



Sydney Airport Demand Management Regulations 2025

I, the Honourable Sam Mostyn AC, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 16 October 2025

Sam Mostyn AC
Governor-General

By Her Excellency's Command

Catherine King
Minister for Infrastructure, Transport, Regional Development and Local Government

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Part 1—Preliminary

1 Name

This instrument is the *Sydney Airport Demand Management Regulations 2025*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	At the same time as Schedule 1 to the <i>Sydney Airport Demand Management Amendment Act 2024</i> commences.	26 October 2025

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Sydney Airport Demand Management Act 1997*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

- Note: A number of expressions used in this instrument are defined in the Act, including the following:
- (a) Compliance Committee;
 - (b) curfew period;
 - (c) gate movement;
 - (d) member;
 - (e) operator;
 - (f) Secretary;
 - (g) slot;
 - (h) Slot Manager;
 - (i) Sydney Airport.

Section 5

In this instrument:

Act means the *Sydney Airport Demand Management Act 1997*.

airline has the same meaning as in the *Airports Act 1996*.

airport-operator company has the same meaning as in the *Airports Act 1996*.

appointed member means a member of the Compliance Committee mentioned in paragraph 66(2)(e) of the Act.

protected regional service slot series has the same meaning as in the *Sydney Airport Slot Management Scheme 2025*.

representative member means a member of the Compliance Committee mentioned in paragraph 66(2)(b), (c) or (d) of the Act.

Part 2—Maximum aircraft movement limit at Sydney Airport and recovery periods

6 Airservices Australia to publish information about compliance with maximum movement limit

- (1) For the purposes of subsection 9(4) of the Act, Airservices Australia must, for each quarter of a calendar year, publish information about compliance with the maximum movement limit at Sydney Airport in accordance with this section.
- (2) The information must include details of:
 - (a) aircraft movements that, on a day in the quarter, failed to comply with the maximum movement limit imposed by subsection 6(1) of the Act; and
 - (b) the circumstances in which the failure occurred.
- (3) For each quarter, the information must be published on Airservices Australia's website no later than 21 business days after the end of the quarter.
- (4) In this section:

quarter means a period of 3 months ending on 31 March, 30 June, 30 September or 31 December.

- (5) If this instrument commences on or after 1 October 2025 and before 1 January 2026, Airservices Australia:
 - (a) must publish information under this section as if a reference to a quarter were instead a reference to the period:
 - (i) starting on 1 October 2025; and
 - (ii) ending on 31 December 2025; and
 - (b) must publish the information on Airservices Australia's website by no later than 21 business days after the end of December 2025.

7 Recovery period declarations

For the purposes of paragraph 9A(1)(b) of the Act, the Minister may make a recovery period declaration if the Minister is satisfied that either or both of the following specified criteria are met:

- (a) aircraft operations in Australian airspace are unavailable, or are restricted, and the unavailability or restriction adversely affects aircraft movements at Sydney Airport;
- (b) airport infrastructure in Australia is unavailable, or its use is restricted, and the unavailability or restriction adversely affects aircraft movements at Sydney Airport.

Note 1: If aircraft movements at Sydney Airport are significantly disrupted, the Minister may make a recovery period declaration if the Minister is satisfied that, amongst other things, the cause or circumstances of the disruption meet either or both of the criteria specified in this section, see subsection 9A(1) of the Act.

Section 8

Note 2: It is immaterial whether the cause of a disruption directly disrupts aircraft movements at Sydney Airport or occurs elsewhere and indirectly disrupts aircraft movements at Sydney Airport, see subsection 9A(4) of the Act.

8 Recovery periods and recovery hours

For the purposes of subsection 9B(7) of the Act, a recovery period declaration must specify the start of a recovery period by reference only to one of the following times:

- (a) on the hour (being one of the 24 hours of a day);
- (b) 15 minutes past the hour;
- (c) 30 minutes past the hour;
- (d) 45 minutes past the hour.

Part 3—The Compliance Committee

Division 1—The Compliance Committee

9 Independence of Chair of Compliance Committee

For the purposes of paragraph 66(4)(e) of the Act, the following persons are prescribed:

- (a) persons representing peak industry bodies for airport-operator companies;
- (b) persons representing peak industry bodies for airlines;
- (c) persons providing airside and airport services in connection with scheduled domestic and international air services.

