

the other Member State(s) is not permitted to do so by the airport in question. This is subject to review by the Commission at the request of any Member State, and to subsequent advice to the Council which within one month may take a different decision.

Shares of Capacity

Under the 1987 package, the shares of capacity as from 1 October 1989 were set at 60%:40%. From 1 November 1990, Member States may raise the capacity of their carriers for any season by 7.5 percentage points compared with the previous corresponding season. On the basis of Commission proposals to be submitted by 31 December 1991, the Council will decide on provisions for the abolition of capacity sharing between Member States to come into effect on 1 January 1993. The Regulation permits the conclusion of more flexible arrangements between regional airports. If a carrier has sustained serious financial loss, the licensing Member State may ask the Commission to review the situation and decide whether capacity sharing should be stabilized for a limited period, or whether the annual increase of 7.5 percentage points should be reduced in the event of substantial competition from charter carriers on a bilateral route. Such decisions are appealable to the Council.