



Carriage of Special Categories of Passengers (SCPs)

CRD to NPA 2014-01 — RMT.0269 & RMT.0270 (MDM.072 (a) & (b)) — 23.2.2015

EXECUTIVE SUMMARY

This Comment-Response Document (CRD) contains the comments received to NPA 2014-01 on the safe carriage of Special Categories of Passengers (SCPs) and EASA’s responses thereto.

SCPs are Persons with Reduced Mobility (PRMs), infants and unaccompanied children, deportees, inadmissible passengers, or prisoners in custody. Studies have shown that 90 % of accidents are categorised as ‘survivable’. Therefore, procedures on the safe carriage of SCPs are expected to positively influence the survivability in case of an emergency. This proposal addresses the recommendations made to EASA in a wide-ranging study by TÜV Rheinland on the carriage of SCPs, which was based on latest scientific research. Carriage of inadmissible passengers or prisoners in custody has been excluded from the scope of the NPA and subsequently this CRD.

The proposal establishes the following effective risk mitigating measures whenever SCPs are carried by air:

- AMC regarding the need for a safety assistant, subject to clearly described conditions that are easy to apply and understand in practice;
- Definition of what constitutes a safety assistant;
- Guidelines on establishing the maximum number of SCPs to be carried;
- GM to assist operators when developing safety information procedures for some SCPs, their safety assistants or persons sitting next to SCPs;
- GM to assist operators when developing procedures on safe seating allocations of some SCPs and their safety assistants; and
- Acceptable means of compliance regarding cabin crew training.

The proposed changes are intended to improve the level of safety for SCPs, all other passengers and operating crew members, while fully taking into account passenger rights and anti-discrimination regulations such as Regulation (EC) No 1107/2006.

The content of this CRD containing Acceptable Means of Compliance (AMC) and Guidance Material (GM) has been agreed by the review group after a thorough review of the comments received to the NPA. Following the publication of this CRD, commentators may place further reactions to this CRD when they consider that the comments placed to the NPA have been either misunderstood or not properly addressed by EASA. After a further review of the reactions, EASA will publish its final Decision. Therefore, the AMC/GM published in this CRD may be subject to further changes. During the preparation of this CRD, separate consultations took place with the European Disability Forum and the European Commission.

Any reactions to this CRD should be submitted via the CRT by clicking the ‘add a general reaction’ button.
The applicable CRD page and paragraph/rule reference should be clearly indicated in all reactions submitted.

Applicability		Process map	
Affected regulations and decisions:	Decision 2012/015/R (Definitions) Decision 2014/015/R (Part-CAT) Decision 2014/017/R (Part-ORO)	Concept Paper:	No
Affected stakeholders:	Passengers, EU operators, cabin crew	Terms of Reference:	17.2.2012
Driver/origin:	Safety (Recommendations from a study conducted by TÜV Rheinland commissioned by EASA)	Rulemaking group:	Yes
Reference:	N/A	RIA type:	Full
		Technical consultation during NPA drafting:	No
		Publication date of the NPA:	8.1.2014
		Duration of NPA consultation:	4 months
		Review group:	Yes
		Focussed consultation:	N/A
		Publication date of the Opinion:	N/A
		Publication date of the Decision:	2015/Q4



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1. Procedural information

1.1. The rule development procedure

The European Aviation Safety Agency (hereinafter referred to as the 'Agency') developed this Comment-Response Document (CRD) in line with Regulation (EC) No 216/2008¹ (hereinafter referred to as the 'Basic Regulation') and the Rulemaking Procedure².

The SCP rulemaking activity is included in the [Agency's Rulemaking Programme](#) under RMT.0269 and RMT.0270 (MDM.072 (a) & (b)). The scope and timescale of the task were defined in the related Terms of Reference³ (see process map on the title page).

The text of this CRD has been developed by the Agency based on the input of a review group. In accordance with the procedure, the review group comprised two new members from organisations that had not been part of the rulemaking group that drafted the NPA. Therefore, the review group included representatives from cabin crew organisations, operators (long-haul, charter and low-cost), national aviation authorities and aircraft manufacturers. It is hereby submitted for consultation of all interested parties⁴. Together with the Agency, all review group members have assessed each of the comments received and agreed on the revised proposal included in this CRD.

The process map on the title page contains the major milestones of this rulemaking activity to date and provides an outlook of the timescale of the next steps.

1.2. The structure of this CRD and related documents

This CRD provides a summary of comments and responses, as well as the full set of individual comments and a summary of the responses thereto, received to NPA 2014-01. The resulting rule text is provided in Chapter 3 of this CRD.

1.3. The next steps in the procedure

Stakeholders are invited to provide reactions to this CRD regarding possible misunderstandings of the comments received and the responses provided. Such reactions should be received by the Agency not later than **23 April 2015** and should be submitted using the automated **Comment-Response Tool (CRT)** available at <http://hub.easa.europa.eu/crt>⁵.

Following the above-mentioned deadline, the Agency will review the reactions received and will issue the associated ED Decision.

¹ Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC (OJ L 79, 19.3.2008, p. 1).

² The Agency is bound to follow a structured rulemaking process as required by Article 52(1) of the Basic Regulation. Such process has been adopted by the Agency's Management Board and is referred to as the 'Rulemaking Procedure'. See Management Board Decision concerning the procedure to be applied by the Agency for the issuing of Opinions, Certification Specifications and Guidance Material (Rulemaking Procedure), EASA MB Decision No 01-2012 of 13 March 2012.

³ <http://easa.europa.eu/rulemaking/terms-of-reference-and-group-composition.php#MDM>

⁴ In accordance with Article 52 of the Basic Regulation and Articles 5(3) and 6 of the Rulemaking Procedure.

⁵ In case of technical problems, please contact the CRT webmaster (crt@easa.europa.eu).



1.4. Summary of the impact assessment

The following is a summary of the impact assessment of the NPA 2014-01. A revised impact assessment will be available at the time of the EASA Decision. The NPA was based on the recommendations of the TÜV Rheinland study⁶ on the carriage of SCPs, in particular the recommendation regarding operational safety requirements and regulatory material. Besides the TÜV Rheinland study, the NPA contained a wide-ranging regulatory impact assessment (RIA). The RIA addresses a number of effective risk-mitigating measures that will improve safety of all passengers whenever SCPs are on board, and can be summarised as follows:

- (a) Adequate information for some specific SCPs, (e.g. on most suitable exits), will improve safety, because the information will prevent delays in eventual evacuation or delaying behaviour in an emergency situation, which presents a safety risk for the SCPs and all other passengers.
 - *This CRD proposes new guidance on passenger information items for some specific SCPs.*
- (b) Better training of cabin crews will improve safety.
 - *This CRD proposes that cabin crew's recurrent and aircraft conversion training should cover the specific procedures established by the operator for the safe carriage of SCPs on :*
 - *passenger information;*
 - *passenger seating; and*
 - *operator procedures in emergency situations and in case of evacuation.*
 - *This CRD proposes the completion of the training within a three-year cycle unless the operator determines that such training is to be completed at shorter intervals, taking into account the route structure, passenger profiles, aircraft types operated, and seasonal demands and operations.*
- (c) Inappropriate seating of certain SCPs has been identified by the TÜV Rheinland study as a major safety risk, because it can hinder or seriously delay quick evacuation of passengers. In addition, group seating of obese passengers so that their physical size would possibly prevent passing through some emergency exits in the same seat row could put additional strain on the seat structure with safety risks to the SCPs themselves and to passengers sitting in the vicinity.
 - *This CRD proposes guidance on the seating allocation of specific SCPs to ensure that SCPs are distributed evenly throughout the cabin and that they are surrounded by the maximum number of passengers capable of assisting in case of an emergency. This CRD proposal also ensures that the safety procedures for unaccompanied minors apply to children travelling in another class of cabin than their accompanying adult.*
 - *Finally, the CRD proposal ensures that same-row seating of passengers, whose physical size would possibly prevent passing through some emergency exits, should be avoided to ensure that the seat structure can better resist the additional strain.*

⁶ TÜV Rheinland study on Carriage by Air of Special Categories of Passengers. EASA Contract Number EASA.2008.C.25. 1 December 2009.



- (d) Today, safety requirements for safety assistants differ across operators and Member States. The variety of different requirements is confusing and has been identified by the European Commission as an area in need of EU-wide safety requirements. A recent study commissioned by the European Commission stated that: ‘the Commission should work with EASA to determine safe policies on carriage of PRMs, in particular to address the wide and unjustifiable variation in airline policies on carriage of PRMs (in particular on numerical limits and circumstances under which PRMs are required to be accompanied)’⁷. Regulation (EC) No 1107/2006⁸ prohibits an operator from refusing carriage to a PRM (Person with reduced mobility). However, an operator may derogate from this provision in order to meet applicable international, EU or national safety requirements or if the size of the aircraft or its doors makes PRM embarkation or carriage physically impossible. The European Commission’s Interpretative Guidelines on the application of Regulation (EC) No 1107/2006⁹, therefore state that ‘an air carrier may require disabled persons and persons with reduced mobility to be accompanied by another person who is capable of providing the assistance they need, in order to meet applicable safety requirements. However, such a condition can only be founded in safety requirements established by international, EU or national law or established by the authority that issued the carrier’s air operator certificate’. The European Commission’s Interpretative Guidelines are not binding but aim to clarify unclear provisions of the Regulation. Along the lines of the European Commission’s Interpretative Guidelines on Regulation (EC) No 1107/2006, this CRD proposes that an SCP should only be required to travel with a safety assistant, when it is evident that the SCP is not self-reliant and carriage could pose a safety risk to himself or herself or other passengers. Typically, this is the case when the SCP is unable to:
- (a) unfasten the seat belt, or
 - (b) leave the seat and reach an emergency exit unaided, or
 - (c) retrieve and fit a life jacket, or
 - (d) fit an oxygen mask without assistance, or
 - (e) follow the safety briefing and instructions given by the crew in an emergency situation.
- *This CRD proposes procedures relating to SCPs travelling with a safety assistant.*
- *This CRD proposes Guidance Material (GM) including a definition of ‘safety assistant’ and establishes AMC on the limited cases when a safety assistant could be required in limited cases.*

⁷ ‘Evaluation of Regulation 261/2004’ by Steer Davies Gleave on the application and enforcement of the Regulation on air passengers’ rights in the EU Member States, June 2010, p. 5.

⁸ Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air (OJ L 204, 26.7.2006, p. 1).

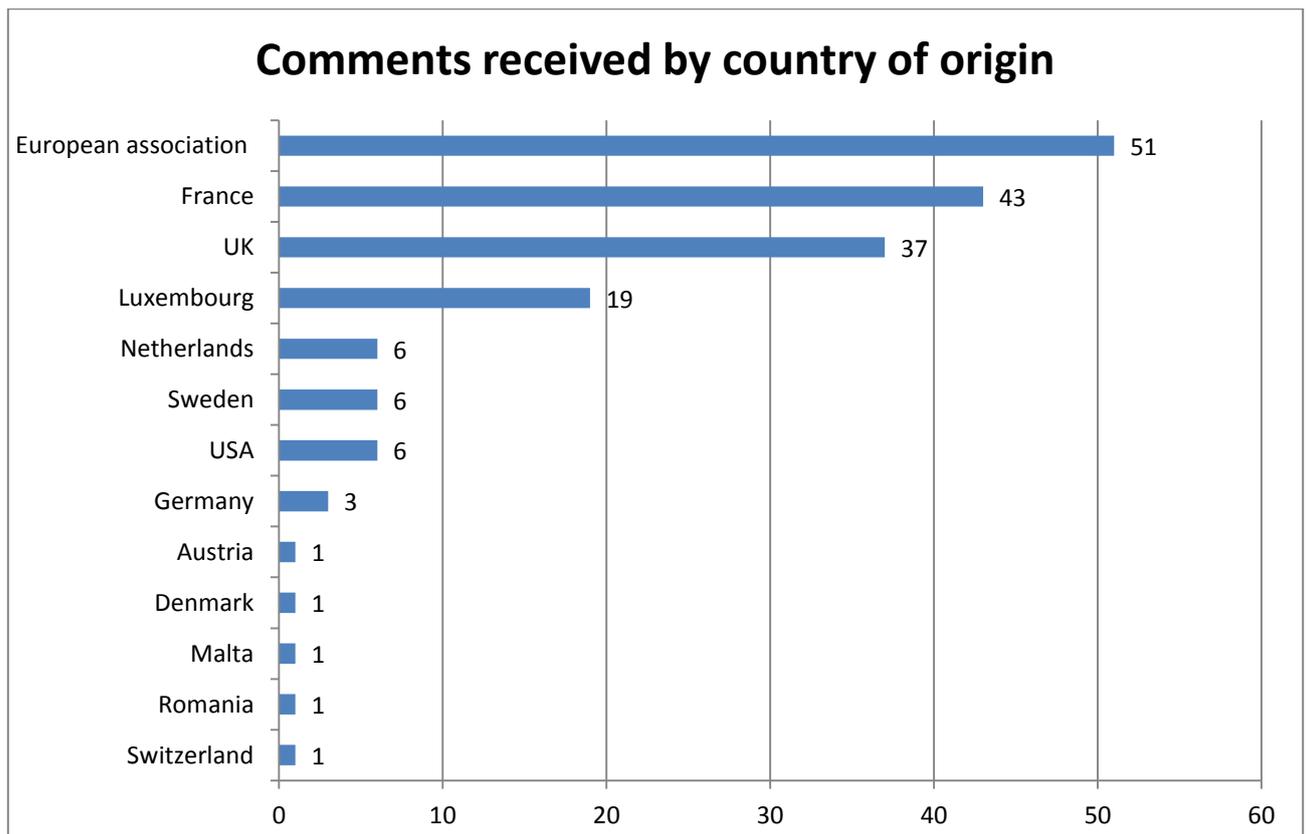
⁹ European Commission, STAFF WORKING DOCUMENT, Interpretative Guidelines, on the application of Regulation (EC) No 1107/2006, 11 June 2012, p. 8.



2. Summary of comments and responses

The NPA attracted **190 comments**. Most comments originated from EU Member States, with the exception of 4 comments received by a US aircraft manufacturer and 1 comment received by the Federal Aviation Authority (FAA) of the United States. Most comments have been received via European organisations, such as for example the European Disability Forum and various European airline associations.