Note: Subsection 66(4) of the Act provides that the Chair of the Compliance Committee must be independent from the persons mentioned in that subsection (which includes the persons prescribed by section 9 of this instrument).

Section 10

Division 2—Members of the Compliance Committee

10 Application

This Division is made for the purposes of section 67 of the Act.

11 Appointment of the Chair and appointed members

- (1) The Chair and appointed members are to be appointed by the Minister on a part-time basis.
- (2) Subject to subsection (3), the Chair and appointed members hold office for the period specified in the instrument of appointment. The period must not exceed 3 years.
- (3) The Chair and appointed members are eligible for reappointment once only. The period of reappointment must not exceed 3 years.

12 Independence of appointed members

A person is not eligible for appointment as an appointed member unless the person is independent from:

- (a) an airport-operator company for Sydney Airport; and
- (b) the Slot Manager; and
- (c) Airservices Australia; and
- (d) an airline that customarily provides air services (whether or not from Sydney Airport); and
- (e) persons representing peak industry bodies for airport-operator companies; and
- (f) persons representing peak industry bodies for airlines; and
- (g) persons providing airside and airport services in connection with scheduled domestic and international air services.

Note: The independence requirements in relation to the Chair are set out in subsection 66(4) of the Act.

13 Acting Chair

- (1) The Minister may, in writing, appoint a person to act as the Chair:
 - (a) during a vacancy in the office of Chair (whether or not an appointment has previously been made to the office); or
 - (b) during any period, or during all periods, when the Chair:
 - (i) is absent from duty; or
 - (ii) is, for any reason, unable to perform the duties of the office of Chair.

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901* (as those sections apply because of paragraph 13(1)(a) of the *Legislation Act 2003*).

- (2) A person is not eligible for appointment to act as the Chair unless the person is eligible for appointment as the Chair under subsection 66(4) of the Act.

14 Acting appointed members

- (1) The Minister may, in writing, appoint a person to act as an appointed member:
 - (a) during a vacancy in the office of an appointed member (whether or not an appointment has previously been made to the office); or
 - (b) during any period, or during all periods, when an appointed member:
 - (i) is acting as the Chair; or
 - (ii) is absent from duty; or
 - (iii) is, for any reason, unable to perform the duties of the office of appointed member.

Note: For rules that apply to acting appointments, see sections 33AB and 33A of the *Acts Interpretation Act 1901* (as those sections apply because of paragraph 13(1)(a) of the *Legislation Act 2003*).

- (2) A person must not be appointed to act as an appointed member for more than 6 months.
- (3) A person is not eligible for appointment to act as an appointed member unless the person is eligible for appointment as an appointed member under section 12.

15 Leave for Chair and appointed members

Chair

- (1) The Minister may grant leave of absence to the Chair on the terms and conditions that the Minister determines in writing.

Appointed members

- (2) The Chair may grant leave of absence to an appointed member on the terms and conditions that the Chair determines in writing.
- (3) The Chair must notify the Minister if the Chair grants an appointed member leave of absence for a period that exceeds 3 months.

16 Restrictions on outside employment

Chair

- (1) The Chair must not engage in any paid employment that, in the Minister's opinion, conflicts or may conflict with the proper performance of the Chair's duties.

Appointed members

- (2) An appointed member must not engage in any paid employment that, in the Minister's opinion, conflicts or may conflict with the proper performance of the appointed member's duties.

17 Resignation of Chair and appointed members

- (1) The Chair or an appointed member may resign their appointment by giving the Minister a written resignation.

Section 18

- (2) The resignation takes effect on the day it is received by the Minister or, if a later day is specified in the resignation, on that later day.

