies or air operators, or by other means provided for in this Resolution, and which has been declared as a facilitated airport by ANAC;

III - coordinated airport (Level 3): airport where the high level of capacity occupation compromises any of the critical components (runway, apron or terminal), either during certain times of the day, days of the week, or periods of the year, or due to other circumstances provided for in this Resolution, and which has been declared as a coordinated airport by ANAC;

IV - initial allocation: allocation of series of slots in each season, after receiving the initial submission from air transport companies; results are disclosed until the deadline defined by the calendar of activities;

V - slot pool: set of slots available for allocating new requests submitted by air transport companies and air operators in the season;

VI - baseline (BDR): database of series of slots dated according to the calendar of activities and used as a reference to monitor the series of slots of each air transport company, aiming at determining the historic slots;

VII - live schedule database: set of slots allocated on a given day of operation of the season;

VIII - calendar of activities: calendar containing all activities and deadlines related to the process of coordination and allocation of airport infrastructure for the summer and winter seasons in facilitated (Level 2) and coordinated (Level 3) airports;

IX - airport capacity: measurement of the processing capacity of critical airport components (runway, apron or terminal), which may involve passengers, aircraft, baggage or cargo;

X - series return deadline (SRD): period defined by the calendar of activities for returning the series of slots that the air transport company no longer intends to operate, excluding them from the baseline (BDR);

XI - declaration of coordinated airport: document issued by the Board of Directors of the National Civil Aviation Agency declaring an airport as a coordinated airport (Level 3);

XII - declaration of facilitated airport: document issued by the competent Department at ANAC declaring an airport as a facilitated airport (Level 2);

XIII - declaration of airport capacity: document issued by the airport operator, in agreement with the airspace control authority, which informs ANAC of the coordination parameters related to airport capacity for each season;

XIV - non-new-entrant airline: after the processing of a series of slots requested at a coordinated airport, the air transport company whose number of slots allocated per day, added to the number of slots of companies of the same economic group, is greater than the parameter value of a new entrant airline established in the declaration of coordinated airport;

XV - new entrant airline (new entrant): after the processing of a series of slots requested at a coordinated airport, the air transport company whose number of slots allocated per day, added to the number of slots of companies of the same economic group, is equivalent or inferior to the parameter value established in the declaration of coordinated airport for this purpose;

XVI - economic group: the economic group comprises the air transport company, its controllers, subsidiaries and affiliates, as well as the subsidiaries and affiliates of controllers and of subsidiaries of air transport companies;

XVII - historic slots: series of slots of an air transport company allocated in the baseline (BDR) of the previous equivalent season which will have priority in the initial allocation when the requirements established in this Resolution are met;

XVIII - misuse of slots: inappropriate use of the airport infrastructure of a coordinated airport, carrying out air operations without prior slot allocation, in disagreement with the characteristics of the allocated slot, or holding a slot not intended to be used;

XIX - coordination parameters: in operational terms, the whole declared slot allocation capacity at an airport during each coordination period, considering all technical, operational and environmental factors that affect the performance of the airport infrastructure and its various subsystems;

XX - publication of air operations data (PDO): information about all air operations carried out and canceled at a coordinated airport, made available by the airport operator for the purposes of monitoring the use of allocated slots;

XXI - series of slots: set of slots allocated to the same air transport company in consecutive weeks, on the same day of the week, at the same time, whose number of slots is equal to or greater than the parameter value established for this purpose in the declaration of coordinated airport;

XXII - airport slot (slot): airport infrastructure allocated by the coordinator to the air transport company or to the air operator for carrying out a landing or takeoff operation on a specific date and time at a coordinated airport;

XXIII - initial submission: request for all series of slots the air transport company intends to operate during the season, submitted respecting the deadline defined by the calendar of activities;

XXIV - seasons: periods of coordination, allocation and use of airport infrastructure, defined in two seasons per year, summer and winter (referring to seasons in the Northern Hemisphere), as follows:

- a) the periods for the seasons respect the schedule defined by the calendar of activities;
- b) equivalent seasons refer to two consecutive summer seasons or two consecutive winter seasons; and
- c) subsequent seasons refer to the continuation of different seasons, whether summer and winter of the same year, or winter of one year and summer of the next year.