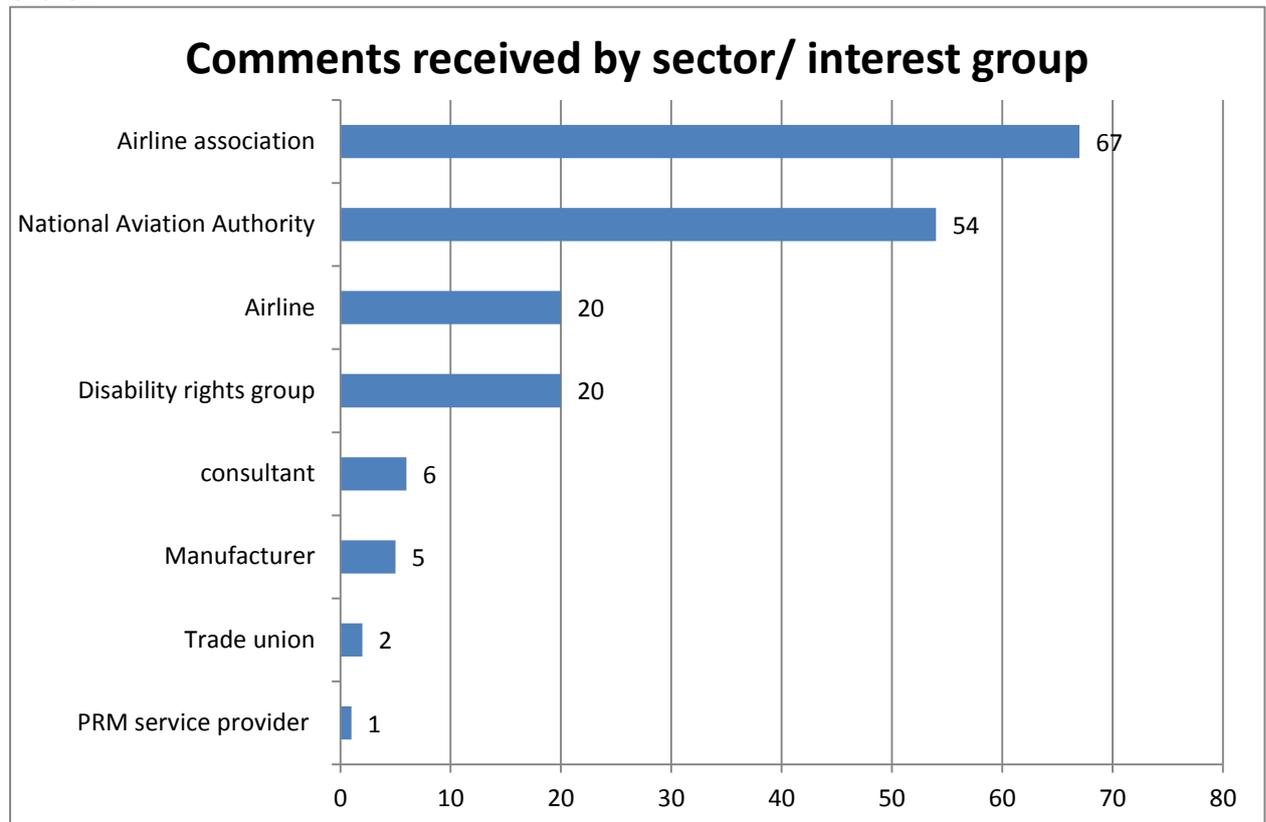
Chart 1



The comments provided to the Agency came from very different organisations, including several passenger rights organisations at both national and European level. Commentators also commented on behalf of their airlines, airlines associations or national aviation authorities. The distribution of commentators by sector/interest group is shown in chart 2 below. However, it should be additionally noted that the EDF, the European Disability Forum representing the interests of disability rights organisations across the EU, submitted an extensive position paper, including many comments, which have been duly assessed, but do not appear individually in the chart below, because the EDF did not submit that many individual comments into the Comment-Response Tool.



Chart 2



2.1. Definition of the safety assistant

Age of the safety assistant

The Agency proposed in the NPA a new GM to Annex I to Regulation (EU) No 965/2012¹⁰ (hereinafter referred to as the 'Air OPS Regulation') and introduced a new definition of the safety assistant meaning a passenger accompanying an SCP, who is at least 16 years old and mentally able to follow crew instructions, react in an appropriate manner in emergency situations and assist the SCP in an emergency situation or evacuation of the SCP. This proposed definition attracted many comments, mainly focussing on the proposed age limit (16 years) for such an assistant. Opinions on the need for an age limit were very much divided ranging from 'no age limit should be proposed', to a proposed age limit of 12 years up to 18 years.

Some operators and airline associations supported the 16-year age limit proposed in the NPA and stated that 16 years as the minimum age proposed by the NPA is reasonable. One organisation stated that a minimum of 16 years of age is reasonable in order to understand and accept the responsibility of the PRM's safety and others travelling where their actions may impact on the emergency situation's outcome. The same organisation commented that a safety assistant who is a permanent carer for the PRM and is under the age of 16 years (but over 14 years) would be suitable to assist as they are familiar with the person's needs.

¹⁰ Commission Regulation (EU) No 965/2012 of 5 October 2012 laying down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament and of the Council (OJ L 296, 25.10.2012, p. 1).



Another commentator also supported the definition, because there is a need to have some clarity over who can fulfil the safety assistant's role. Otherwise, there is a risk that the person selected and whose seat has been paid for, is deemed to be unacceptable by the airline at the last minute. According to this commentator, a minimum age of 16 is fine and it is also important to set out the other broad criteria about being able to understand safety instructions, assist in an emergency and not have other priorities and responsibilities (like a family travelling with them).

One national aviation authority (NAA) did not agree and stated that the decision to establish a minimum age should rest with the operator.

An airline association stated that it is the cabin crew and not the safety assistant who are responsible for the passenger. Thus, the age of 16 years for the safety assistant is realistic but it is not adequate to give him/her any responsibility regarding the SCP he/she is travelling with. The ability to assist depends on various factors other than age, such as mental and physical capability.

Disability rights organisations stressed that deciding on the suitability of a safety assistant should only be done on a case-by-case basis and be based solely on whether the safety assistant is capable of assisting. The definition should not include any other arbitrary measure such as the age of the safety assistant (e.g. a 15-year-old boy would be better physically able to help than a 16-year-old girl). An age criterion, according to the disability rights organisation, could unduly restrict capable safety assistants from assisting. Therefore, they argued, the definition of safety assistant should be a passenger accompanying and sitting next to an SCP. To not have the safety assistant sitting next to the SCP would appear to undermine the reasons for having a safety assistant.

In line with disability rights organisations, some operator associations and one NAA were in favour of reducing the minimum age to 12 years. They argued the minimum age limit of 16 years has the potential to be overly restrictive and not take into consideration the specific needs of the SCP. The reference to the ability to react in an appropriate manner is considered subjective and would be a factor that is difficult to determine and be consistently applied by operators. The specific needs of the SCP should also be considered when determining the suitability and number of safety assistants required. Commentators argued that Annex 1 (Definitions) to the Air OPS Regulation defines an adult as being a person of 12 years of age and above. They also commented that some SCP subcategories of SCPs travel with teenagers who are physically and mentally fully capable to assist them, e.g. visually impaired passengers only need limited assistance/guidance. The association, therefore, proposed to change the minimum age of a safety assistant to 12 years instead of 16 years.

On the other hand, some NAAs and operators stated that keeping in mind that in an emergency the physical fitness and sense of responsibility of the safety assistant are essential, this person should be at least 18 years of age. Moreover, in legal terms, such a responsibility should never be given to a passenger under 18 years of age. Given that for a formally assigned safety assistant there will be legal responsibilities, the limited age should be increased to 18 years. This is the age when in most European countries, according to the law, a person becomes fully responsible for their own actions.

- *The Agency understands the concerns regarding an overly restrictive age limit and notes that the comments are very diverse.*
- *The Agency, together with the review group concluded for the time being that for a formally assigned safety assistant there will be legal responsibilities. Therefore, the Agency proposes to increase the minimum age, referred to in the Guidance Material to 18 years. This is the age when*



according to the law a person becomes fully responsible for their own actions. During the second round of consultation, commentators are invited to comment on the proposed Guidance Material introducing an age limit of 18 years for the safety assistant.

- *The Agency carefully assessed the comment that a person's experience in caring for the SCP, e.g. if the accompanying passenger normally assists the SCP on a day-to-day basis, should be sufficient to qualify them as a safety assistant during normal flight irrespective of the age. However, in case of an emergency, the safety assistant is unlikely to be prepared for such a situation and will take on him or herself a great responsibility in an unfamiliar environment.*
- *The Agency clarifies that it does not propose safety assistants for visually impaired passengers.*

More than one safety assistant needed

Other commentators stated that if the physical constitution of the SCP/PRM requires more than one person for evacuation, the safety assistant should be accompanied by a second safety assistant.

- *The Agency refers to the TÜV Rheinland study, which did not make a final recommendation on the number of safety assistants needed for each SCP category. Such a requirement would be very difficult to put into practice and would require proof of the medical condition of the SCP, which is not permitted under Regulation (EC) No 1107/2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air. Therefore, the Agency does not propose the increase of the number of safety assistants for any given SCP category.*

React in an appropriate manner and follow crew instructions

One commentator stated that the NPA proposal for a definition, which reads that 'the safety assistant should react in an appropriate manner in an emergency situation', is too subjective. The commentator stated that one cannot judge how a person reacts in a given situation.

- *The Agency agrees and has deleted any reference to an appropriate reaction to an emergency situation.*

Not possible to assess capabilities of safety assistant before boarding due to online booking & check-in

Commentators also stated that today passengers book their flights online and check-in online. According to them, it is essential that the airline can assess both the passenger's and the safety assistant's physical capability. The ability to assist depends on various factors other than age, such as mental and physical capability.

- *The Agency is aware that very often the first real contact between a passenger and the operator takes place once the passenger is already on board the aircraft after having booked and checked-in online.*
- *The Agency's proposal contains AMC/GM for operators to develop procedures on the safe carriage of SCPs. This proposal acknowledges that in some cases it is not possible to assess the safety assistant's actual capability before each flight. However, passengers can be informed about the operator's procedures prior to boarding. Only a small number of SCPs that are not self-reliant (see proposed AMC3 CAT.OP.MPA.155(b)), e.g. non-ambulatory passengers, would need to travel with a safety assistant. Since those passengers are more likely to pre-notify and to travel*



accompanied, information on a safety assistant can already be provided to passengers at the booking stage.

Specify how a safety assistant is assigned

One of the open items that have not been addressed in the NPA and in the CRD is the question on how a safety assistant is assigned. The current proposal does not specify if the safety assistant can be a fellow-passenger or whether the safety assistant has to be booked on the same ticket as the SCP.

One NAA shared the concern of the rulemaking group on the social, safety and legal consequences of asking a person who has no connection to the SCP to act as a safety assistant in the event of an emergency. Although it is deemed to fall outside the scope of the task, this concern should be addressed before implementation of the proposed changes to the related regulations. The NAA argued that the proposed regulatory changes should not be introduced until the legal requirements (responsibilities and liabilities) and safety implications have been adequately addressed.

One commentator stated that it is not possible to oblige a fellow passenger to assist, if this passenger has no connection to the SCP and just happens to sit next to the SPC. The commentator stated that this can only be done on a voluntary basis. The commentator pointed towards the European Commission's Interpretative Guidelines from the European Commission in 2012, which set out how this can be done.

- *The Agency is aware of the concern that the proposal does not specify the procedure on how a safety assistant is assigned or selected. Can it be a passenger, who is appointed by the operator once the SCP is on board the aircraft? Would this passenger be fully aware of his/her responsibilities? And finally, the question arises if it is legally allowed to put such a responsibility on an unrelated fellow passenger?*
- *As stated in the NPA, the rulemaking group looked at different legal systems and practices currently in place in Europe. Given the different legal judicial systems in Europe on this topic and the different practices applied by operators, the review group decided that the Agency should not regulate a 'one-size-fits-all' procedure on how a safety assistant is assigned. Following a performance-based approach, the procedure needs to be applicable to a wide variety of legal systems and types and sizes of operators. Therefore, the operator should be able to adapt the safety assistant assigning procedure to their business models and legal environment of the State of the operator.*
- *Regarding the information to passengers on the operators' policies with regard to the carriage of SCPs, the Agency points towards the European Commission's Interpretative Guidelines, which state that restrictions on the carriage of SCPs must be made publicly available, e.g. in their rules on the carriage of disabled persons and persons with reduced mobility, which can be part of the operators' Terms & Conditions.*



2.2. Information provided to SCP and safety assistant

Timing of information

Commentators from airlines or airline associations requested that the proposed AMC2 CAT.OP.MPA.155(b) on the **procedures to provide information to the SCP and safety assistant** should explicitly mention that the information can also be provided during booking and before boarding, e.g. during check-in, via a briefing card, on the website, etc. One airline association and an NAA stated that in order to have a precise RIA on this requirement, it would have been useful to simulate on actual flights the time needed to brief SCPs and their safety assistants, with low or rather high numbers of SCPs, taking into account the various tools available to carry out such briefings. The association stated that even if it is possible that some of these briefings can be made through the Internet (or through other methods) before the flight, for some others it is not possible to plan them in advance. Thus, these new provisions would require considerable time for cabin crews to brief all the SCPs on board and their safety assistants. It would be impractical to implement a dedicated briefing in particular in terms of aircraft turn-around times and the potential interference with more safety-critical cabin crew duties. Other airline associations insisted that the airlines should be able to decide when to provide the information, i.e. via the use of information leaflets (to be made available at booking or check-in) or briefing cards.

- *The Agency agrees with the comment. Indeed, the NPA had already foreseen that such information can be provided before the flight. The titles of the AMC and the related GM have been changed to now state 'information' instead of 'briefing'. This is also in line with the Interpretative Guidelines of the European Commission.*

Workload of cabin crew

On the topic of workload of cabin crew, commentators raised the concern that the management of pre-flight information for SCPs and their safety assistants may cause flight delays. One NAA stated that the increase of workload should be compensated by assigning additional cabin crew members or by allowing more turn-around time to ensure that all duties can be performed in the available time. The NAA suggested a briefing leaflet providing information on assistance to SCPs/PRMs in normal and emergency situations to be handed over to the SCPs/PRMs and safety assistants not later than during check-in to keep the workload for cabin crew at an acceptable level.