18 Termination of appointments of Chair and appointed members

- (1) The Minister may, in writing, terminate the appointment of the Chair or an appointed member:
- (a) for misbehaviour; or
 - (b) if the Chair or appointed member is unable to perform the duties of their office because of physical or mental incapacity; or
 - (c) if the Chair or appointed member fails, without reasonable excuse, to comply with section 21 (disclosure of interests); or
 - (d) if the Chair or appointed member engages in paid employment that, in the Minister's opinion, conflicts or may conflict with the proper performance of the duties of their office (see section 16); or
 - (e) if the Chair or appointed member is absent, except on leave of absence, from 3 consecutive meetings of the Compliance Committee; or
 - (f) if the Minister is satisfied that the performance of the Chair or appointed member has been unsatisfactory for a significant period.
- (2) The Minister must, in writing, terminate the appointment of the Chair or an appointed member if the Chair or appointed member:
- (a) becomes bankrupt; or
 - (b) takes steps to take the benefit of any law for the relief of bankrupt or insolvent debtors; or
 - (c) compounds with one or more of their creditors; or
 - (d) makes an assignment of their remuneration for the benefit of one or more of their creditors.

19 Other terms and conditions of Chair and appointed members

- (1) The Chair and appointed members hold office on the terms and conditions (if any) in relation to matters not covered by the Act or this instrument that are determined by the Minister.
- (2) The Minister may, in writing, determine terms and conditions for the purposes of subsection (1).

20 Disclosure of interests

- (1) A member who has an interest, pecuniary or otherwise, in a matter being considered or about to be considered by the Compliance Committee must disclose the nature of the interest to a meeting of the Compliance Committee.
- (2) Without limiting subsection (1), interests that must be disclosed under that subsection include the following:
- (a) that the member is an employee of an airline or operator whose conduct is being examined by the Compliance Committee;
 - (b) that the member holds shares in an airline or operator whose conduct is being examined by the Compliance Committee.

Section 21

- (3) The disclosure must be made as soon as possible after the member becomes aware that the Compliance Committee is examining, or proposes to examine, the conduct of the airline or operator.
- (4) The disclosure must be recorded in the minutes of the meeting of the Compliance Committee.
- (5) Unless the Compliance Committee otherwise determines, the member:
 - (a) must not be present during any deliberation by the Compliance Committee on the matter; and
 - (b) must not take part in any decision of the Compliance Committee with respect to the matter.
- (6) For the purposes of making a determination under subsection (5), the member:
 - (a) must not take part in making the determination; but
 - (b) if the Compliance Committee permits the member to be present—may be present during any deliberation of the Compliance Committee for the purpose of making the determination.
- (7) A determination under subsection (5) must be recorded in the minutes of the meeting of the Compliance Committee.

21 Deputies of representative members

- (1) The Minister may, in writing, appoint a person to be the deputy of a representative member.
- (2) The deputy of a representative member is, in the event of the absence of the member from a meeting of the Compliance Committee:
 - (a) entitled to attend that meeting; and
 - (b) when attending that meeting, taken to be a member of the Compliance Committee and may vote at the meeting.
- (3) The deputy of a representative member is not entitled to attend a meeting of the Compliance Committee or to vote at a meeting except as provided by subsection (2).
- (4) The deputy of a representative member may resign by giving to the Minister a written resignation.
- (5) Subject to subsection (6), the Minister may, at any time in writing, terminate the appointment of the deputy of a representative member.
- (6) The Minister must, if requested by the representative member who requested a person to be appointed as the deputy of the representative member, terminate the appointment of that person. The termination must be in writing.
- (7) The Minister may, in writing, determine the terms and conditions of appointment of a person appointed as the deputy of a representative member.

Division 3—The operation and procedures of the Compliance Committee

22 Application

This Division is made for the purposes of section 67 of the Act.

23 Procedures of the Compliance Committee generally

- (1) Subject to this Division, the Compliance Committee may regulate the conduct of its meetings as it thinks fit.

Note: Section 33B of the *Acts Interpretation Act 1901* (as that section applies because of paragraph 13(1)(a) of the *Legislation Act 2003*) contains provisions about the ways in which Compliance Committee members may participate in meetings.

- (2) Without limiting subsection (1), but subject to section 30, the Compliance Committee may determine the procedures for meetings, including:
 - (a) how minutes are to be kept; and
 - (b) who may be invited to attend meetings.