Section II

Airport coordination guidelines

Article 4. Airport coordination aims to reduce the effects of the shortage of airport infrastructure, in order to promote the efficient use of declared airport capacity, observing the following guidelines:

I - provide access to the airport infrastructure in an impartial, transparent and non-discriminatory manner;

II - ensure compliance with deadlines established in the calendar of activities and those provided for in this Resolution;

III - publicize airport coordination activities;

IV - carry out the process and procedures described in specific ordinance provided for in article 2 of this Resolution;

V - respect the coordination parameters set out in the declaration of airport capacity; and

VI - respond in a reasoned and timely manner to all requests for the allocation of airport infrastructure.

§ 1 At coordinated airports, ANAC is responsible for the activity described in the head provision.

§ 2 At facilitated airports, the airport operator is responsible for the activity described in the head provision.

Article 5. For the coordination and allocation of slots, international best practices will be observed, considering if they do not contradict national legislation, in particular legislation related to the regulation and inspection of civil aviation activities and aeronautical and airport infrastructure.

Section III

Declaration of airport capacity

Article 6. The airport operator is responsible for issuing the declaration of airport capacity, which shall contain the coordination parameters related to runway, apron and terminal.

§ 1 Runway operational capacity and respective allocation rules shall be established in agreement with the authority responsible for airspace control.

§ 2 The airport operator or the airspace control authority might restrict air operations that limit or reduce airport capacity.

§ 3 When preparing the declaration of airport capacity, the airport operator shall consult scheduled air transport companies that operate at the airport and, if possible, take into account suggestions and agreements that have been established, seeking to improve operational efficiency and airport capacity. A Committee may also be created.

Article 7. The declaration of airport capacity for each season shall be issued by the airport operator, respecting the deadline defined in the calendar of activities.

Section IV

Publication of data about air operations at coordinated airports

Article 8. The operator of the coordinated airport (Level 3) is responsible for the publication of air operations data (PDO), observing the procedures and deadlines established in the specific ordinance provided for in article 2 of this Resolution.

Sole paragraph. When consolidating data about air operations that have been carried out or canceled, the operator of the coordinated airport will use information in a timely manner provided by air transport companies and air operators, seeking to reconcile data and improve the quality of information.

Section V

Slot nature, slot swap, and slot transfer

Article 9. Slots will be allocated in minutes, in multiples of five. For planning purposes, the time the aircraft arrives or leaves the terminal is considered, referring to the on-block and off-block time, respectively.

Article 10. Air transport companies and air operators may request slots at coordinated airports, under the terms of the declaration of coordinated airport.

Article 11. The use of a slot by an air transport company or air operator other than the one designated in the slot allocation process is prohibited.

Article 12. The slot is not an asset of the air transport company or the air operator and represents a temporary use of the airport infrastructure. The maintenance of the historic slots depends on compliance with the criteria established by this Resolution.

§ 1 Transferred slots have the same precarious nature established by the head provision.

§ 2 The entire monitoring process provided for in this Resolution, including the calculation of the regularity index and the evaluation of the misuse of slots, will be maintained after slot transfer.

§ 3 The right of temporary use of the slot will be established for each season after confirmation issued by ANAC, according to the conditions provided for in this Resolution.

Article 13. For the purposes of this Resolution, air transport companies belonging to the same economic group will be considered a unit.

§ 1 Air transport companies shall immediately inform ANAC about corporate changes that lead to the formation or dissolution of economic groups.

§ 2 If there is a failure in communication detailed in § 1 of this article that impacts the result of the initial allocation for any season, part of or all slots may be reallocated according to the criteria established in this Resolution.

Article 14. The swap of an equivalent number of slots between air transport companies is allowed upon validation by ANAC. The Agency will evaluate the characteristics of each operation and the declared airport capacity.

§ 1 Slot swap between air transport companies may be revoked if one of the companies ceases to operate the slot after the swap, what may be characterized as slot transfer, under the terms of article 15 of this Resolution.

§ 2 The swap of slots that have been allocated to a new entrant airline is prohibited, except if:

- I - the operation of the series of slots has achieved historic slots for three equivalent seasons;
- II - both airlines are new entrants in the allocation of the series of slots; or
- III - the slot swap benefits airport infrastructure, as decided by ANAC.

Article 15. Slot transfer between air transport companies that operate or plan to operate at the airport is allowed upon validation by ANAC. The Agency will evaluate the characteristics of each operation and the declared airport capacity.

§ 1 Air transport companies that transfer slots to airlines from different economic groups will not receive slots from the slot pool for three equivalent seasons, except if no other companies are interested.

§ 2 Slot transfer is authorized only if attested historic slots for three consecutive equivalent seasons are available, including transfer between air transport companies of the same economic group.