- *The Agency notes the comment, but believes that the operator is in the best position to decide how to inform passengers. The Guidance Material is destined to be used by operators when developing general procedures for the carriage of SCPs. This means that the operator will identify general procedures that are tailored to the operation. The Agency is fully aware that given the high level of SCPs who have not pre-notified travelling on any given day and due to online check-in procedures, it will not always be possible in all cases to provide such information. However, information can already be provided during the booking process as stated in the Interpretative Guidelines.*



2.3. Safety assistant

The proposed AMC3 CAT.OP.MPA.155(b) on a safety assistant in certain limited cases attracted many comments.

Safety assistant criteria

Disability rights organisations rejected the proposal to require a safety assistant in some very limited cases. All operator and airline associations, as well as most NAAs, agreed with the proposed AMC. Commentators supporting the proposed AMC agreed that the clear wording of the AMC is very useful and should solve the problem of inconsistent policies from one operator to another. One NAA also suggested that an information leaflet should be handed out to the safety assistant providing information on assistance in normal and emergency situations to the SCP/PRM and his/her safety assistant not later than during check-in.

Another commentator stated that there are sometimes inconsistencies with airline policies and practices in this regard. The NPA proposal might provide PRMs with more certainty about when they can travel alone and when they must have a 'safety assistant'. It would also provide airlines with more certainty when making decisions about when to require a 'safety assistant'.

One NAA stated that in some cases more than one assistant may be necessary, for example, where lifting is required, and that this should be reflected in the proposed AMC.

One airline association stated that the proposed AMC is in line with the UK Code of Conduct, is reasonable and supported. Nevertheless, the question will arise how to enforce such a requirement as long as it does not put some ownership on the passengers during the booking process and/or the check-in process. The question will also arise on how to deal with such a requirement in the case of transit passengers on code-share flights with non-EU airlines, who might be subject to different requirements.

A disability rights organisation rejected the clear examples of when a safety assistant is needed, arguing that even with the concrete examples provided, there are too many decisions left to the airline. A safety assistant, if required, should always travel for free. The disability rights organisation stated that asking for a medical certificate would be discriminatory according to Regulation (EC) No 1107/2006. And even if a list of criteria is followed, every person has different disabilities and this cannot always be clearly assessed. It should also be kept in mind that many persons with disabilities can compensate for an impairment of one sense or for limited mobility. Other persons, on the contrary, have invisible disabilities that may be difficult to be identified by airline staff.

On the other hand, one NAA stated that the wording of the AMC should be amended and that the word 'typically' should be deleted from the AMC. The NAA suggested to remove the word 'typically' as it might suggest that the five criteria listed from (a) to (e) are just examples and might not be the only ones. The list should be limited to those criteria. The risk is that any other additional element could be seen as a breach of Regulation (EC) No 1107/2006 (e.g. comfort items such as the use of the lavatory).

One disability rights organisation questioned the underlying principle of a safety assistant. If it is the task of the safety assistant to assist during evacuation, who would be finally responsible for physically carrying a wheelchair user out of the plane? It cannot be reasonably expected to find a safety assistant who is physically fit enough to carry another person. The Agency should rather invest in research to



find viable solutions for the evacuation procedure itself, such as on-board wheelchairs or the minimum width of the aisle and the seats. If the airplane itself is made more accessible, many issues that are currently related to the provision of a safety assistant could be solved.

- *The Agency has carefully assessed the comments received on the AMC. The Agency continues to believe that the clear examples included in the AMC (unfasten seat belt, leave the seat and reach an emergency exit unaided, retrieve and fit a life jacket, fit an oxygen mask without assistance, or follow the safety briefing and instructions given by the crew in an emergency situation) are very clear and unambiguous. In addition, the revised proposal includes a new GM (GM1 CAT.OP.MPA.155(b)), which states that in some cases more than one assistant may be necessary, for example, where lifting is required, in an emergency evacuation.*
- *The Agency agrees that the word ‘typically’ might be interpreted in a way that other criteria could be also used to require a safety assistant. For this reason, the Agency agrees that the sentence introducing the criteria should read:*
- *The CRD contains a provision which states that a safety assistant should be required when the SCP is unable to:*
 - *unfasten the seat belt, or*
 - *leave the seat and reach an emergency exit unaided, or*
 - *retrieve and fit a life jacket, or*
 - *fit an oxygen mask without assistance, or*
 - *follow the safety briefing and instructions given by the crew in an emergency situation.*
- *Regarding the requirements for safety assistants, the proposal is in line with the European Commission’s Interpretative Guidelines on Regulation (EC) No 1107/2006, which clearly distinguish between ‘requirements imposed for safety reasons (for example, the ability to evacuate the aircraft or to use on-board safety equipment, such as a safety belt, emergency oxygen mask or life jacket) and those that relate to the comfort of disabled persons and persons with reduced mobility on board an aircraft (for example eating).’*
- *Today, requirements for accompanying persons or safety assistants differ across operators and EU Member States. The variety of different requirements is confusing and has been identified by the European Commission as an area in need of EU-wide safety requirements. The ‘Evaluation of Regulation 261/2004’ study commissioned by the European Commission stated that: ‘the Commission should work with EASA to determine safe policies on carriage of PRMs, in particular to address the wide and unjustifiable variation in airline policies on carriage of PRMs (in particular on numerical limits and circumstances under which PRMs are required to be accompanied)’. Regulation (EC) No 1107/2006 prohibits an operator from refusing carriage to a PRM, i.e. an SCP. However, an operator may derogate from this provision in order to meet applicable international, EU or national safety requirements or if the size of the aircraft or its door makes embarkation or carriage physically impossible. This interpretation has been confirmed by the European Commission’s Interpretative Guidelines on the application of*



Regulation (EC) No 1107/2006¹¹, which state that ‘an air carrier may require disabled persons and persons with reduced mobility to be accompanied by another person who is capable of providing the assistance they need, in order to meet applicable safety requirements. However, such a condition can only be founded in safety requirements established by international, EU or national law or established by the authority that issued the carrier’s air operator certificate’. The Interpretative Guidelines also state that an air carrier may require disabled persons and persons with reduced mobility to be accompanied only if they are not self-reliant. Those guidelines are not binding but aim to clarify unclear provisions of the Regulation.

How to assign a safety assistant and definition of a safety assistant

One NAA doubted as to who decides whether a safety assistant is needed and how to prove the need for a safety assistant. One NAA stated that in some cases more than one safety assistant may be necessary, for example, where lifting is required, and that this should be reflected in the proposed AMC.

One NAA stated that cases may arise where those chosen by the crew to act as safety assistants may not always be willing and perhaps not pleased at all to have been chosen to act as such. Consequently, an alternative could be found even prior to assigning seats to unwary passengers who may be faced with the situation when on board the aircraft without any hope of finding someone to change seats with if they do not wish to offer their assistance. One issue would be what would happen if such a passenger would refuse to offer assistance and there is nobody else who would offer such assistance. One must remember that, in case of emergency or evacuation, most passengers would tend to fend for themselves rather than attend to the needs of others, at the risk of losing their own life or limb. The discretionary power given to the cabin crew to re-allocate SCPs next to an able-bodied person may put undue pressure on the said person who would have boarded the aeroplane unaware of this circumstance (to enjoy the flight and not to assist other persons), and who may not be inclined to assist. This will, therefore, not achieve the desired results. In this regard, the NAA believes that there should be a limit on the number of SCPs and the operator may require that a safety assistant is available next to the SCP, who would be aware of the risks involved before booking the flight.

One NAA stated that, if the passenger seated next to the SCP is not a safety assistant, is it possible for this undeclared safety assistant not to be able to help (does not want, does not understand, is scared). The NAA asked if it is acceptable for the operator to take this risk or whether it would be better to implement a passenger safety statement (for example that he/she is responsible for this kind of situations) that would be handed to the safety assistant.

One commentator stated that the term ‘safety assistant’ is confusing and not in line with Regulation (EC) No 1107/2006, which refers to an ‘accompanying person’.

- *Regarding the comments received on defining the method on how a safety assistant is selected, the Agency is aware of the concerns regarding a safety assistant, who has no clear relationship with the SCP. The Regulatory Impact Assessment of the NPA on page 46, paragraph 4.6.2.1., stated that : ‘Those passengers expected to assist the SCP in case of an emergency situation take on themselves an additional burden and may just accept this responsibility because they feel*

¹¹ European Commission, STAFF WORKING DOCUMENT, Interpretative Guidelines, on the application of Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air, 11 June 2012, p. 8.



pressured by the cabin crew, the SCP or other passengers. Those passengers are unlikely to understand the aviation safety risks involved, nor the individual capabilities of the SCP they are asked to assist. The legal question whether such a responsibility can be transferred to an unrelated passenger, who is not aware of the consequences, has not been assessed in detail [...], since it is outside the scope of this rulemaking task, but has been raised by rulemaking group members.’ The Agency believes that the operator is in the best place to decide whether a safety assistant can be assigned amongst the passengers travelling with the SCP or whether a safety assistant should be someone, who has booked the ticket together with the SCP, taking into account that how a safety assistant is assigned will depend on the legal jurisdiction of the airline, which might make it difficult to simply assign a safety assistant from amongst the passengers travelling with the SCP.

- *Regarding the term ‘safety assistant’ instead of ‘accompanying person’, the Agency maintains the definition of safety assistant in order to clearly distinguish between the safety assistant and the persons who provide special care for disabled passengers. Of course, the safety assistant and the ‘carer’ can be the same person. In accordance with the European Commission’s Interpretative Guidelines, ‘there is a distinction between requirements imposed for safety reasons (for example, the ability to evacuate the aircraft or to use on-board safety equipment such as a safety belt, emergency oxygen mask or life jacket) and those that relate to the comfort of disabled persons and persons with reduced mobility on board an aircraft (for example, eating). Comfort is not in itself a sufficient ground to deny carriage or require disabled persons and persons with reduced mobility to be accompanied. Subject to any overriding safety requirements, it is the passengers’ decision on whether or not they decide to travel’.*

Safety assistant and unaccompanied children

Another disability rights organisation stated that the presence of the safety assistant is important; however, the question does not address the special relationship in the case of carriage of unaccompanied minors, whereby the assigned cabin crew watches over a ‘non-predetermined’ number of Unaccompanied Minors (UMs). If this concept is valid, whereby one person may be in charge of being safety assistant for a number of SCPs, then the question should have a broader scope as one cabin crew could be in charge of assisting three or four Unaccompanied Adults (UAs) (for example, dementia sufferers). The disability rights organisation stated that in their opinion, the presence of a one-to-one safety assistance should be limited in cases where the passenger has severe mobility limitations (cannot make his or her way to the emergency exits unaided), cannot follow instructions given by cabin crew like in the case of deaf/blind passengers (both conditions combined), or cannot cope with simple tasks or instructions due to severe mental conditions. In all other cases, the possibility of an escort looking over a number of passengers, like in the case of carriage of UMs, should be allowed.

Role of cabin crew

One disability rights group questioned the need for a safety assistant, since it should be the role of the cabin crew to assist in the evacuation of the SCP.

- *The safety duties and responsibilities of cabin crew are specified in international and European safety regulations. Therefore, the Air OPS Regulation specifies in CAT.GEN.MPA.100 on crew responsibilities that the cabin ‘crew shall be responsible for the proper execution of his/her duties that are related to the safety of the aircraft and its occupants’.*



- *The results of the TÜV Rheinland study further confirm that the role of the cabin crew in managing and overseeing the overall evacuation. Therefore, cabin crew are most likely not in a position to assist individual passengers during an evacuation. During other emergency situations, e.g. decompression, cabin crew will most often not be able to leave their stations and fit individual passengers with oxygen masks. Instead, cabin crew will be pre-occupied with the preparation of a pre-planned emergency evacuation, which might result in re-seating passengers, providing briefings to passengers who could potentially assist other passengers, securing an exit, etc.*
- *In addition, the European Commission's Interpretative Guidelines also reflect on the role of cabin crew. 'The primary responsibility of cabin crew is the safety of all passengers on-board an aircraft. Any action which could compromise the performance of their duties or their medical fitness (including health & safety considerations) could impact on the safety of all passengers on-board. Cabin crew ensure the respect of safety legislation on-board and organise safety assistance in case of emergency situations and during day-to-day operations, including providing safety information to disabled persons and persons with reduced mobility in accessible formats, in accordance with Annex II to the Regulation and the procedures specified by the operator.'*

2.4. Unaccompanied children

Commentators had different opinions regarding unaccompanied children. The AMC (AMC4 CAT.OP.MPA.155(b)) proposed by the Agency addresses two cases. The first case is the normal case of children travelling under an operator scheme for unaccompanied children (UM-scheme). Here the NPA simply proposed that the operator should address the increased safety risk and this was supported by all commentators. The second case of unaccompanied children who are not self-reliant attracted more comments.

Unaccompanied children who are not self-reliant

One NAA stated that it is confusing that the AMC in point (a) refers to an unaccompanied child that is not self-reliant and in (b) it mentions children up to the age of 12. According to the NAA, both paragraphs should refer to 'not-self-reliant children'.

- *The Agency notes the comment that the AMC should only refer to not self-reliant children. This was debated with the rulemaking group. The reason why the AMC introduced an age limit of 12 years for children separated from their parents is simply due to the fact that, according to the Air OPS Regulation, all passengers as of 12 years of age are considered adults and, therefore, do not require any special treatment in terms of seating or additional information. On the other hand, only few unaccompanied children are not self-reliant, e.g. too small to reach an oxygen mask unaided, and, therefore, the NPA and CRD addresses the need for the operator to consider the increased safety risk for those UMs who are not self-reliant.*

In-flight procedures

One NAA stated that in the case of unaccompanied children travelling under the UM-scheme, (preferably female) passengers being capable of assisting a UM should be asked whether they are prepared to take the role of an assisting person. This should be clarified at the boarding gate at the latest. The assisting passenger should receive an information leaflet so that they can prepare



themselves for the required duties in normal and emergency situations. UM and assisting passenger should be introduced to each other at the boarding gate. The UM should receive a briefing of the content of the passenger safety briefing card by the airline personnel accompanying the child from the check-in counter to the boarding gate.