24 Convening of meetings

- (1) The Chair must convene such meetings of the Compliance Committee as are, in the Chair's opinion, necessary for the efficient conduct of its functions.
- (2) The Chair must convene at least 2 meetings of the Compliance Committee each calendar year.
- (3) The Chair must convene a meeting of the Compliance Committee if directed to do so by the Minister.

25 Quorum

- (1) At a meeting of the Compliance Committee, a quorum is constituted by a majority of the members for the time being holding office.
- (2) However, if:
 - (a) a member is required by section 20:
 - (i) not to be present during any deliberation by the Compliance Committee on a matter; and
 - (ii) not to take part in any decision of the Compliance Committee with respect to the matter; and
 - (b) as a result, there is no longer a quorum present;the members remaining at the meeting constitute a quorum for the purposes of any consideration of, or vote on, the matter at the meeting.

26 Presiding at meetings

- (1) The Chair, or acting Chair, must preside at all meetings of the Compliance Committee at which the Chair, or acting Chair, is present.

- (2) If the Chair, or acting Chair, is not present at a meeting of the Compliance Committee, the members present must elect one of their number to preside at the meeting.

27 Voting at meetings

- (1) At a meeting of the Compliance Committee, a question is decided by a majority of the votes of members present and voting.
- (2) The member presiding at the meeting has a deliberative vote and, if the votes are equal, a casting vote.

28 Minutes

The Compliance Committee must keep minutes of its meetings.

29 Decisions without meetings

- (1) The Compliance Committee is taken to have made a decision at a meeting if:
 - (a) without meeting, a majority of the members entitled to vote on the proposed decision indicate agreement with the decision; and
 - (b) that agreement is indicated in accordance with subsection (2); and
 - (c) all the members were informed of the proposed decision, or reasonable efforts were made to inform all the members of the proposed decision.
- (2) Subsection (1) does not apply unless the Compliance Committee:
 - (a) has determined that it may make decisions of that kind without meeting; and
 - (b) has determined the method by which members are to indicate agreement with proposed decisions.
- (3) For the purposes of paragraph (1)(a), a member is not entitled to vote on a proposed decision if the member would not have been entitled to vote on that proposal if the proposal had been considered at a meeting of the Compliance Committee.

30 Attendance by Department and observers at meetings

- (1) Officers of the Department approved by the Secretary may attend any meeting of the Compliance Committee.
- (2) The Chair must ensure that the Department is given reasonable notice of a meeting of the Compliance Committee.
- (3) The Chair may allow a person to attend a meeting of the Compliance Committee as an observer.
- (4) The Chair may invite a person to attend a meeting of the Compliance Committee for the purpose of advising or informing the Compliance Committee on any matter relevant to the Compliance Committee's functions.
- (5) A person attending a meeting of the Compliance Committee in accordance with this section is not entitled to vote at the meeting.

Part 4 Information management

Division 1 Preliminary

Section 31

Part 4—Information management

Division 1—Preliminary

31 Application

Divisions 2 to 6 of this Part are made for the purposes of subsections 70D(2) and (3) of the Act.

Division 2—Obligations etc. of Slot Manager regarding records

32 Slot Manager must keep records

- (1) The Slot Manager must keep records relevant to the following matters:
 - (a) the allocation and use of slots at Sydney Airport;
 - (b) gate movements at Sydney Airport;
 - (c) compliance by operators with the requirements of the Act in relation to the use of slots and gate movements at Sydney Airport;
 - (d) performing functions, or exercising powers, under or for the purposes of the Act.
- (2) The Slot Manager must retain the records for at least 7 years.
- (3) A record may be kept and retained in written or electronic form.
- (4) The Slot Manager must, after the Slot Manager's appointment ceases, transfer the records in accordance with section 38.