§ 3 If the declaration of coordinated airport defines the percentage limit of slot share, air transport companies may only obtain slots from slot transfer if they do not exceed the limit.

§ 4 ANAC will only proceed with slot transfer detailed by the head provision upon request by the party transferring the slot.

§ 5 Slot transfer occurring until the formation of the baseline (BDR) will be definitive and shall be carried out for the entire series of slots.

§ 6 Slot transfer occurring after the formation of the baseline (BDR) will not be definitive unless the party transferring slots requests ANAC to alter the baseline. The Agency will then evaluate the head provision.

§ 7 Slot transfer is the transferring of slots, even if resulting from mergers or acquisitions of companies or other types of corporate consolidations.

§ 8 If the requirements of this Resolution are not complied with, the slot transfer may be revoked by ANAC at any time.

§ 9 Subject to the analysis of the Brazilian competition authority, when the established percentage limit of slot share is exceeded in cases of mergers, acquisitions or other forms of corporate consolidation, the surplus amount of series of slots shall be transferred to other air transport companies belonging to a different economic group or returned to the slot pool.

§ 10 In case of non-compliance with the provisions of § 9 of this article, ANAC may withdraw the exceeding series of slots.

Article 16. ANAC will not settle disputes between parties in slot transfer operations. ANAC will not act as an arbiter for contractual issues.

Section IV General Provisions

Article 17. The following operations do not depend on slot allocation:

I - emergencies, search and rescue (SAR);

II - air medical transport or the transport of organs for use in human transplantations;

III - military;

IV - transportation of Chiefs of State or Chiefs of Government; and

V - non-commercial, for the exclusive benefit of the air transport company, when previously agreed with the airspace control authority and the airport operator.

Sole paragraph. For the purposes of item V of the head provision, air operations involving planned air transport service carried out in a flight stage immediately before or after the operations listed in article 17 are not included.

Article 18. In cases of reduction in airport capacity at a coordinated airport that makes it impossible to allocate all the requested historic slots, the criteria established in article 35 of this Resolution shall be observed.

Article 19. If the air transport company holding historic slots fails to submit requests by the initial submission deadline, the company may only compete for the slot pool of the season after the results of the initial allocation are disclosed, respecting the airport capacity available.

Article 20. After the initial allocation is completed, if a slot pool is formed for the season due to slot availability or airport capacity expansion, slots may be distributed based on the initial allocation rules established in this Resolution.

Sole paragraph. The series of slots will be considered in the formation of the baseline (BDR) when allocated until the deadline defined by the calendar of activities.

Article 21. If slots are returned until the date of formation of the baseline (BDR) and the series of slots is mischaracterized, ANAC may determine the loss of all slots in the series, leading to the redistribution of slots pursuant to article 20 of this Resolution.

CHAPTER II

FACILITATED AIRPORTS (LEVEL 2)

Section I

Declaration of facilitated airport

Article 22. When there is potential for congestion due to the level of occupancy of airport capacity, ANAC may declare the airport a facilitated airport, under the terms of this Resolution.

Article 23. The declaration of facilitated airport will be issued by ANAC in any of the following circumstances:

I - level of occupancy of airport capacity that does not justify a declaration of coordinated airport;

II - failure in the planning of allocation of airport infrastructure available;

III - connectivity with other network airports; or

IV - public interest.

§ 1 The declaration of facilitated airport will remain in effect as long as the situation that motivated it is in force and its cancellation depends on the express manifestation of the National Civil Aviation Agency.

§ 2 The declaration of facilitated airport will be issued by the competent Department at ANAC and shall be published in accordance with the calendar of activities, except for the reason presented in item IV of the head provision.

Article 24. The declaration of facilitated airport may be motivated by ANAC or by a justified request from:

I - air transport companies or air operators operating at the airport or intending to do so;

II - the airport operator; or

III - the airspace control authority.

Sole paragraph. ANAC is responsible for deciding if it is applicable to declare an airport as a facilitated airport.

Section II

Initial allocation rules

Article 25. Requests for flight schedules sent by air transport companies during initial submission shall be processed by the airport operator, affecting the initial allocation.

Article 26. In the initial allocation for each season, the operator of a facilitated airport shall prioritize the allocation of airport infrastructure for flight schedules that were included in the flight database and allocated in the previous equivalent season.

§ 1 The operator of a facilitated airport may define an order of priority for requests different from the flight database allocated in the previous equivalent season. The order of priority shall be published before the deadline for initial submission.