- *The Agency notes the comment. The operator will decide on the time and the way to provide the information to unaccompanied children and fellow passengers.*

Children booked on another class of cabin than their accompanying guardian/parent

Regarding the increasing number of children who are booked on the same flight as their guardian/parents, but are booked on a different class of cabin, all NAAs stated that it is not considered acceptable that children are not seated next to the accompanying guardian/parent. The NAAs shared the concern of the rulemaking group on the social, safety and legal consequences of asking a person who has no connection to the child under 12, who is separated from the accompanying guardian/parent, to act as a safety assistant. One NAA proposed to change the AMC to read: 'Children less than 12 years, should not be separated from the accompanying adult(s), in order to ensure that they are assisted in case of emergency situation.'. Airline associations supported the NPA's proposal that those children would have to be considered unaccompanied and, therefore, would fall under the operator's UM-scheme, in case the operator has such a scheme in place. It should be noted, however, that not all operators have a UM-scheme in place. One NAA stated that the text should be more detailed to be clearer for operators.

- *The Agency has maintained the proposed wording, which states that children under 12 years, separated from the accompanying guardian/parent, who are travelling in another cabin class, should be considered as unaccompanied children, to ensure that they are assisted in case of emergency situations. While the Agency agrees that children should be seated next to their accompanying guardian/parent, the AMC addresses today's cases, where increasingly children are booked on another (cheaper) class of cabin than their accompanying parent/guardian. By considering those children as unaccompanied children, which most likely entails an additional cost for parents/guardians, this booking practice becomes less attractive and ensures safe carriage of those children.*

2.5. Maximum number of SCPs on board

The Agency's NPA did not establish a maximum number of SCPs on board an aircraft. The NPA proposed to clarify the existing AMC (AMC1 CAT.OP.MPA.155(b)) relating to the operator's procedures that the number and subcategories of SCPs should not exceed the number of passengers capable of assisting them in case of an emergency.

In addition, the NPA proposed a new GM (GM4 CAT.OP.MPA.155(b)) that clarifies that those passengers, who could assist the SCPs in case of an emergency, should not have another responsibility on board.



Maximum number of SCPs

Two disability rights organisations rejected the existing AMC already adopted in 2012, which states that the number of SCPs should not exceed the number of persons capable of assisting on a flight because it is discriminatory to exclude people based on their disability; or indeed any kind of limitation on the number of SCPs. One disability rights organisation argued that under the US legislation for example it is not allowed to impose a maximum number of SCPs. The organisation stated that limiting the numbers of SCPs per flight does not mean that the evacuation procedures would be faster or easier. The organisation also stated that it is also possible that a number of the seemingly non-disabled passengers have invisible disabilities or that the majority are elderly people. It is, thus, impossible for the airline to establish an exact ratio based on the limited passenger information they have. And besides the discriminatory nature of this provision, it is also a practical problem: how many flights would it take for the Paralympic delegation of a country to travel if there was a limit to the number of SCPs on board of a single flight? The organisation proposes no restrictions and a free seat for the designated safety assistant next to the passenger with a disability. It is, however, reasonable to expect that a large group of persons with disabilities travelling together could pre-notify the airline.

Another disability rights organisation stated that the only acceptable non-discriminatory limit on the carriage of SCPs is the total number of seats on board the aircraft minus the number of seats located in the emergency exits. For example, an A319 configured with 156-pax seats has 16 seats located in the emergency exits (1ABCD and 2 over-wing rows). Therefore, the applicable limit for the carriage of SCPs would be 140 SCPs. The reasoning behind this suggestion is that the SCP count is based on available data like pre-notification of assistance or visual identification. However, passengers with hearing loss and invisible disabilities (like Alzheimer's disease and dementia) may not be identifiable in such ways. In this respect, setting a limit of one able-bodied passenger to one SCP may preclude a person notifying of his/her different ability from carriage whilst allowing other undeclared SCPs on board. This would not only create a blatant case of discrimination by means of compliance, but would also alter the one-to-one ratio because undetected SCPs may prove unable to assist others during the emergency evacuation. Waiving the limit on the carriage of SCPs would also create a common standard with the US rule in 14 CFR Part 382.17.

- *The AMC referring to operators' procedures to establish the maximum number of SCPs has already been adopted by the Agency in 2012 and is based on the JAA Guidance Material.*
- *This existing AMC should be used by operators when establishing the normal procedure. This means that the operator will establish an average limit on the basis of objective, average passenger profile data. Therefore, the operator is not required to check before each flight how many SCPs and persons capable of assisting are actually present on the given day. In addition, this limit is only one out of four safety elements that operators should take into account when establishing procedures for the carriage of SCPs. The other three items relate to the aircraft type and cabin, the total number of passengers and other circumstances impacting on cabin crew duties.*
- *Following the recommendations from the TÜV Rheinland study, the Agency does not propose any additional limits.*
- *This CRD proposes a new GM (GM4 CAT.OP.MPA.155(b)) stating that a passenger capable of assisting in case of an emergency means a passenger who is not an SCP and has no other role or*



private responsibility that would prevent him/her from assisting the SCP. For example, an adult travelling alone has no other role or private responsibility, unlike a family travelling with children.

- The TÜV Rheinland study has shown that the highest safety risk lies in the negative interaction between SCPs and able-bodied passengers during an emergency, e.g. an emergency evacuation. The evacuation-delaying effect of several SCPs evacuating at the same time is mitigated, while surrounding the SCP with passengers capable of assisting in case of an emergency will increase the evacuation speed and avoid bottlenecks in the aisle. The study has also shown that whenever an SCP is surrounded by the maximum amount of able-bodied passengers, the delay of the evacuation flow is reduced considerably.
- Studies have shown that around 90 % of accidents are survivable. Half of the fatalities are caused by fire or due to the effects of smoke¹². Therefore, procedures on the safe carriage of SCPs, e.g. seating of SCPs nearby able-bodied passengers, are expected to positively increase the survivability in case of an emergency. The TÜV Rheinland study stated that ‘up to a certain ratio of SCPs to the number of able bodied passengers the risk increases linearly with the number of SCPs aboard an aircraft. As soon as there are too few able-bodied passengers available, evacuation of those SCPs is clearly hampered or impossible.’
- Paralympic flights or other flights with a higher ratio of SCPs to able-bodied passengers are possible, as long as the operator can demonstrate that SCPs are carried under conditions that ensure the safety of the aircraft and its occupants (see the CAT.OP.MPA.155). The operator can, of course, establish a procedure that takes into account the four safety factors of AMC1 CAT.OP.MPA.155(b) and can establish procedures that mitigate the increased risk, e.g. number of assigned cabin crews or other mitigating measures such as different seating arrangements.

Limits on the maximum number of SCPs

Several NAAs, airlines and airline associations supported the NPA’s proposal. One airline association agreed with the Agency’s proposal not to define a specific limit. This is in line with the fact that there are many different situations (types of SCPs, type of aircraft, etc.) which cannot be easily translated into a hard limit.

Furthermore, one consultant stated that there should not be an additional limit imposed on a maximum number of SCPs aboard. Regulation (EC) No 1107/2006 ensures that PRMs have the same opportunities for air travel as others; in particular, they have the same rights to free movement, freedom of choice and non-discrimination. A new rule would potentially restrict access to flights for many PRMs and create barriers to access.

According to one NAA, the NPA’s statement that the European Commission received complaints about inconsistent requirements and different policies across Europe is true for two main reasons: firstly, numerical limits, and secondly, the need for an accompanying passenger. While the first subject will likely be addressed, the NAA fears that the second one will remain open. With the proposal, it is up to the operator to define limits after an assessment taking into account the four elements listed from (a)

¹² See: ETSC Increasing the Survival Rate in Aircraft Accidents - Impact Protection, Fire Survivability and Evacuation, 1996 and Allianz Insurance Global Aviation Safety Study, 2015, p. 21.



to (d) in AMC1 CAT.OP.MPA.155(b). The NAA cautions the Agency to be aware that this assessment may lead to inconsistent outcomes between operators, even though they operate the same aircraft type. According to the NAA, unfortunately the proposal will not avoid dispute about the application of Regulation (EC) No 1107/2006. However, the NAA admits that it does not appear possible to set precise numerical limits because these limits depend upon aircraft type, number of doors, size of the doors, number of aisle and cabin layouts. It would be difficult for the Agency to define precise limits for all aircraft types and variants if not substantiated by certification data or additional research additional to the existing TÜV Rheinland study. In that perspective, the NAA states that the Agency's proposal for paragraph (c) of AMC1 CAT.OP.MPA.155 (b) constitutes a performance-based regulation and is, as such, the preferred option for the NAA, even though AMC1 CAT.OP.MPA.155(b) can be difficult to be complied with and leaves some issues unresolved.

Another airline association stated that the four factors that are listed in the existing AMC1 CAT.OP.MPA.155(b) and that should be taken into account by an operator are too vague. The association proposed a clear limitation of SCPs similar to the Belgian legislation, which was attached for reference. According to this legislation, the number of wheelchair carry (WCHC) passengers, i.e. non-ambulatory passengers in a wheelchair, may not be greater than half of the floor level exits available in the passenger cabin. In addition, another NAA stated that there should be a clear limit on the number of SCPs irrespective of the aircraft type.

One NAA insisted on a limit, but did not specify such a hard limit. Another NAA stated that if the 90-second rule for evacuation continues to be applied, a compensation for a deferral of evacuation should be introduced, e.g. increase in the number of safety assistants (1 per SCP/PRM, 2 for a non-mobile SCP/PRM who has to be carried) or a reduction of the number of passengers. The NAA advised that the maximum number of SCPs/PRMs should be calculated by means of a risk classification and quantification scheme (analogously to the TÜV Rheinland study, pp. 121–133). The risk saturation level for each aircraft configuration should be defined in advance by the operator in cooperation with the manufacturer in advance. The NAA stated that the aircraft manufacturers should define such saturation levels on the basis of their maximum passenger seating capacities indicated in the type certification data sheet and the related Operational Suitability Data (OSD). The number of passengers capable of assisting SCPs/PRMs should be reduced by the number of Able-Bodied Persons (ABPs) required for doors and exits.

- *The Agency notes the comment, but agrees with the TÜV Rheinland study that 'due to the lack of statistic and experimental data on the effects of these special passenger groups, the percentage of SCPs on board rendering the risk intolerable cannot be determined. The statistical threshold the number of PRMs should not exceed thus remains unknown. To this end, further representative studies and supplementary investigations would be required, including variables such as type and severity of the disability, seat location of SCPs, number of aisles and distance of the SCP from the exit, as well as the number of persons behind the PRMs.'*
- *The Agency notes the comments. The rulemaking group discussed whether to limit the number of WCHC passengers (i.e. non-ambulatory passengers in a wheelchair) to the number of floor level exits. However, the rulemaking group agreed with the TÜV Rheinland study that linking the number of WCHC passengers to the number of floor level exits is not necessarily based on scientific data and creates an additional limit. Instead, the Agency agreed with TÜV Rheinland*



that the existing reference to the number of passengers capable of assisting in case of an emergency would be sufficient.

- The Agency agrees that pre-notification rates in the EU are too low, and also notes that pre-notification cannot be required under Regulation (EC) No 1107/2006.

Procedure to establish the number of passengers capable of assisting

One NAA and one airline association disagreed with the already existing AMC, which reads that ‘the number and subcategories of SCPs should not exceed the number of passengers capable of assisting them in case of an emergency evacuation’. The association and the NAA pointed out that this requirement would be unmanageable for the operator having to wait until the end of the boarding to know if some subcategories of SCPs can be accepted on board. The association mentioned that it is not possible to implement quotas on the number of infants, UMs, or obese passengers carried in the United States. The procedures on a code-share flight between a European and an American operator would be unmanageable as the passengers in question would be treated differently depending on the leg of the journey. Therefore, the commentator requested the removal of point (c) of the existing AMC. The NAA stated that meeting the maximum number of SCPs versus passengers capable of assisting will not always be possible, e.g. during holiday flights with many unaccompanied minors on board.

- The Agency notes the comment. The AMC, does not establish a hard maximum limit, but only establishes a general reference point (i.e. that the number of SCPs should not be greater than the number of passengers capable of assisting). The proposed AMC is an important step towards greater legal certainty, because an AMC presumes compliance with the rules. In addition, the AMC lists a number of factors that operators should take into account when carrying SCPs. It is fully acknowledged that the limits are only indicative and cannot be used to establish compliance on the day of the flight before closure of the aircraft doors. The Agency is aware that due to poor pre-notification rates many disabilities will not be known to the operator before boarding. However, the AMC should be used by operators to establish general procedures. In other words, those factors will be used by the operator to establish general criteria tailored to its operations, aircraft type, etc. The operator will then monitor these limits via the operator’s management system.

Definition of ‘passenger capable of assisting’

One NAA stated that there should be a definition for ‘passenger capable of assisting’ in case of an emergency.

- The Agency agrees with the comment. This is why the proposed GM4 CAT.OP.MPA.155(b) defines that ‘a passenger capable of assisting in case of an emergency is a passenger with no other role or private responsibility’.

One operator agreed to the NPA’s clarifications that only those passengers who have no other role or responsibilities during the flight should be considered as passengers capable of assisting in case of an emergency. On the other hand, one airline association commented that cabin crew should be included in the ratio for calculating the maximum number of SCPs. The association, therefore, proposed that the word ‘passengers’ should be replaced with the term ‘persons’, because the cabin crew should be calculated in the total number of persons on board able to assist in the case of an emergency.



- *The Agency notes the comment that cabin crew should be included into the ratio of passengers capable of assisting in case of an emergency. However, AMC1 CAT.OP.MPA.155(b), which refers to ‘passengers’ instead of ‘persons’, has already been adopted as an Agency Decision in 2012 after consultation with stakeholders. The results of the TÜV Rheinland study clarify that the role of the cabin crew during an evacuation is to manage and oversee the overall evacuation. Therefore, cabin crew will most likely not be in a position to assist individual passengers during an evacuation. During other emergency situations, e.g. decompression, cabin crew will most often not be able to leave their stations and fit individual passengers with oxygen masks. Instead, cabin crew, will be pre-occupied preparing a pre-planned emergency evacuation. They might try to re-seat passengers, to provide briefings to passengers who could potentially assist other passengers, to secure an exit, etc.*

One NAA stated that GM4 CAT.OP.MPA.155(b) is overly restrictive and impracticable for an operator to manage. The NAA suggested removal of the proposed text, because SCPs who are not self-reliant are required to travel with a safety assistant. Therefore, the criteria of the Implementing Rule (CAT.OP.MPA.155) are considered to be suitably robust.