33 Slot Manager must provide access to Compliance Committee

- (1) The Slot Manager must provide access to the records required to be kept by the Slot Manager by giving the Compliance Committee information (the ***records information***) from those records relevant to the following matters:
 - (a) the allocation and use of slots at Sydney Airport;
 - (b) gate movements at Sydney Airport;
 - (c) compliance with the requirements of the Act in relation to the use of slots and gate movements at Sydney Airport;
 - (d) performing functions, or exercising powers, under or for the purposes of the Act.
- (2) The Slot Manager must:
 - (a) give the records information to the Compliance Committee at least 7 days before a meeting of the Compliance Committee; and
 - (b) if the Compliance Committee requests the Slot Manager to give the Compliance Committee specified records information—give the Compliance Committee the specified records information; and
 - (c) if the Compliance Committee requests the Slot Manager to give the Compliance Committee the records information in respect of a period specified in the request—give the records information to the Compliance Committee in respect of that period; and
 - (d) if the Compliance Committee requests that the records information be provided in a particular form or format—give the records information in the form or format requested by the Compliance Committee.
- (3) Subsection (1) does not limit the way in which the Slot Manager may provide access to the records kept by the Slot Manager.

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34 Compliance Committee may request Slot Manager to provide access to records

- (1) The Compliance Committee may, at any time in writing, request the Slot Manager to provide access to the records required to be kept by the Slot Manager by giving the Compliance Committee information from those records relevant to the following matters:
 - (a) the allocation and use of slots at Sydney Airport;
 - (b) gate movements at Sydney Airport;
 - (c) compliance with the requirements of the Act in relation to the use of slots and gate movements at Sydney Airport;
 - (d) performing functions, or exercising powers, under or for the purposes of the Act.
- (2) The request must set out the information requested.
- (3) The Slot Manager must provide the information to the Compliance Committee:
 - (a) either:
 - (i) no later than 14 days after the request is made; or
 - (ii) if the Slot Manager and the Compliance Committee agree in writing to a later time—no later than that agreed later time; and
 - (b) if the Compliance Committee requests that the information be provided in a particular form or format—in the form or format requested by the Compliance Committee.

35 Secretary may request Slot Manager to provide access to records

- (1) The Secretary may, in writing, request the Slot Manager to provide access to records kept by the Slot Manager by giving the Secretary information from those records relevant to the following matters:
 - (a) the allocation and use of slots at Sydney Airport;
 - (b) gate movements at Sydney Airport;
 - (c) compliance with the requirements of the Act in relation to the use of slots and gate movements at Sydney Airport;
 - (d) performing functions, or exercising powers, under or for the purposes of the Act.
- (2) The request must set out the information requested.
- (3) The Slot Manager must provide the information to the Secretary:
 - (a) either:
 - (i) no later than 14 days after the request is made; or
 - (ii) if the Slot Manager and the Secretary agree in writing to a later time—no later than that agreed later time; and
 - (b) if the Secretary requests that the details be provided in a particular form or format—in the form or format requested by the Secretary.

36 Slot Manager may provide operators with access to records

- (1) The Slot Manager may, on the Slot Manager's own initiative or on the written request of an operator, provide access to records kept by the Slot Manager by giving the operator information from those records relevant to the following matters:
 - (a) the allocation and use of slots at Sydney Airport by the operator;
 - (b) gate movements at Sydney Airport by the operator;
 - (c) compliance with the requirements of the Act in relation to the use of slots and gate movements at Sydney Airport by the operator.
- (2) If the Slot Manager receives a written request from an operator to provide access to the records kept by the Slot Manager in accordance with subsection (1), the Slot Manager must give the operator the relevant information from those records:
 - (a) no later than 14 days after the request is made; or
 - (b) if the Slot Manager and the operator agree in writing to a later time—no later than that agreed later time.

37 Disposal of records by Slot Manager

- (1) Subject to subsection 32(2), the Slot Manager must not dispose of any records, copies of which have not been provided to the Secretary, without the prior written approval of the Secretary.

Note: Subsection 32(2) requires the Slot Manager to retain records for at least 7 years.
- (2) The Slot Manager may, in writing, request the Secretary to approve the Slot Manager disposing of records kept by the Slot Manager.
- (3) The Secretary must, no later than 14 days after receiving the request, by notice in writing to the Slot Manager:
 - (a) approve the disposal of the records by the Slot Manager; or
 - (b) refuse to approve the disposal of the records by the Slot Manager.
- (4) If the Secretary refuses to approve the disposal of the records by the Slot Manager, the Secretary must include the reasons for the refusal in the notice.

