European Union Aviation Safety Agency

FAQ n.105660

FAQs:

Special Categories of Passengers (SCPs), Air Operations, Regulations

Question:

Who is an SCP?

Answer:

References: Regulation (EC) No 1107/2006 is available on EUR-Lex website. Regulation (EU) No 965/2012 and Regulation (EU) 2018/1139 and the study EASA 2008.C.25 are available on EASA website.

SCPs are passengers who, when carried on a flight, require special conditions, assistance and/or devices and their situation needs appropriate attention and adaptation to their particular needs. These passengers shall not be allocated, nor occupy, seats that permit direct access to emergency exits or where their presence could impede crew members in their duties, obstruct access to emergency equipment or impede evacuation of the aircraft.

Under the EU law, aircraft operators are ultimately responsible for the safe operation of the aircraft and for the safety of passengers on board. Regulation (EU) No 965/2012 on air operations mandates the operator (airline) to establish procedures for its air operation. The operator's procedures, and the operator's activities overall, are under the oversight of the Competent Authority (CA) of the individual EU Member State. The CA has the necessary powers and allocated responsibilities for the certification and oversight of persons and organisations subject to Regulation (EU) 2018/1139 and its implementing rules.

The EU rule on SCPs states the following:

CAT.OP.MPA.155 Carriage of special categories of passengers (SCPs)

Regulation (EU) No 965/2012

(a) Persons requiring special conditions, assistance and/or devices when carried on a flight shall be considered as SCPs including at least:

(1) persons with reduced mobility (PRMs) who, without prejudice to Regulation (EC) No 1107/2006, are understood to be any person whose mobility is reduced due to any physical disability, sensory or locomotory, permanent or temporary, intellectual disability or impairment, any other cause of disability, or age;

(2) infants and unaccompanied children; and

(3) deportees, inadmissible passengers or prisoners in custody.

(b) SCPs shall be carried under conditions that ensure the safety of the aircraft and its occupants according to procedures established by the operator.

(c) SCPs shall not be allocated, nor occupy, seats that permit direct access to emergency exits or where their presence could:

(1) impede crew members in their duties;

(2) obstruct access to emergency equipment; or

(3) impede the emergency evacuation of the aircraft.

(d) The commander shall be notified in advance when SCPs are to be carried on board.

The rule is complemented by Acceptable Means of Compliance (AMC) and Guidance Material (GM) which address aspects such as the factors the operator should take into account when establishing procedures for carriage of SCPs, information provided to SCPs, conditions for safe carriage of unaccompanied children, a passenger capable of assisting in case of an emergency, seating allocation, etc. The EU provisions are available on EASA website (the link 'Easy Access Rules for Air Operations' contains the rule and the AMCs and GMs in one document):
https://www.easa.europa.eu/regulations#regulations-air-operations

The rules for air operations on SCPs have been developed under the EASA rulemaking tasks RMT.0269/0270 involving a rulemaking group. The track of this rulemaking activity is available on EASA website:

Terms of Reference (ToR) MDM.072 (a) & (b) (RMT.0269 & RMT.0270):
https://www.easa.europa.eu/document-library/terms-of-reference-and-group-compositions/tor-mdm072-b-rmt0269-rmt0270

Notice of Proposed Amendment NPA 2014-01
https://www.easa.europa.eu/document-library/rulemaking-subjects/carriage-special-categories-passengers-scps

Comment Response Document CRD 2014-01
https://www.easa.europa.eu/document-library/comment-response-documents/crd-2014-01

ED Decision 2016/004/R
https://www.easa.europa.eu/document-library/agency-decisions/ed-decision-2016004r

Study on Carriage by Air of Special Categories of Passengers (SCPs), EASA 2008.C.25:

https://www.easa.europa.eu/document-library/research-projects/easa2008c25

Additional information

Regulation (EU) 2018/1139 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency specifies the mandate entrusted to EASA by the European Parliament and by the Council: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1139

Regulation (EC) No 1107/2006 of the European Parliament and of the Council contains the European provisions on rights of disabled persons and persons with reduced mobility (PRMs) when travelling by air: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:l24132 . Questions on this regulation should be addressed to the European Commission.

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04/11/2019

Link:

https://www.easa.europa.eu/en/faq/105660