§ 2 Scheduled air services registered with ANAC for the respective airport shall be considered as a reference in the first initial allocation.

Section III

Monitoring of the use of airport infrastructure

Article 27. The operator of a facilitated airport may establish the monitoring of the use of airport infrastructure to check up on the misuse of the infrastructure.

Sole paragraph. Air transport companies that intentionally operate in disagreement with the allocated airport infrastructure may receive a lower priority in the initial allocation for the next season, provided they are previously informed.

CHAPTER III

COORDINATED AIRPORTS (LEVEL 3)

Section I

Declaration of coordinated airport

Article 28. Under the terms of this Resolution, ANAC may declare an airport as a coordinated airport when the high level of occupancy of airport capacity compromises any of the critical components (runway, apron or terminal), either during certain times of the day, days of the week, or periods of the year.

Article 29. The declaration of coordinated airport will be issued by ANAC in any of the following circumstances:

I - serious limitations of airport capacity that result in restricted access or cause significant delays at the airport due to the high level of occupancy, with no possibility of a solution in the short term;

II - when the conducts of air transport companies, air operators or airport operators or measures implemented by the airspace control authority restrict access to the airport or compromise the efficient use of the declared airport capacity;

III - emergency situations;

IV - fortuitous event or force majeure; or

V - public interest.

§ 1 The declaration of coordinated airport will remain in effect as long as the situation that motivated it is in force and its cancellation depends on the express manifestation of the National Civil Aviation Agency.

§ 2 The declaration of coordinated airport will be issued by the Board of Directors and shall be published in accordance with the calendar of activities, except for the reasons mentioned in items III, IV and V of the head provision.

Article 30. The declaration of coordinated airport may be motivated by ANAC or by a justified request from:

I - air transport companies or air operators operating at the airport or intending to do so;

II - the airport operator; or

III - the airspace control authority.

Sole paragraph. ANAC is responsible for deciding if it is applicable to declare an airport as a coordinated airport.

Article 31. The following information and parameter values shall be included in the declaration of coordinated airport:

I - airport name;

II - reason for coordination;

III - period, days of the week and schedules that will be coordinated;

IV - air services that shall request slots;

V - air services eligible for the formation of series of slots;

VI - operating limitations related to technical aspects;

VII - goal of regularity for assessing efficiency in the use of series of slots at the airport;

VIII - deviation tolerated in relation to the allocated slot time for assessing the punctuality of arrivals and departures at the airport;

IX - maximum number of slots per day to be considered a new entrant;

X - percentage of the slot pool that will be distributed to new entrants at the airport;

XI - range of time change in historic slots;

XII - minimum number of slots to be considered as a series of slots at the airport; and

XIII - percentage limit of slot share at the airport, when applicable.

§ 1 The definition of parameter values will be individual for each coordinated airport.

§ 2 International best practices will be observed in the definition of parameters, except for the application of specific regulations.

§ 3 Issuing specific regulations, ANAC may define the percentage limit of slot share at the airport per day of the week, considering the number of slots effectively allocated.

Section II

Initial allocation rules

Article 32. Requests for series of slots sent by air transport companies during initial submission shall be processed by ANAC, affecting the initial allocation.

Article 33. The initial allocation for each season will comply with the following order of priority:

I - historic slots;

II - changes to historic slots; and

III - new requests for slots (slot pool).

§ 1 For the purposes of item I of the head provision, small schedule adjustments may be made to optimize allocation efficiency, provided that they are previously agreed with the air transport company.

§ 2 For the purposes of item II of the head provision, changes in historic slots that do not impact airport infrastructure (for example, change in flight number) or schedule adjustment within the range defined in the declaration of coordinated airport may be accepted.

§ 3 Requests to changes in historic slots with schedule adjustments beyond the range defined in the declaration of coordinated airport will have the same priority as new requests for slots.

§ 4 Respecting the declared airport capacity, historic slots will be maintained if it is not possible to meet the request for change.

§ 5 Different criteria for the initial allocation may be established by specific regulation if a condition that implies barriers to entry is present, causing disservice to market contestability and effective competition.

Article 34. New requests for slots (slot pool) will be allocated in the following order of priority:

I - continuation of the previous subsequent season; and

II - other requests for slots.

§ 1 Slots will be initially allocated to new entrants, according to the parameters defined in the declaration of coordinated airport.

§ 2 In case of loss of historic slots in the previous equivalent season, the priority established in item I of the head provision does not apply.