38 Transfer of records

- (1) This section applies if:
 - (a) a body corporate ceases to be the Slot Manager (the *previous Slot Manager*); and
 - (b) another body corporate is appointed to be the Slot Manager (the *new Slot Manager*) to replace the previous Slot Manager on and from a specified day (the *changeover day*).
- (2) For the purposes of paragraph 70D(3)(d) of the Act, the previous Slot Manager must, during the transition period (see subsection (5)), transfer to the Secretary and the new Slot Manager all records required to be maintained by the previous Slot Manager that are relevant to the allocation and management of slots under the following:
 - (a) the *Sydney Airport Slot Management Scheme 2013*;

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(b) the *Sydney Airport Slot Management Scheme 2025*.

- (3) Subsection (2) applies to records created before the start of the transition period and records created during the transition period.
- (4) The previous Slot Manager must, no later than 2 days after the end of the transition period, certify in writing to the Secretary that the previous Slot Manager has transferred the records in accordance with subsection (2).
- (5) In this section:

transition period means the period that:

- (a) begins 30 days before the start of the changeover day; and
- (b) ends at the start of the changeover day.

Division 3—Obligations of Airservices Australia regarding records

39 Records to be kept by Airservices Australia

- (1) Airservices Australia must keep records relevant to:
 - (a) the allocation and use of slots at Sydney Airport; and
 - (b) gate movements at Sydney Airport.
- (2) Without limiting subsection (1), the records must include details of the following matters in relation to a recovery period declaration made by the Minister under subsection 9A(1) of the Act:
 - (a) the cause or circumstances of the significant disruption giving rise to the making of the recovery period declaration;
 - (b) the period of the disruption and the decrease in the number of aircraft movements during that period;
 - (c) the number of aircraft movements during the recovery period and whether those movements complied with the recovery period declaration.
- (3) Airservices Australia must ensure that a copy of so much of the records as relate to the matters covered by subsection (2) are, within one business day after the Minister makes the relevant recovery period declaration, provided to the following:
 - (a) the airport-operator company for Sydney Airport;
 - (b) the Slot Manager;
 - (c) the Department.
- (4) Airservices Australia must retain the records for at least 7 years.
- (5) A record may be kept and retained in written or electronic form.

40 Airservices Australia to provide access to Slot Manager

- (1) The Slot Manager may, in writing, request Airservices Australia to provide access to records kept by Airservices Australia by giving the Slot Manager information from those records relevant to:
 - (a) the allocation and use of slots at Sydney Airport; and
 - (b) gate movements at Sydney Airport.
- (2) The request must set out the information requested.
- (3) Airservices Australia must provide the information to the Slot Manager in writing:
 - (a) no later than 14 days after the request is made; or
 - (b) if the Slot Manager and Airservices Australia agree in writing to a later time—no later than that agreed later time.

Section 41

Division 4—Obligations of airlines regarding records

41 Requirements relating to records kept by airlines

- (1) This section applies in relation to an airline if the airline holds, or has held, slots under the *Sydney Airport Slot Management Scheme 2025*.

Airlines must keep records

- (2) The airline must keep records relevant to:
- (a) the allocation and use of slots by the airline at Sydney Airport; and
 - (b) gate movements by the airline at Sydney Airport; and
 - (c) compliance with the requirements of the Act in relation to the use of slots and gate movements at Sydney Airport by the airline.

Note: A reference to “the Act” includes this instrument, any other instrument made under the Act (for example, the *Sydney Airport Slot Management Scheme 2025*) and the Regulatory Powers Act as it applies in relation to the Act (see clause 1 of Schedule 1 to the Act).

- (3) Without limiting paragraph (2)(c), the records must include reasons:
- (a) for any failure by the airline to use a slot allocated to the airline; and
 - (b) if relevant, why the airline engaged in an off-slot movement.
- (4) The airline must retain the records for at least 7 years.
- (5) A record may be kept and retained in written or electronic form.

42 Airlines to provide access to records

- (1) This section applies in relation to an airline if the airline holds, or has held, slots under the *Sydney Airport Slot Management Scheme 2025*.