- *The Agency notes the comment. The proposed GM provides guidance whenever the operator establishes a general procedure to ensure safe carriage of SCPs. It specifies that not all passengers will be able to assist in an emergency situation and that this should be taken into account by the operator when establishing the procedures.*

2.6. Information provided to different SCP subcategories

The Agency proposed GM3 CAT.OP.MPA.155(b) containing guidance on the information that should be provided to a number of SCP subcategories.

Concerns over the proposal requiring mandatory face-to-face briefings before each take-off

Most commentators misunderstood the proposed GM to require mandatory face-to-face briefings for each SCP category before each take-off.

- *The Agency clarifies that the GM does not require mandatory face-to-face briefings before each take-off for each SCP category. The GM will assist operators in establishing a general procedure on informing only some subcategories of SCPs. The GM is not mandatory and it acknowledges the fact that many disabilities will be unnoticed, that most SCPs do not pre-notify, and that today’s booking and check-in practice does not allow the operator to pre-assess and inform passengers.*

Most airlines stated that the provision of information to individual SCPs/PRMs and their safety assistants by the cabin crew in addition to the standard passenger briefings is considered unacceptable in view of the high workload of the cabin crew during turn-around and cabin preparation. Some operators were under the impression that the proposed GM3 CAT.OP.MPA.155(b) always requires individual briefings by cabin crew on board and, therefore, made very specific comments on the impossibility of informing all those passengers individually before take-off. Operators also stated that briefing by cabin crew, especially in single cabin crew operations, would take away important resources from the cabin crew who need to pay attention to other safety-related items. Commentators stated that all in all the GM on briefing of SCPs is too complex and that there are too many different persons to be briefed if this is applied. One airline association proposed that an alternative to briefing



all the SCP cases individually would be a general announcement to all passengers that in case of emergency, able-bodied passengers should assist passengers in difficulty.

However, one NAA and one national airline association doubted that providing information well before boarding (e.g. at the time of booking) is efficient. This NAA stated that the efficiency of a briefing provided at the time of the booking of the flight and/or on the operator's web site — i.e. probably a long time before the intended flight takes place — is questionable. The NAA also requested that the safety briefing should be provided during boarding or check-in, and stated that 'flexibility is needed indeed to alleviate potential multiple briefings on board. This briefing can be considered as a supplement to the generic passenger briefing mandated by CAT.OP.MPA.170 and that a briefing is usually seen as a means to activate immediate memory'. In addition, the NAA is concerned that it would not be possible for the operator to ensure that the SCP and his/her assistant have actually received and understood the briefing, stating that 'ticking a box "I agree" on the website is not sufficient evidence'.

- *The Agency notes the comment. This GM will assist operators in establishing a procedure on informing some SCP subcategories. The GM is not mandatory.*
- *Regarding the timing of providing the information, the operator may decide the time as proposed in AMC2 CAT.OP.MPA.155(b). The proposed GM3 CAT.OP.MPA.155(b) does not recommend that all information is provided by cabin crew shortly before take-off. Other means of passing information to passengers, e.g. before boarding, during booking, etc., are feasible alternatives. Whether the information is provided via an announcement, as mentioned by some commentators, is not included in the proposal. Therefore, the Agency has not amended AMC2 CAT.OP.MPA.155(b).*
- *The concern raised by one NAA that the information provided might no longer be remembered, if a long time has passed, is noted. The Agency, therefore, included a new paragraph in GM2 CAT.OP.MPA.155(b) stating that 'providing this information only at the time of booking might not be sufficient to ensure that the SCP is aware of the information at the time of the flight'.*

Align guidance on information with guidance on seating

One airline association commented that the GM on briefing of SCPs should include the same SCP subcategories as the GM on seating of SCPs. The nine SCP subcategories mentioned in each GM should, therefore, be the same and should be aligned.

- *The Agency partially agrees. The GMs have been amended so that the order of appearance of the different SCP subcategories is aligned. However, since GMs on information and seating deal with different risks, subcategories mentioned in those two different GMs on seating and information should not be 100 % aligned.*

Information for unaccompanied children

Regarding the proposed briefing of **unaccompanied children**, one airline association stated that the proposed GM is too complex. In case of single cabin crew operation, individual briefings are not feasible as it would take resources away from other duties.



- *The Agency notes the comment. Unaccompanied children travelling under an operator's unaccompanied children programme will be part of a special programme and the operator will have developed special procedures for those passengers. Therefore, providing information to those unaccompanied children, who are clearly identified, can be included into the operator's specific programme.*

Information for parents travelling with infants

Regarding the briefing of **parents travelling with infants**, one NAA commented that the contents of the briefing can be achieved by inclusion in the safety briefing card required by CAT.OP.MPA.170(b). The NAA proposed a new text stating that 'information regarding the following should be provided by means of a briefing or inclusion in the passenger safety card'.

- *The Agency notes the comment. The operator may choose the most suitable method to pass on the information, which could also be by inclusion in the safety briefing card.*

Information for passengers whose physical size would possibly prevent passing through some emergency exits

Many commentators stated that the definition of **extremely obese passengers** is too vague and open to various interpretations. Some commentators believed that since each individual seat place is certified for a maximum weight of 77 kg, a passenger weighing more than 77 kg would automatically be considered as extremely obese. One NAA commented that any information for extremely obese passengers should be deleted, because it could be considered offensive and, in addition, the only thing that should be addressed for those passengers is seating allocation, as is done through GM2 CAT.OP.MPA.155 (c) (page 29 of the NPA).

A correct seating allocation, the NAA stated, should ensure that in case of evacuation, the SCP will naturally be directed to a suitable exit. One should assume that this seating allocation is correctly managed, in which case no tactless extra briefing would be needed. Therefore, the GM on information for extremely obese passengers should be deleted.

- *The Agency agrees with the comment that information for passengers whose physical size would possibly prevent passing through some emergency exits is not necessary, since the seating allocation should ensure that those passengers are seated nearby suitable exits. Therefore, the GM on information for those passengers has been deleted from the proposal.*
- *The Agency would like to clarify that a passenger weighing above 77 kg has not been defined as extremely obese in the NPA. Instead, the proposed GM on passenger seating clearly states that only those obese passengers would be considered, whose physical size would possibly prevent passing through some emergency exits.*

Information for visually impaired passengers

Regarding information for **visually impaired passengers**, one NAA agreed to the proposed text, but would like to see an addition that the operator should consider providing safety information in Braille format.

- *The Agency notes the comment. It should be reminded though that Regulation (EC) No 1107/2006 already includes a provision on communicating with passengers in Braille.*



Information for passengers with disability of the upper limbs

One airline association and one NAA stated that the GM on information for passengers with **disability of the upper limbs** should simply replace the wording ‘passenger seated next to the SCP’ with the term ‘safety assistant’, since a passenger with disability of both upper limbs will in all cases not be able to unfasten their seat belt or fit an oxygen mask or fit a life jacket. Two NAAs also referred to the perceived inconsistency between the AMC on the safety assistant (AMC3 CAT.OP.MPA.155(b)) and the GM on information to SCPs (GM3 CAT.OP.MPA.155(b)), and stated that a safety assistant would always be required for a passenger with a disability of the upper limbs. The GM should not present the safety assistant as an option.

- *The Agency notes the comment. As degrees of disability might vary, there might be cases of passengers with some sort of disability of the upper limbs, who have been able to unfasten their seat belts, to fit a life jacket, etc. As this option cannot be ruled out, a generic reference to a safety assistant is not called for and, therefore, the GM must also cater for those cases, where a passenger with some sort of disability of the upper limbs travels without a safety assistant.*

Evacuation by cabin crew

One airline association requested that briefing of **SCPs with disabilities of the lower limbs** should be amended so that the safety assistant should be briefed to know that in case of decompression, they have to first put on their own oxygen mask. Regarding **passengers with disability of the lower limbs** and **passengers with disability of both the upper and lower limbs**, one NAA raised concerns and requested to delete all references in the GM, which state that cabin crew can only assist once the immediate cabin area has been evacuated. The NAA commented that cabin crew may still be required to perform crowd control duties once the immediate cabin area has been evacuated and should only consider providing assistance when satisfied that they are no longer required to control evacuation from exits for which they are responsible.

- *Regarding evacuation of SCPs by the cabin crew, the Agency agrees and has amended the GM accordingly to include a general sentence applying to all SCP subcategories. This sentence reads that ‘the operator should consider informing the SCPs that cabin crew can only assist the SCP once the cabin has been evacuated’.*
- *Regarding safety assistants for with passengers with disability of the lower limbs, those passengers are very likely to put on their own oxygen mask and, therefore, the Agency has not included guidance on oxygen masks into the GM .*

2.7. Briefing procedure in a planned emergency

The briefing procedure in a planned emergency proposed in GM5 CAT.OP.MPA.155(b) was fully supported by airlines, airline associations and NAAs.

- *The Agency notes the support.*

2.8. Seating allocation of an SCP next to the safety assistant

While approving the NPA proposal that that SCPs should be seated next to the safety assistant, one disability rights organisation stated this should also be ensured for persons with ‘intellectual



disabilities' who might be able to follow the safety instructions but would be upset by being separated from the accompanying person.

Another passenger rights organisation pointed to the difference between the NPA's proposal and Regulation (EC) No 1107/2006, where Annex II only states that operators should make all reasonable efforts to give the safety assistant a seat next to the disabled person. The organisation stated that the regulation on the rights of disabled persons and persons with reduced mobility when travelling by air (Regulation (EC) No 1107/2006) will not be changed in the future and that there should not be a conflict of interpretation between the NPA proposal and the Regulation.

- *The Agency agrees with the comment that SCPs travelling with a safety assistant should be seated next to the safety assistant. This is addressed in the NPA in the proposed AMC1 CAT.OP.MPA.155(c). Regulation (EC) No 1107/2006 refers to 'safety requirements' and through this proposed AMC, the Agency proposes such safety requirements. The proposed AMC is, therefore, maintained, because it ensures that SCPs are seated next to their safety assistants, in case they travel with a safety assistant.*

2.9. Seating allocation of SCPs with a disability or restraint aid

One NAA and several airlines fully supported the proposed new AMC (AMC2 CAT.OP.MPA.155(c)), which sets out special provisions for disability or restraint aids that need to be secured around the back of the seat.

One disability rights organisation expressed the concern that limiting the seat location for disabled people who require upper body support will have a negative impact on flight experience and will prevent some disabled people from flying. They argued that to date, a physically disabled adult who requires upper body support generally books seats that have the bulkhead directly in front. It is a relatively short journey from boarding to these seats and this seat location enables the transfer team or family members to stand behind the passenger and lift them into the window seat. It also affords the passenger additional leg room and a space for changing/toileting on long-haul flights. If the passenger can only book seats with the bulkhead directly behind, it will not be possible to lift the disabled passenger into the window seat. If with their own ability they can transfer into this seat, there remains the practical challenge of attaching a restraining harness within limited space. This will take longer to install and is problematic.

- *The Agency understands the concerns regarding not only comfort during flight, but more importantly accessibility to air travel. The TÜV Rheinland study and the NPA did not recommend window seating of SCPs, yet the example cited by the disability rights organisation refers to window seating of the SCP. Therefore, the Agency understands that the concerns raised by the disability rights organisation mainly stem from the need to lift the passenger into the window seat and the fact that bulkhead row seats are the best option from a passenger's comfort point of view. The Agency has carefully considered the comments from disability rights organisations. The proposed AMC2 CAT.OP.MPA.155(c) prevents the use of restraint devices which endanger the safety of the passenger sitting behind the SCP, because of the changed dynamic seat reaction with the disability/restraint aid. Since the NPA proposal does not mandate seating at the rear of the aircraft or window seating and only applies to disability or restraint aids, the proposal has been maintained.*



- *Regarding window or aisle seating of PRMs, the Agency would like to refer to the results of the TÜV Rheinland study, which stated that ‘for the average passenger occupying a window or an aisle seat has no statistical influence on survival rate. For PRMs the scientific studies do not provide enough evidence to support a recommendation for either window or aisle seating of the PRM’. For this reason the Agency’s proposal does not include any proposal on whether a PRM should be seated in a window or aisle seat.*

One manufacturer proposed to slightly modify point (b) of the AMC to read alternatively; if the seat design or and installation (with the device and simulated person) has been shown under dynamic loading conditions to prevent head contact of the person seated behind, then no further consideration/restriction is necessary.

- *The Agency notes the comment, but after consultation with certification experts has not modified the text.*

2.10. Group seating of SCPs

The proposed GM (GM1 CAT.OP.MPA.155(c)) on group seating of special categories of passengers attracted many comments. One operator argued that any guidance on seating should be coordinated with the associations of passengers with reduced mobility. Operators also stated that starting to move passengers around and changing seats while boarding or when boarding has completed is not feasible and leaves all the responsibility with the cabin crew. Operators commented that seating of SCPs is a ‘multi-dimensional’ issue which needs to be addressed industry-wide (e.g. including the travel agencies and other stakeholders) in order to make this work in a proper way. Airline associations also stated that while the GM on avoiding group seating of extremely obese passengers and non-ambulatory passengers is supported in principle, from a practical point of view, the implementation of the provisions would be difficult to achieve in an actual operation.

- *The Agency notes the comment. This GM will assist operators in establishing a procedure on group seating of SCPs. The GM is not mandatory. Therefore, the operator is not required to check before each flight, that all SCPs have been seated in accordance with the GM.*

Discrimination due to avoidance of group seating

One operators association did not agree with the results of the TÜV Rheinland study, and stated that the Agency’s proposal should not single-out one category of SCPs, e.g. extremely obese passengers, as a cause of safety risk. In addition, the association argued that it will be discriminatory for a group of persons qualified as extremely obese to distribute them all over the aircraft and thus to separate them.

