European Union Aviation Safety Agency

FAQ n.113210

FAQs:

Part-CAT, Air Operations, Regulations

Question:

Does the operator need an exemption to CAT.OP.MPA.160 to use the passenger cabin as a cargo compartment?

Answer:

The passenger cabin is not approved for as a cargo compartment and it does not meet the applicable requirements for the transportation of cargo. This is in accordance with the type certification of the large aeroplanes certified for passenger transport. The carriage of cargo in the cabin beyond already approved stowage areas is therefore neither covered by the approval of the aircraft nor by the approval of the seats and that is the reason why an exemption is needed. Additionally, limitations and/or procedures must be introduced to compensate for the non-compliance related to smoke detection or fire suppression means.

The details as to what extent cargo can be carried in a passenger compartment without additional certification are also provided by the relevant EASA Special Condition on this subject, recognized by both Boeing MOM-MOM-20-0239-02B and Airbus FOT 999.0028/20.

AMC2 CAT.OP.MPA.160 (b) (2) specifies the need for approved restraint equipment to secure the intended cargo. However, the term “cargo” in this AMC refers to anything that belongs to the passenger traveling in the adjacent seat but it is not a piece of luggage (e.g., a musical instrument that may have to be restrained to the seat). Thus, the AMC was never intended to facilitate the use of the cabin as a cargo compartment.

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Link:

https://www.easa.europa.eu/en/faq/113210