Slot Manager may request airline to provide access to records

- (2) The Slot Manager may, in writing, request the airline to provide access to records kept by the airline by giving the Slot Manager information from those records relevant to the following matters in relation to a period:
- (a) the allocation and use of slots by the airline at Sydney Airport;
 - (b) gate movements by the airline at Sydney Airport;
 - (c) a failure by the airline to use a slot allocated to the airline;
 - (d) the airline engaging in a no-slot movement;
 - (e) the airline engaging in an off-slot movement;
 - (f) a failure by the airline to comply with a condition or requirement of a slot for a gate movement;
 - (g) any other failure by the airline to comply with the Act.

The Secretary may request airline to provide access to records

- (3) The Secretary may, in writing, request the airline to provide access to records kept by the airline by giving the Secretary information from those records relevant to the following matters in relation to a period:

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- (a) the allocation and use of slots by the airline at Sydney Airport;
- (b) gate movements by the airline at Sydney Airport;
- (c) a failure by the airline to use a slot allocated to the airline;
- (d) the airline engaging in a no-slot movement;
- (e) the airline engaging in an off-slot movement;
- (f) a failure by the airline to comply with a condition or requirement of a slot for a gate movement;
- (g) any other failure by the airline to comply with the Act.

Request must specify information and period requested

- (4) A request under subsection (2) or (3) must specify the information requested and the period in respect of which the information is requested.

Airline must give requested information

- (5) The airline must give the information to the Slot Manager or the Secretary, as appropriate, in writing:
 - (a) no later than 14 days after the request is made; or
 - (b) if the airline and the Slot Manager or the Secretary (as appropriate) agree in writing to a later time—no later than that agreed later time.

Division 5—Obligations of airport-operator company regarding records

43 Records to be kept by airport-operator company

- (1) An airport-operator company for Sydney Airport must keep records relevant to:
 - (a) the allocation and use of slots at Sydney Airport; and
 - (b) gate movements at Sydney Airport.
- (2) The airport-operator company must retain the records for at least 7 years.
- (3) A record may be kept and retained in written or electronic form.

Slot Manager may request airport-operator company to provide access to records

- (4) The Slot Manager may, in writing, request the airport-operator company to provide access to records kept by the airport-operator company by giving the Slot Manager information from those records relevant to:
 - (a) the allocation and use of slots at Sydney Airport; and
 - (b) gate movements at Sydney Airport.

The Secretary may request airport-operator company to provide access to records

- (5) The Secretary may, in writing, request the airport-operator company to provide access to records kept by the airport-operator company by giving the Secretary information from those records relevant to:
 - (a) the allocation and use of slots at Sydney Airport; and
 - (b) gate movements at Sydney Airport.

Request must specify information requested

- (6) A request under subsection (4) or (5) must specify the information requested.

Airport-operator company must give requested information

- (7) The airport-operator company must give the information to the Slot Manager or the Secretary, as appropriate, in writing:
 - (a) no later than 14 days after the request is made; or
 - (b) if the airport-operator company and the Slot Manager or the Secretary (as appropriate) agree in writing to a later time—no later than that agreed later time.

Division 6—Obligations of Compliance Committee regarding records

44 Records to be kept by Compliance Committee

- (1) The Compliance Committee must keep records relevant to the following matters:
 - (a) the allocation or use of slots at Sydney Airport;
 - (b) gate movements at Sydney Airport;
 - (c) compliance with the Act;
 - (d) the performance of functions, or exercise of powers, by the Compliance Committee under or for the purposes of the Act.

Note: A reference to “the Act” includes this instrument, any other instrument made under the Act (for example, the *Sydney Airport Slot Management Scheme 2025*) and the Regulatory Powers Act as it applies in relation to the Act (see clause 1 of Schedule 1 to the Act).

- (2) The Compliance Committee must retain the records for at least 7 years.
- (3) A record may be kept and retained in written or electronic form.

Compliance Committee not to dispose of records without Secretary’s approval

- (4) The Compliance Committee must not dispose of any records, copies of which have not been provided to the Secretary, without the prior written approval of the Secretary.
- (5) The Compliance Committee may, in writing, request the Secretary to approve the Compliance Committee disposing of records kept by the Compliance Committee.
- (6) The Secretary must, no later than 14 days after receiving the request, by notice in writing to the Compliance Committee:
 - (a) approve the disposal of the records by the Compliance Committee; or
 - (b) refuse to approve the disposal of the records by the Compliance Committee.
- (7) If the Secretary refuses to approve the disposal of the records by the Compliance Committee, the Secretary must include the reasons for the refusal in the notice.