Passenger rights organisations and one NAA also stated that airlines must consider the needs of SCPs when establishing procedures on the seating allocation of SCPs. To spread PRMs evenly throughout the cabin could mean that some PRMs might have to be allocated away from the toilet or in seats which are not suitable for them. Many airlines also have moveable armrests only in certain seat rows of the aircraft. This might also prevent a large group of SCPs sitting together. It could also lead to problems if SCPs are asked to move when already on board and in their seat. By avoiding group seating, this could suggest unduly discrimination against PRMs by preventing them from being able to make a personal choice about where to sit. It could prevent PRMs from being able to use the toilet on board, which could mean that some passengers would be forced to dehydrate themselves or use catheters. Airlines,



they argue, must be mindful not to discourage some PRMs from travelling, thus, creating a barrier to access.

- *Noting the concern, the Agency has slightly modified the GM to distinguish between group seating of non-ambulatory and a group of obese passengers, who would have difficulty in moving quickly or reaching and passing through an emergency exit.*
- *This GM will assist operators in establishing a procedure on group seating of SCPs. The GM is not mandatory. Therefore, the operator is not required to check before each flight that all SCPs have been seated in accordance with the GM.*
- *The Agency understands that SCPs are concerned about less freedom to choose where they want to sit and next to whom they want to sit, and that seats with movable armrests are important for disabled passengers. The TÜV Rheinland study showed a clear correlation between certain SCP subcategories and increased safety risks for the SCPs themselves and for all passengers. Therefore, the GM on group seating only refers to non-ambulatory passengers and passengers, who will have difficulty in moving quickly or reaching and passing through an emergency exit as a result of the high risks identified in the TÜV Rheinland study. The Agency acknowledges the fact that there could be obese passengers who might not be aware of the safety risks, such as reaching and passing through an emergency exit due to their condition and, therefore, the operator will not know beforehand about the passenger's obesity. With online booking and check-in, the situation might indeed only become apparent once the passenger is inside the cabin. Since the case of group seating of obese passengers poses two safety risks, i.e. due to the additional strain on the seat structure, as well as the increased risks in case of an evacuation, the Agency maintains the main elements of the proposed GM.*
- *The Agency also agrees that there are many different types of disabilities, and access to air transport should be available to all passengers. The GM on group seating only refers to those passengers, who would have difficulty in moving quickly or reaching and passing through an emergency exit and non-ambulatory passengers. The TÜV Rheinland study recommended the avoidance of group seating of certain SCPs based on scientific studies. In addition, the GM also sets out that in the case where group seating of those passengers cannot be avoided, the operator should establish procedures to mitigate the increased safety risk.*
- *Regarding seating of a group of passengers, who would have difficulty in moving quickly or reaching and passing through an emergency exit, the revised proposal is aligned with Regulation (EC) No 1107/2006, which refers to passengers who cannot embark due to the size of the aircraft door. In addition, the separate Interpretative Guidelines to the above-mentioned Regulation published by the European Commission state that 'where the condition of an obese person clearly reduces their mobility, for example by preventing them from moving easily through the airport or aircraft environment, then they may be considered persons with reduced mobility under specific circumstances. As for any other category of persons with reduced mobility, safety requirements may limit access to air travel for obese people (for example due to the lack of availability of appropriate seating').*



2.11. Seating allocation of SCPs

The table containing guidance on the seating allocation of SCPs in GM2 CAT.OP.MPA.155(c) attracted a number of comments.

One operators association commented that seating allocation can be a challenge considering that the operator may be aware too late of the fact that some/many SCPs will be on board. This is why some flexibility is needed. In that perspective, the association stated that the fact that the Agency proposes only GM is positive.

- *The Agency notes the comment. The GM will assist operators in establishing a procedure on the seating allocation of SCPs. The GM is not mandatory. Therefore, the operator is not required to check before each flight that all SCPs have been seated in accordance with the GM.*

Unaccompanied children and mentally impaired passengers

Regarding the SCP subcategories of **unaccompanied children** and **mentally impaired passengers**, one operator and one operator association doubted that the operator can seat passengers where visible and audible communication is possible during all phases of flight. The operator commented that this is too complex, especially in single cabin crew operations.

- *Noting the comment, the Agency agreed to maintain the original proposal, because, for those passengers, audible communication could also be ensured via the PA system. With regard to UMs, the operator will always know beforehand the age of the child before boarding and will have established a procedure in place for UMs.*
- *Regarding seating allocation of **unaccompanied children**, one NAA fully supported the, while one airlines association stated that considering the age limit of 12 years for a UM, it may be not realistic to ask him/her to assist the younger children, especially in case of an emergency.*
- *The Agency notes the comment. From a safety point of view, it is, however, advisable to seat UMs of different ages next to each other. With unaccompanied minors, the operator will always know beforehand the age of the child before boarding.*

Passengers with difficulty in moving quickly or reaching and passing through an emergency exit

Regarding the third category, that of passengers so obese that they have difficulty in moving quickly or reaching and passing through an emergency exit, one NAA fully supported the proposed guidance. One airline association raised the issue of the definition of an obese passenger. Who will have the responsibility to judge if a passenger is obese? Will it be based on the opinion of the cabin crew or will there be a specific maximum weight that the operator would have to establish?

- *The Agency agrees that clarification is needed. Therefore, the Agency has revised the proposal, which now refers to passengers who are so obese that they would have difficulty in moving quickly or reaching and passing through an emergency exit. This is in line with the Interpretative Guidelines on the application of Regulation (EC) No 1107/2006, which state that ‘where the condition of an obese person clearly reduces their mobility, for example by preventing them from moving easily through the airport or aircraft environment, then they may be considered persons with reduced mobility under specific circumstances. As for any other category of persons with*



reduced mobility, safety requirements may limit access to air travel for obese people (for example due to the lack of availability of appropriate seating’.

Passengers travelling with recognised assistance dogs

Regarding **passengers travelling with recognised assistance dogs** in the cabin, one operators association asked the Agency to mention that the dog should stay during the whole flight at the feet of the passenger.

- *The Agency notes the comments. A recognised assistance dog (see Regulation (EC) No 1107/2006) will most likely be a well-trained dog responding to requests from its owner. Since the Agency’s proposal is only addressing safety concerns, the NPA’s text that refers to a restraint harness, only includes critical phases of flight, where the dog could pose a safety risk if not restrained.*

Other SCPs subcategories

One disability rights organisation stated that the seat allocation for specific SCPs should also include SCPs with severe hearing loss, mental disability and Alzheimer’s disease.

- *The Agency disagrees, since SCPs with severe hearing loss can most likely read the safety briefing card. Seating allocation guidelines for mentally impaired passengers are already covered in the Guidance Material proposed.*

2.12. Cabin crew training

NAAAs and operators agreed to the proposed AMC (AMC1 ORO.CC.140) on cabin crew training. One operator association and one NAA also agreed that additional requirements for cabin crew training are needed. However, the association insisted on the fact that these requirements should not induce additional extra costs for operators which are already facing economic difficulties. The association and the NAA stated that AMC1 ORO.CC.140 has to be considered together with the transition period mentioned in paragraph 4.4 of page 41 of the NPA. All AMCs/GMs would apply 18 months after the publication of the Decision according to paragraph 4.4 of page 41, except for AMC1 ORO.CC.140, which would only apply after 4 years. The association wonders how this will work with the implementation of the changes to AMCs/GMs to CAT.OP.155 as long as these AMCs/GMs have an impact on cabin crew tasks before the 4-year transition period elapses. Thus, the association requested the Agency to implement a transition period of 4 years for all of the proposed changes after the publication of the Decision.

- *The Agency maintains its NPA proposal that the proposed procedures should apply 18 months (i.e. 1.5 years) following the adoption of the AMC/GM. The extended transition period to 4 years for cabin crew training elements is necessary to allow operators enough time to amend their training manuals and to adapt the new procedures to their training cycles.*

Two NAAAs and one airlines association also commented that while the Regulatory Impact Assessment (RIA) mentioned conversion AND recurrent training, the actual NPA proposal in AMC1 ORO.CC.140 only addresses the operator’s recurrent training. Therefore, the commentators asked that the same text should also be included into the operator’s conversion training and, hence, AMC1 ORO.CC.125(d) should be amended.



- *The Agency agrees and has amended AMC to ORO.CC.125(d) on conversion training to ensure that cabin crew are also trained on the operator's SCP procedures during conversion training.*

2.13. Open question on information for safety assistants of stretcher occupants

Several commentators commented on the open question regarding the appropriate briefing of the safety assistants of a stretcher occupant.

One NAA supported the proposed briefing of safety assistants of stretcher occupants. Another NAA stated that transport of stretcher patients is not very common among national operators. These types of transports are costly and require 'non-standard' technical solutions. The NAA supports the Agency's initiative regarding further research into stretcher patients to gain further knowledge in this area.

One NAA stated that the briefing proposed in the NPA would roughly consist in asking the safety assistant to disconnect medical equipment and leave the equipment behind, including the stretcher. This is based on the fact that 'the ability to evacuate a stretcher via a slide was not proven according to the present knowledge. Sharp edges on the stretcher may damage the slide...'. The NAA stated that if the safety assistant has medical training, they should not be briefed on what to do with the medical devices, since they are the ones who know if such devices are necessary or not for the stretcher occupant. They may only be warned about the fact that evacuating with stretchers could damage the slide (if confirmed — is it?) and, as stated in the GM, that 'it is advisable to leave stretcher or litter in the aircraft', if possible; yet, if the flight is a dedicated emergency medical flight, this GM should not even be used as long as the risk exposure is not the same (only a few passengers) and as the medical issues are probably not the same.

The same NAA also stated that the case of a safety assistant without any medical training taking care of a stretcher occupant with medical devices is difficult to envisage: is it realistic that a safety assistant may decide to disconnect the medical devices without knowing the possible effects on the stretcher occupant? 'Can they judge the adequacy of this decision?'

The NAA asked how should the safety assistant react if he's/she's told by the way that, in case of evacuation, 'it is advisable to leave stretcher or litter in the aircraft'? Again, he/she will probably not feel comfortable with such a decision and may not know what to do. The NAA requests that this GM is changed and to limit its scope to safety assistants with medical proficiency.

One NAA also stated that with regard to taking medical and personal care of the patient under normal conditions and in case of emergency, a stretcher patient should be accompanied by at least two safety assistants (minimum 18 years and physically capable), who in case of emergency are capable of evacuating him/her (without stretcher). One of those safety assistants should be a medical professional (e.g. paramedic, nurse, etc.).

An SCP/PRM briefing leaflet should be handed over to the safety assistants in advance. Patients on stretchers, who for medical reasons may not be disconnected from medical equipment and may not be moved without stretcher, should be excluded from a public transport flight and should be transported on an ambulance flight instead.

One airlines association also stated that if there is any proof that a stretcher can damage the slide, then stretchers should be manufactured in a way that they should not be sharp. Another airlines association stated that most of the CAT airlines do not accept stretchers with medical equipment



attached, so a special briefing for the safety assistant on how to disconnect the medical equipment would not be justified.

- *The Agency agrees with most of the comments above and has amended the GM accordingly. Since stretcher occupants will travel with medical personnel, it will be up to the medical personnel to decide if any equipment, etc., should accompany the patient or not.*

Regarding the information to a **stretcher passenger** and the accompanying safety assistant, one manufacturer requested that the text that would have allowed the stretcher occupant in case of a decompression to continue using medical oxygen should be deleted. The manufacturer stated that the flow rate of medical oxygen brought on board the airplane by a passenger is unknown and may not be appropriate for hypoxia protection in an airplane decompression environment. Therefore, all passengers should use the airplane passenger oxygen system in the event of a decompression as that system has been certified and shown to prevent hypoxia protection when used correctly.

- *The Agency agrees that the information provided regarding transportation of stretcher passengers should be amended, and has amended the text accordingly.*

2.14. Open question on alternative means to restrain severely disabled children during flight

The open question proposing a revision of the Implementing Rules (IRs) to allow alternative means to restrain severely disabled children during flight attracted comments from disability rights organisations, manufacturers and NAAs. Some NAAs stated that the IRs should be changed to give the severely disabled children the opportunity to fly, and that the decision to provide a second seat should stay with the operator. One NAA raised doubts, wondering who decides if a child aged 2 years or above is severely disabled and not able to occupy a separate seat. Where should we 'draw the line' (weight, size)? Therefore, the NAA recommended adding a weight and size limit.

One NAA stated that severely disabled children above the age of 2 should be exempted from the requirement to occupy their own seat during taxi, take-off and landing and at any other times as the pilot-in-command deems necessary. Airlines should ensure that a separate seat next to the parent is provided for the use of the child at other times in flight. Allowing a child over 2 to be seated on the lap of a parent may allow some severely disabled children who are 2, 3 or even 4 years access to air travel. The additional suggestion that an airline must keep the seat next to the adult free for the child to sit in (if need be) apart from taxi, take-off and landing would further increase chances of being able to travel.

One airlines association agreed with the Agency's proposal to allow such children over the age of 2 to occupy the same seat as their parent/guardian (during taxiing, take-off and landing). On the question whether a separate seat should be provided for the use of the child at other times in-flight, the airlines association agreed with this proposal as long as it does not impact individual airline commercial policies (whether or not to charge for such a separate seat).

A disability rights organisation opposed the proposal to place a child over the age of 2 on the lap of the accompanying adult — whether secured with a loop belt or not is not acceptable. The organisation argued that frequently a physically disabled child will have symptoms such as high or low muscle tone, spasms, spinal curvature and uncontrolled involuntary movements, requiring supportive seating to manage these symptoms. In addition, it is not uncommon for physically disabled children to have accompanying cognitive disabilities. Conditions such as Global Developmental Delay, Cerebral Palsy, and Spina Bifida often have accompanying secondary conditions. For example, some children may have



seizures but need to fly. These children will require seating that supports them during the seizure and post seizure as a parent may not be able to have the child located on their lap during these periods, as 1) the seizure could cause physical movements that endanger the child and parent, 2) It can be distressing to be holding a child when the seizure occurs as the convulsions will be felt by the parent, and 3) Children often vomit or dribble and it is difficult to attend to a child when they are sitting on a lap as opposed to being in their own supportive seating. If a child is not capable of sitting unaided, there is a high probability of a seating aid already being available. The best solution would be to transport the child in its 'normal' seating aid provided it has been verified that the seating aid can be safely placed and secured on the passenger seat with the normal seat belt. In cases where the preferred solution described above is not feasible, an alternative device for transportation, e.g. the MERU RAVEL HAIRTRAVEL CHAIR, might be considered.