Article 35. The following slot allocation criteria will be applied, secondarily to provisions of articles 33 and 34 of this Resolution, not considering any order of priority:

I - better environmental performance;

II - largest series of slots (period of operation);

III - largest aircraft;

IV - superior promotion of competition at the airport; or

V - superior operational efficiency.

§ 1 For the purposes of item I of the head provision, the emissions of aircraft noise and CO₂ will be evaluated.

§ 2 For the purposes of item III of the head provision, requests for series of slots for aircraft with differences of up to 20% of the largest offer of seats or transported cargo will have the same priority, depending on the type of air service to be provided.

§ 3 For the purposes of item IV of the head provision, allocations of series of slots that promote the reduction of concentration of seats offered will have greater priority. The calculation shall be performed using the Herfindahl-Hirschman index (HHI).

§ 4 For the purposes of item V of the head provision, the efficiency in the use of the series of slots will be evaluated by verifying the regularity index (IR) of the series of slots in the previous equivalent season.

§ 5 If the air transport company eventually changes the characteristics of the series of slots, influencing the result of initial allocation carried out according to the prioritization criteria provided by this article, ANAC may determine the loss of all slots in the series, leading to the redistribution of slots pursuant to article 20 of this Resolution.

§ 6 In the event of a tie or conflict in the allocation of slots, the criteria prescribed in items I to V of the head provision will be applied, individually or jointly.

Section III

Monitoring of the use of slots

Article 36. The monitoring of the use of slots allocated in each season will be carried out by ANAC in order to determine the historic slots as well as the misuse of slots, considering:

I - the baseline (BDR);

II - the live schedule database;

III - the publication of air operations data (PDO); and

IV - the parameters of the declaration of coordinated airport.

§1 The monitoring of the use of allocated slots will be carried out for each coordinated airport.

§ 2 For the purposes of determining historic slots, the series of slots allocated in the baseline (BDR) will be considered.

§ 3 For the purposes of investigating the misuse of slots, slots allocated in the live schedule database will be considered.

Article 37. Monitoring the use of allocated slots in each season will assess occurrences involving:

I - air operations carried out without prior allocation of the slot;

II - air operations carried out in disagreement with the characteristics of the slot allocated in the live schedule database;

III - canceled air operations and canceled slots.

Sole paragraph. With the aim of clarifying facts related to the occurrences, information available in varied databases managed by ANAC, the information provided by other airport operators, airspace control authorities, bodies or public entities or other databases may be used.

Article 38. Occurrences caused by situations beyond the management capacity of the air transport company will not be penalized in the calculation of the regularity index, as long as they are informed according to the procedures described in the specific ordinance provided for in article 2 of this Resolution.

§ 1 Occurrences caused by adverse weather conditions, actions or omissions of the airport operator, measures implemented by airspace control authorities, or activities carried out by other bodies or public entities will be considered beyond the management capacity of the air transport company, as long as they are directly related to the provision of air transport service.

§ 2 Occurrences caused by actions or omissions of the air transport company's employees or service providers, and by the unavailability of crew, aircraft, equipment, systems, or other elements intrinsic to the provision of air transport service will not be considered beyond the management capacity of the air transport company.

Article 39. In order to assist in determining what events may be considered intentional, the misuse of slots will be subject to investigation in all occurrences, including those resulting from situations beyond the management capacity of the air transport company.

Article 40. The regularity index (IR) of the series of slots is the result of the division of the number of slots used by the number of slots allocated in the baseline (BDR) of that series of slots:

$$IRs = \frac{\text{Número de slots utilizados}}{\text{Número de slots alocados na BDR}} \quad (\%)$$

Legenda:

Número de slots utilizados = Number of slots used

Número de slots alocados na BDR = Number of slots allocated in the BDR

§ 1 The regularity index is calculated for each series of slots in order to determine the historic slots.

§ 2 Air operations presenting a time deviation greater than 24 hours in relation to the time allocated in the live schedule database may be penalized in the calculation of the regularity index. The provisions of article 38 of this Resolution shall be observed.

Article 41. The air transport company will not obtain the historic slots for the next equivalent season in the following situations:

I - operation below the minimum regularity goal;

II - intentional misuse of the allocated slots;

III - loss of air operator certificate; or

IV - if it is eventually confirmed that the air transport company did not have historic slots or was not eligible for historic slots.

§ 1 Series of slots that do not generate historic slots in the season will be transferred to the slot pool of the next equivalent season.

§ 2 For the purposes of item II of the head provision, the intentional misuse of slot is characterized when the air transport company fails to take the necessary measures to correct nonconformities previously notified by ANAC.