Division 7—Regulated entities

45 Regulated entities

For the purposes of paragraph 70D(1)(f) of the Act, the following persons are prescribed:

- (a) a body corporate that is appointed to the office of Slot Manager, for the period commencing on the day the instrument of the appointment is signed by the Minister and ending when the appointment commences;
- (b) a body corporate that is appointed to the office of Slot Manager, for the period of 90 days after the appointment ends.

Part 5—Publication and sharing of information and documents

Division 1—Publication of information and documents

46 Application

This Division is made for the purposes of subsections 70E(2) and (3) of the Act.

47 Publication of information by Slot Manager

- (1) The Slot Manager must, for each publication period (see subsection (3)), publish information that is relevant to the following:
 - (a) the utilisation of slots at Sydney Airport during the period;
 - (b) gate movements at Sydney Airport during the period;
 - (c) information in relation to off-slot movements and failures to use an allocated slot at Sydney Airport given by operators to the Slot Manager during the period;
 - (d) compliance by operators with the requirements of the Act during the period.
- (2) The Slot Manager:
 - (a) must publish the information no later than 40 business days after the end of the relevant publication period; and
 - (b) may also publish the information at any other time that the Slot Manager considers appropriate.
- (3) For the purposes of this section, each of the following is a **publication period**:
 - (a) the period that begins at the start of the last Sunday in March of a year and ends immediately before the start of the second Saturday in July of the year;
 - (b) the period that begins at the start of the second Saturday in July of a year and ends immediately before the start of the last Sunday in October of the year;
 - (c) the period that begins at the start of the last Sunday in October of a year and ends immediately before the start of the second Saturday in January of the immediately following year;
 - (d) the period that begins at the start of the second Saturday in January of a year and ends immediately before the start of the last Sunday in March of the year.

48 Publication of information provided by information holder

- (1) This section applies if a person gives information, or produces documents, to the Minister in compliance with a written notice from the Minister under subsection 70C(2) of the Act.
- (2) The Secretary may publish the information or documents on the Department's website.

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Division 2—Sharing information and documents

49 Application

This Division is made for the purposes of section 70F of the Act.

50 Conditions for sharing of information and documents obtained or received by the Minister

- (1) This section applies in relation to information and documents mentioned in subsection 70F(1) of the Act and specifies conditions that must be met for the information and documents to be shared with a receiving entity (within the meaning of subsection 70F(3) of the Act).

Conditions for sharing information and documents

- (2) For the purposes of paragraph 70F(3)(d) of the Act, the Minister must not share information or documents with a receiving entity unless the receiving entity agrees, in writing, that the receiving entity will ensure that the information and documents:
- (a) will be used only for the purposes specified, in writing, by the Minister; and
 - (b) will be managed in accordance with any requirements specified, in writing, by the Minister.
- (3) Without limiting paragraph (2)(b), the requirements may relate to:
- (a) the arrangements that are to apply to the custody and security of the information and documents; and
 - (b) the return of the information and documents to the Minister, the Secretary or another receiving entity.

51 Receiving entities

The following entities are, when exercising powers or functions relevant to the operations of Sydney Airport, prescribed for the purposes of paragraph 70F(5)(e) the Act:

- (a) the Australian Competition and Consumer Commission;
- (b) the Productivity Commission.

Part 6—Transitional, application and saving provisions

52 Definitions

In this Part:

commencement day means the day this instrument commences.

old regulations means the *Sydney Airport Demand Management Regulations 1998*.

53 Instruments made and other things done under the old regulations

- (1) If:
 - (a) a thing was done for a particular purpose under the old regulations; and
 - (b) the thing could be done for that purpose under this instrument;the thing has effect for the purposes of this instrument as if it had been done for that purpose under this instrument.
- (2) Without limiting subsection (1), a reference in that subsection to a thing being done includes a reference to a notice being given and an investigation being undertaken.

Schedule 1—Repeals

Sydney Airport Demand Management Regulations 1998

1 The whole of the instrument

Repeal the instrument.