The FAA stated that allowing children with disabilities (who cannot be safely restrained in their own seat using only a seat belt) to be restrained on the lap of an adult with a supplementary loop belt or other restraint device during taxi, take-off and landing may have unintended consequences. While this may reduce injury risk for the child during turbulence event, it does not provide significant protection during an emergency landing and, in that case, may even present an injury risk for the adult. Carriage of this category of passenger has been accommodated in the United States by permitting the use of Orthotic Positioning Devices (OPDs) (as described in the FAA Order 8900.1, Volume 3, Chapter 33, Section 6, Paragraph 3-3577) or by an exemption process that allows children with disabilities (and adults with disabilities) to use certain other devices to sit securely and safely in their own seat. These other devices may require an attachment to the seat for proper functioning which is why as part of this process the proposed device is evaluated by the FAA to ensure that when used by the applicant, it provides adequate restraint, does not introduce additional safety concerns, meets flammability requirements, and does not impede egress or safety of other passengers. Some of the devices that have been cited in previous exemptions granted are: the E-Z-On Modified Vest, Houdini 27 Harness, Ortho Kinetics Travel Chair Model 6332, MERU Travel Chair, and a special version of the AmSafe CARES device. Additionally, there are many types of child restraint systems approved by the authorities, such as the FAA, for use on aircraft (that can be used without an exemption) that accommodate the needs of children with disabilities such as the Columbia Medical Child TheraPedic Positioning Seat, Carrie Tumbleforms Elementary Carrie Seat, Brittax Frontier 85 SICT, Diona Radian RXT and the Bergeron Special Tomato. Allowing children with disabilities to occupy their own seat and be restrained with devices allowed by exemption or by child restraint systems approved by the FAA for use on aircraft provides this category of passenger a much higher level of safety than being lap-held using a supplementary loop belt.

One manufacturer stated that it does not support the future rulemaking outlined in this section. Instead, the manufacturer suggests that industry should look for design solutions that would allow these severely disabled children to be retained safely in their own seat.

- *The Agency agrees with the comments that a child with disabilities should be able to occupy its own seat and that ideally a restraint device should enable the disabled child to stay in its own seat. Following on from the different comments received, including a comment opposing such a change from a disability rights organisation, the Agency concludes that other options should be explored with manufacturers of disability restraint aids. Therefore, the option of amending the Implementing Rule to allow severely disabled children to sit on the lap of their accompanying*



adult/parent during critical phase of flight (taxi, take-off and landing) will no longer be pursued with this CRD.

2.15. Comments on certification data and maximum number of SCPs on board

One NAA stated that if the 90-second rule for evacuation continues to be applied, a compensation for a deferral of evacuation should be introduced, e.g. increase in the number of safety assistants (one per SCP/PRM, two for a non-mobile SCP/PRM who has to be carried) or a reduction of the number of passengers. The maximum number of SCPs/PRMs should be calculated by means of a risk classification and quantification scheme (analogously to the TÜV Rheinland study, pp. 121–133). The risk saturation level for each aircraft configuration should be defined in advance by the operator in cooperation with the manufacturer in advance. It should be taken into consideration to request the manufacturers to define such saturation levels on the basis of their maximum passenger seating capacities indicated in the type certification data sheet (TCDS) (OSD discussion). The number of passengers capable of assisting SCPs/PRMs should then be reduced by the number of Able-Bodied Persons (ABPs) required for doors and exits.

- *The Agency notes the comment, but, as shown in the RIA Impact Assessment of the NPA, changes to the certification requirements are not an option to be pursued.*



3. Draft AMC/GM

The text of the amendment is arranged to show deleted text, new text or amended text as shown below:

1. deleted text is shown with a ~~strike through~~;
2. new text is highlighted in **grey**;
3. an ellipsis (...) indicates that the remaining text is unchanged in front of or following the reflected amendment.

3.1. Draft EASA Decision — Proposed changes to ED Decision 2012/015/R — Definitions

Proposed changes to Decision 2012/015/R of the Executive Director of the Agency of 24 October 2012 on acceptable means of compliance and guidance material to Commission Regulation (EU) No 965/2012 of 5 October 2012 — Acceptable Means of Compliance and Guidance Material to Annex I — Definitions.

New Guidance Material including a new definition

(103) 'safety assistant' means a passenger who is at least 18 years old and is physically and mentally able to:

- (a) follow crew instructions; and
- (b) assist in an emergency situation or evacuation of the SCP.

3.2. Draft EASA Decision — Proposed changes to Decision 2014/015/R — Part- CAT

Proposed changes to Decision 2014/015/R of the Executive Director of the Agency of 24 April 2014 adopting Acceptable Means of Compliance and Guidance Material to Part-CAT of Regulation (EU) No 965/2012 and repealing Decision 2012/018/R of the Executive Director of the Agency of 24 October 2012 — 'AMC and GM to Part-CAT — Issue 2'

AMC1 CAT.OP.MPA.155(b) Carriage of Special Categories of Passengers (SCPs) PROCEDURES

When establishing the procedures for the carriage of special categories of passengers, the operator should take into account the following factors:

- (a) the aircraft type and cabin configuration;
- (b) the total number of passengers carried on board;
- (c) the number and categories of SCPs, which should not exceed the number of passengers capable of assisting them in case of an emergency **evacuation**; and
- (d) any other factor(s) or circumstances possibly impacting on the application of emergency procedures by the operating crew members.



AMC2 CAT.OP.MPA.155(b) Carriage of Special Categories of Passengers (SCPs)

PROCEDURES TO PROVIDE INFORMATION TO SCP AND SAFETY ASSISTANT

- (a) The operator should establish procedures to provide the information included in GM3 CAT.OP.MPA.155(b) to the SCP and to the safety assistant regarding their respective safety responsibilities in normal and emergency situations.
- (b) These procedures should specify the timing and methods on how and when the information can be provided to the SCP and to the safety assistant.

AMC3 CAT.OP.MPA.155(b) Carriage of Special Categories of Passengers (SCPs)

SCPs TRAVELLING WITH A SAFETY ASSISTANT

An SCP should only be required to travel with a safety assistant, when it is evident that the SCP is not self-reliant and carriage could pose a safety risk to him/her or to other passengers. A safety assistant should only be required when the SCP is unable to:

- (a) unfasten the seat belt, or
- (b) leave the seat and reach an emergency exit unaided, or
- (c) retrieve and fit a life jacket, or
- (d) fit an oxygen mask without assistance, or
- (e) follow the safety briefing and instructions given by the crew in an emergency situation.

AMC4 CAT.OP.MPA.155(b) Carriage of Special Categories of Passengers (SCPs)

CONDITIONS OF SAFE CARRIAGE FOR UNACCOMPANIED CHILDREN

- (a) When carrying an unaccompanied child that is not self-reliant in accordance with AMC3 CAT.OP.MPA.155(b), the operator should assess the safety risks to ensure that the child is assisted in case of an emergency situation.
- (b) A child less than 12 years old, separated from the accompanying adult, who is travelling in another cabin class, should be considered as an unaccompanied child in order to ensure that the child is assisted in case of an emergency situation.

GM1 CAT.OP.MPA.155(b) Carriage of Special Categories of Passengers (SCPs)

SCPs TRAVELLING WITH A SAFETY ASSISTANT

In some cases, more than one assistant may be necessary, for example in an emergency evacuation, where lifting is required.

GM2 CAT.OP.MPA.155(b) Carriage of Special Categories of Passengers (SCPs)

PROCEDURES TO PROVIDE INFORMATION TO SCP AND SAFETY ASSISTANT

Providing information only at the time of booking might not be sufficient to ensure that the SCP and the safety assistant are aware of the information at the time of the flight.



GM3 CAT.OP.MPA.155(b) Carriage of Special Categories of Passengers (SCPs)

INFORMATION PROVIDED TO SCP AND SAFETY ASSISTANT

When establishing procedures on the information to be provided to SCPs, the operator should consider informing the SCP that cabin crew can only assist the SCP once the cabin has been evacuated. The following table contains additional information by SCP category:

SCP category	Information
Unaccompanied children	<p>Inform the unaccompanied child on the following:</p> <ul style="list-style-type: none"> (a) which adult will assist with the operation of the seat belt and the fitting of the oxygen mask if the situation requires it; (b) the content of the passenger safety briefing card; and (c) in case of evacuation, to seek the assistance of adult passenger(s) in contacting a crew member. <p>Inform the passenger sitting next to the unaccompanied child to assist with:</p> <ul style="list-style-type: none"> (a) providing the child with an oxygen mask in case of decompression after fitting one's own mask; (b) securing/releasing the child's seat belt, if necessary; and (c) calling a cabin crew member in all other in-flight situations. <p>When a child and the accompanying adult travel in a different class of cabin, information should be provided to the child and adult that, in the event of an emergency, they should follow the instructions of the cabin crew and not try to reunite inside the cabin as this would slow down the overall evacuation.</p>
Parent travelling with an infant	<p>Information on brace position for adult with lap-held infant.</p> <p>Information on the use of the loop belt, in case of a lap-held infant.</p> <p>Information to fit own oxygen mask before fitting the infant's oxygen mask.</p> <p>Information on how to evacuate when carrying an infant:</p> <ul style="list-style-type: none"> (a) On land, jump on the slide; and (b) In case of ditching, how to fit and when to inflate infant flotation aid (e.g. life vest, flotation device).
Physically disabled passenger (aided walking)	<p>Inform the SCP to leave mobility aid behind in an emergency evacuation.</p>



Passenger with disability of upper limbs	<p>Inform the SCP and the safety assistant, where appropriate, that the latter should:</p> <ul style="list-style-type: none"> (a) fit the life jacket on the SCP, in case of a ditching evacuation; (b) first put on their own oxygen mask before fitting the SCP's oxygen mask, in case of decompression; and (c) to secure/release the SCP's seat belt, if necessary.
Passenger with disability of lower limbs	<p>Inform the SCP and the safety assistant, where appropriate:</p> <ul style="list-style-type: none"> (a) on the location of the nearest suitable exit; and (b) that mobility aids might not be accessible in an emergency evacuation.
Passenger with disability of both upper and lower limbs	<p>Inform the safety assistant, where appropriate, to secure/release the SCP's seat belt.</p> <p>Inform the SCP and the safety assistant, where appropriate:</p> <ul style="list-style-type: none"> (a) in case of an evacuation on the location of the nearest suitable exit; (b) in case of a ditching evacuation, that the safety assistant should fit the life jacket on the SCP; and (c) in case of a decompression, that the safety assistant should first put on his/her own oxygen mask before fitting the SCP's oxygen mask.
Visually impaired passenger	<p>Depending on the level of impairment, inform the visually impaired passenger on the following:</p> <ul style="list-style-type: none"> (a) seat and seat belt operation; (b) location of the nearest exit (e.g. number of seat rows to the nearest exit); (c) oxygen mask deployment; (d) location of life jacket; (e) brace position; and (f) location of cabin crew call button. <p>If available, take the aircraft demonstration equipment to the passenger for tactile assistance.</p>
Passenger travelling with a recognised assistance dog in the cabin	<p>Advise how to evacuate guide dog by holding the dog and sliding.</p>



Stretcher occupant	<p>Information to the safety assistant of the stretcher occupant that in case of an evacuation:</p> <ul style="list-style-type: none"> (a) the stretcher occupant should be evacuated when the cabin area surrounding the stretcher is clear; (b) to evacuate the stretcher occupant only, if possible; (c) to be seated when sliding, holding the stretcher occupant in front; and (d) in the event of a ditching evacuation, to fit the life jacket on the stretcher occupant.
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GM4 CAT.OP.MPA.155(b) Carriage of Special Categories of Passengers (SCPs)

PROCEDURES

A passenger capable of assisting in case of an emergency means a passenger who is not an SCP and has no other role or private responsibility that would prevent him/her from assisting the SCP. For example, an adult travelling alone has no other role or private responsibility, unlike a family travelling together with younger children.

GM5 CAT.OP.MPA.155(b) Carriage of Special Categories of Passengers (SCPs)

BRIEFING PROCEDURE IN A PLANNED EMERGENCY

In a planned emergency, if time permits, passengers identified by the cabin crew as capable of assisting SCPs should be briefed on the assistance they can provide.

AMC1 CAT.OP.MPA.155(c) Carriage of Special Categories of Passengers (SCPs)

SEATING PROCEDURES FOR SCPs

When establishing seating procedures for SCPs, the operator should take into account the following factors:

- (a) If the SCP travels with a safety assistant, the safety assistant should be seated next to the SCP.
- (b) If the SCP is unable to negotiate stairs within the cabin unaided and swiftly, he/she should not be seated on the upper deck of a multi-deck aircraft if the exits are not certified for emergency evacuation on both land and water.

AMC2 CAT.OP.MPA.155(c) Carriage of Special Categories of Passengers (SCPs)

SEATING ALLOCATION OF SCPs WITH A DISABILITY AND/OR RESTRAINT AID

- (a) A disability and/or restraint aid that requires to be secured around the back of the seat should not be used if there is a person seated behind, unless the seating configuration is approved for the use of such devices. This is to avoid the changed dynamic seat reactions with the disability and/or restraint aid, which may lead to head injury of the passenger seated behind.
- (b) If the seat design or installation would prevent head contact of the person seated behind, then no further consideration is necessary.



GM1 CAT.OP.MPA.155(c) Carriage of Special categories of Passengers (SCPs)

GROUP SEATING OF SCPs

- (a) Taking into account access to exits, non-ambulatory SCPs should be seated throughout the cabin to ensure that each SCP is surrounded by the maximum number of passengers capable of assisting in case of an emergency.
- (b) If non-ambulatory SCPs cannot be evenly distributed throughout the cabin, the operator should establish procedures to mitigate the increased safety risk such as seating of passengers capable of assisting in case of an emergency in the vicinity, additional information or training of cabin crew.
- (c) A group of passengers so obese, that they would have difficulty in moving quickly or reaching and passing through an emergency exit, should not occupy the same seat row segment to avoid overloading the structure of the seat.