§ 3 For the purposes of item III of the head provision, in the case of foreign non-scheduled air transport companies, operating licenses issued in their countries of origin and authorizations issued by ANAC will be considered.

Article 42. The air transport company or air operator may lose slots or series of slots during the coordination period in the season in the following situations:

I - operation below the minimum regularity goal;

II - loss or suspension of the air operator certificate;

III - if it is eventually confirmed that the air transport company did not have historic slots or was not eligible for historic slots; or

IV - if the pending issues reported during the slot allocation process are not resolved by the date of operation of the slot or the start of the series of slots.

§ 1 All slots resulting from the application of the rules provided by this article will be transferred to the slot pool of the season and will not generate historic slots for the next equivalent season.

§ 2 For the purposes of item I of the head provision, the loss of series of slots occurs when the air transport company becomes unable to meet the regularity goal until the end of the season, in case the company has not started the air service related to the series of slots allocated or has discontinued the service during the season, or when the air transport company loses its operational capacity.

§ 3 For the purposes of item II of the head provision, in the case of foreign non-scheduled air transport companies, operating licenses issued in their countries of origin and authorizations issued by ANAC will be considered.

CHAPTER IV

BREACHES AND ADMINISTRATIVE PROVISIONS

Article 43. Violations to the provisions of this Resolution will subject the breaching party to the penalties set out in article 289 of Law No. 7,565, of December 19, 1986, which provides for the Brazilian Aeronautical Code. The investigation of violations will be carried out in accordance with Resolution No. 472, of June 6, 2018, or with regulations that may replace it. Fine values listed in the Annex to this Resolution shall be applied.

Sole paragraph. In the case of breaches committed by an air transport company, the administrative measures provided for in current regulations will apply, regardless of the failure to obtain the historic slots resulting from monitoring.

CHAPTER V

FINAL PROVISIONS

Article 44. The airport infrastructure allocated to air operations does not represent full flight authorization. Air transport companies and air operators shall comply with other regulations issued by ANAC or other bodies, including those relating to the provision of air services.

Article 45. The following Resolutions are hereby revoked:

I - Resolution No. 338, of July 22, 2014, published in the Federal Gazette of July 25, 2014, Section 1, pages 6 to 9; and

II - Resolution No. 487, of August 22, 2018, published in the Federal Gazette of August 27, 2018, Section 1, pages 159 to 161.

Sole paragraph. The effects of Resolutions No. 338, of 2014, and No.487, of 2018, are extended until the end of the Winter season of 2022 (W22).

Article 46. This Resolution takes effect on July 1, 2022.

JULIANO ALCÂNTARA NOMAN

Director-President

ANNEX TO RESOLUTION No. 682 OF JUNE 7, 2022.

TABLE OF BREACHES

(FINES FOR INDIVIDUALS, IN BRAZILIAN CURRENCY - REAL)

I - BREACHES ATTRIBUTABLE TO THE AIR OPERATOR	Minimum	Intermediate	Maximum	Incidence of the sanction
a) Intentionally holding allocated in the live schedule database a slot not intended to be used.	7.000	14.000	21.000	1 per slot
b) Intentionally carrying out air operations in disagreement with the characteristics of the slot allocated in the live schedule database	21.000	31.500	42.000	1 per air operation
c) Intentionally carrying out air operations without prior allocation of the slot in the live schedule database.	21.000	42.000	63.000	1 per air operation

TABLES OF BREACHES

(FINES FOR LEGAL ENTITIES, IN BRAZILIAN CURRENCY - REAL)

II - BREACHES ATTRIBUTABLE TO THE AIR TRANSPORT COMPANY OR AIR OPERATOR	Minimum	Intermediate	Maximum	Incidence of the sanction
a) Intentionally holding allocated in the live schedule database a slot not intended to be used.	12.000	21.000	30.000	1 per slot
b) Intentionally carrying out air operations in disagreement with the characteristics of the slot allocated in the live schedule database	24.000	42.000	60.000	1 per air operation
c) Intentionally carrying out air operations without prior allocation of the slot in the live schedule database.	36.000	63.000	90.000	1 per air operation

II - BREACHES ATTRIBUTABLE TO THE AIRPORT	Minimum	Intermediate	Maximum	Incidence of the sanction
Facilitated Airport (Level 2) or Coordinated Airport (Level 3)				
a) Failure to comply with the requirements of this Resolution.	30.000	52.500	75.000	1 per noncompliance