GM2 CAT.OP.MPA.155(c) Carriage of Special Categories of Passengers (SCPs)

SEATING ALLOCATION OF SCPs

When establishing the procedure on seating of SCPs, seats should be allocated taking into account the following:

SCP category	Seating allocation procedure
Unaccompanied child	<p>The seating allocation of an unaccompanied child should allow for visual or audible communication during all phases of the flight with cabin crew.</p> <p>Groups of unaccompanied children should be seated in mix of ages, with the tallest child seated to allow assistance with fitting drop-down oxygen mask to smaller children in case of a decompression.</p> <p>Where possible, one adult should occupy the seat across the aisle next to each row of unaccompanied children.</p>
Passenger travelling with a child of less than 12 years	<p>If a child travels with an accompanying adult in the same class of cabin, the child should be seated in the same seat row segment as the accompanying adult. Where this is not possible, the child should be seated no more than one seat row or aisle away.</p>
Passenger so obese that he/she would have difficulty in moving quickly or reaching and passing through an emergency exit	<p>A passenger so obese, that he/she would have difficulty in moving quickly or reaching and passing through an emergency exit (e.g. Type III or Type IV exits), should be seated in the vicinity of a suitable exit, taking into account the size of the exit.</p> <p>Seating of more than one of such passengers in the same seat row segment should be avoided.</p>
Passenger with physical disability of the upper limbs	<p>A passenger with a physical disability of the upper limbs travelling without a safety assistant should be allocated seats during all phases of the flight so that visual and audible communication can be established with the cabin crew.</p>



Passenger with disability of lower limbs	A passenger with a disability of the lower limbs should be seated in a location providing easy access to floor level exits.
Passenger with disability of both upper and lower limbs	A passenger with a disability of both upper and lower limbs should be seated in a location providing easy access to floor level exits.
Mentally impaired passenger	A mentally impaired passenger, who travels without a safety assistant, should be allocated seats during all phases of the flight so that visual and audible communication can be established with the cabin crew.
Passenger travelling with recognised assistance dog in the cabin	Suitable arrangements should be made between the passenger and the operator in advance of a flight where a recognised assistance dog is to be accommodated. A suitable restraint harness should be provided by the owner to secure and restrain the dog during taxi, take-off, landing and turbulence. In cruise, it is acceptable for the dog to be subject to less restraint.
Stretcher occupant	Where possible, the stretcher should be installed behind a cabin monument. Alternatively, the stretcher could be installed where it can demonstrate compliance with CS.25.561 and CS.25.562(b), (c)(7), (8) as the appropriate certification basis. Stretcher installation should be as close to the floor level non-overwing exits as practical; preferably close to a required cabin crew station with an adjacent seat for the designated safety assistant.

3.3. Draft EASA Decision — Proposed changes to Decision 2014/017/R — PART-ORO

Proposed changes to Decision 2014/017/R the Executive Director of the Agency of 24 April 2014 adopting Acceptable Means of Compliance and Guidance Material to Part-ORO of Regulation (EU) No 965/2012 and repealing Decision 2012/017/R of the Executive Director of the Agency of 24 October 2012 — ‘AMC and GM to Part-ORO — Issue 2’

AMC1 ORO.CC.140 Recurrent training

TRAINING PROGRAMMES

- (a) Elements of the annual recurrent training programme
- (1) Training on the location and handling of safety and emergency equipment should include all relevant oxygen systems, and any equipment such as defibrillators if carried on board.
 - (2) Training on emergency procedures should cover pilot incapacitation procedures and crowd control techniques.
 - (3) CRM training should satisfy the following:
 - (i) the applicable training elements specified in Table 1 of AMC1 ORO.CC.115(e) should be covered within a 3 year cycle to the level required by Column ‘Annual Recurrent Training’;
 - (ii) the definition and implementation of the programme should be managed by a cabin crew CRM instructor; and



- (iii) when CRM training is provided by stand-alone modules, it should be conducted by at least one cabin crew CRM instructor.
- (b) Additional triennial elements of recurrent training programme
- (1) Training on the operation of normal and emergency doors/exits should cover failure of power assist systems where fitted. This should include the actions and forces required to operate and deploy evacuation slides, and additional training when relevant for cabin crew members responsible for a pair of doors/exits.
 - (2) Training in the use of all fire-fighting equipment, including protective clothing, representative of that carried in the aircraft should include individual practice by each cabin crew member to extinguish a fire characteristic of an aircraft interior fire except that, in the case of halon extinguishers, an alternative extinguishing agent may be used. Training should place particular emphasis on identifying the actual source of fire or smoke.
 - (3) Training on normal and emergency procedures for special categories of passengers (SCPs) should cover the specific procedures established by the operator for the carriage of SCPs. The operator may determine that such training is to be completed at shorter intervals, taking into account the route structure, passenger profiles, aircraft types operated, seasonal demands and operations.

AMC1 ORO.CC.125(d) Aircraft type specific training and operator conversion training

TRAINING PROGRAMME – OPERATOR CONVERSION TRAINING

The following training elements should be covered as relevant to the aircraft type and the related operator's specifics:

- (a) Description of the cabin configuration

The description should cover all elements specific to the operator's cabin configuration and any differences with those previously covered in accordance with AMC1 ORO.CC.125(c), including:

- (1) required and additional cabin crew stations - location (including direct view) , restraint systems, control panels;
- (2) passenger seats – general presentation and associated operator's specific features and equipment;
- (3) designated stowage areas;
- (4) lavatories – operator's specific features, equipment and systems additional to the aircraft type specific elements;
- (5) galley - location, appliances, water and waste system, including shut-off, sinks, drains, stowage, control panels, calls and signs;

and where applicable:

- (6) crew rest areas – location, systems, controls, safety and emergency equipment;
- (7) cabin dividers, curtains, partitions;
- (8) lift location, use, controls;
- (9) stowage for the containment of waste; and



(10) passenger hand rail system or alternative means.

(b) Safety and emergency equipment

Each cabin crew member should receive realistic training on and demonstration of the location and use of all safety and emergency equipment carried including:

- (1) life-jackets, infant life-jackets and flotation devices;
- (2) first-aid and drop-out oxygen, including supplementary systems;
- (3) fire extinguishers and protective breathing equipment (PBE);
- (4) crash axe or crowbar;
- (5) emergency lights including torches;
- (6) communication equipment, including megaphones;
- (7) slide-rafts and life-rafts' survival packs and their contents;
- (8) pyrotechnics (actual or representative devices);
- (9) first-aid kits, emergency medical kits and their contents; and
- (10) other portable safety and emergency equipment, where applicable.

(c) Normal and emergency procedures

Each cabin crew member should be trained on the operator's normal and emergency procedures as applicable, with emphasis on the following:

- (1) passenger briefing, safety demonstration and cabin surveillance;
- (2) severe air turbulence;
- (3) non-pressurisation, slow and sudden decompression, including the donning of portable oxygen equipment by each cabin crew member; and
- (4) other in-flight emergencies; and
- (5) carriage of special categories of passengers (SCPs).

(d) Passenger handling and crowd control

Training should be provided on the practical aspects of passenger preparation and handling, as well as crowd control, in various emergency situations as applicable to the operator's specific aircraft cabin configuration, and should cover the following:

- (1) communications between flight crew and cabin crew and use of all communications equipment, including the difficulties of coordination in a smoke-filled environment;
- (2) verbal commands;
- (3) the physical contact that may be needed to encourage people out of a door/exit and onto a slide;
- (4) redirection of passengers away from unusable doors/exits;
- (5) marshalling of passengers away from the aircraft;



- (6) evacuation of special categories of passengers with emphasis on passengers with disabilities or reduced mobility; and
 - (7) authority and leadership.
- (e) Fire and smoke training
- (1) Each cabin crew member should receive realistic and practical training in the use of all fire-fighting equipment including protective clothing representative of that carried in the aircraft.
 - (2) Each cabin crew member should:
 - (i) extinguish an actual fire characteristic of an aircraft interior fire except that, in the case of halon extinguishers, an alternative extinguishing agent may be used; and
 - (ii) exercise the donning and use of PBE in an enclosed simulated smoke-filled environment with particular emphasis on identifying the actual source of fire and smoke.
- (f) Evacuation procedures
- Training should include all the operator's procedures that are applicable to planned or unplanned evacuations on land and water. It should also include, where relevant, the additional actions required from cabin crew members responsible for a pair of doors/exits and the recognition of when doors/exits are unusable or when evacuation equipment is unserviceable.
- (g) Pilot incapacitation procedures
- Unless the minimum flight crew is more than two, each cabin crew member should be trained in the procedure for pilot incapacitation. Training in the use of flight crew checklists, where required by the operator's standard operating procedures (SOPs), should be conducted by a practical demonstration.
- (h) Crew resource management
- (1) Each cabin crew member should complete the operator's CRM training covering the applicable training elements to the level specified in the relevant column of Table 1 of AMC1 ORO.CC.115(e).
 - (2) When a cabin crew member undertakes the operator's conversion training on an aircraft type, the applicable training elements specified in Table 1 of AMC1 ORO.CC.115(e) should be covered to the level specified in column 'Operator's aircraft type conversion training'.
 - (3) The operator's CRM training and CRM training covered during operator aircraft type conversion training should be conducted by at least one cabin crew CRM instructor.



4. Individual comments and responses

IV. CRD table of comments, responses and resulting text

(General Comments)	-
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comment

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comment by: Karen

Commenting on the rules EASA wishes to change around the maximum number of Special Categories of Passengers that can be allowed on any given flight, passenger briefing process by cabin crew, disabled passengers seating allocation, and the requirement for a safety assistant to travel with a passenger with disability, OCS UK would submit the following;

(i) Suggestions that targeted passenger briefing for some SCPs will improve evacuation and passenger behaviour during emergency situations is fully supported. Suggestions that targeted passengers briefing encouraging travellers to assist fellow passengers would improve the emergency evacuation process.

(ii) Inclusion of the operator's SCP procedures into cabin crew training will ensure that cabin crew are trained to apply the operator's procedures with regard to SCPs. This would benefit all travelling.

(iii) Better seating allocation for specific SCPs (namely PRM's for the purpose of this submission) because the evacuation delaying effect of several SCPs evacuating at the same time is avoided, while surrounding the SCP with passengers capable of assisting in case of an emergency will increase the evacuation speed and avoid bottlenecks in the aisle – again we fully support this proposal, however it is by no means certain unless other passengers, accompanying relatives or associates could be relied upon to assist in emergency situations. Concerning the plight of unaccompanied PRM's, rather than using terms like 'safety assistant' and suggesting age restrictions we would promote the principle of helping fellow human beings in a crisis situation i.e. 'Once you have attended to your safety needs such as oxygen supply, seat belts or safety vest you should assist others around you whilst complying with instructions from the cabin crew'. The principle of helping others should be sold as a benefit to one's own safety by helping to minimise panic and prevent evacuation congestion of the aircraft where others are struggling to exit seats. This approach will encourage the element of volunteering without the notion of compulsory obligation which may result in a negative reaction from fellow travellers.

With reference to a safety assistant travelling in some limited cases, for those PRM's who are unable to unfasten their seat belt, leave their seat and reach an emergency exit unaided, retrieve and fit a life jacket, fit an oxygen mask without assistance or follow instructions given by the crew in an emergency situation - we believe that a minimum of 16 years of age is reasonable in order to understand and accept the responsibility of the PRM's safety and others travelling where their actions may impact on the emergency situation outcome. We would comment, however, that a safety assistant who is a permanent carer for the PRM and is under the age of 16 years (but over 14 years) would be suitable to assist as they are familiar with the persons needs.

(iv) Our belief around whether there is a need to define a further limit than the one already contained in AMC1 CAT.OP.MPA.155 (b) which states that the operator should take into account a number of factors when carrying SCPs, including the factor that the number of Special Categories Passengers should not be greater than the number of passengers capable of assisting, is that currently the number of PRM's travelling with varying degrees of disability is manageable, however we would reserve the right to revisit this limit in the future.

OCS UK are the UK's largest PRM Service Provider, currently operating at nine UK Airports. As



	<p>the safety of the PRM should always be the focus of any new ruling, allowing PRM's with severe reduced mobility to be manually assisted into seats where movable armrests are not provided, often window seats, hinders PRM and staff safety and may lead to significant injuries and aircraft delays. We believe that the availability of movable armrests on aircraft seats should be made compulsory in order that assistance can be provided safely and efficiently.</p> <p>Karen Connolly Service Stream Support Manager – Aviation & Gateways</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>31 comment by: Austro Control</p> <p>Page 33, Chapter 4.1.2</p> <p>1. Clarification needed: Are CAT operators of aeroplanes with smaller cabin and without cabin crew also affected? NPA states: CAT operators of aeroplanes and helicopters, although helicopter operations are mostly conducted in aircraft with smaller cabin and without cabin crew. Therefore, many of the NPA amendments will not apply to helicopter operators.</p> <p>2. As a new group of SCPs the NPA states "Extremely obese passengers". Clarification needed: Who should be considered as "Extremely obese" Passenger? (e.g Passenger using and extension belt?) Page 20, Chapter 2.5 Questions to stakeholders:</p> <p>1. Briefing of safety assistants for stretcher occupants A: Stretcher passengers are normally attended by medical personnel. These personnel would be responsible to disconnect medical equipment. The briefing of the safety assistant for stretcher occupants should focus on the instruction necessary for possible evacuation.</p> <p>2. Maximum number of SCPs on board: A: Hard to realize due to the fact that most of the SCPs appear unannounced.</p> <p>3. Proposed AMC for safety assistants A: Implementation of new AMC material makes sense.</p> <p>4. Definition of safety assistant A: The proposed definitions should be amended by "Person without no other role or private responsibility that would prevent them from assisting". The proposal to establish a minimum age should rest with the operator.</p> <p>5: Alternative means to restrain severely disabled children during flight A: The IR should be changed to give the severely disabled children the opportunity to fly. The decision to provide a second seat should stay with the operator.</p> <p>Page 21, question nb 3 Comment: who decides if an assistant is qualified? The person at the check-in desk? Eg. Is the assistant able-bodied?</p> <p>Page 21, question nb 4 Comment: 16 years could be an adequate age, but it is not said that this is valid for all SCPs, (depending on the disabilities and weight of SCP etc.). Proposal: minimum age of 18 and able-bodied besides the factors mentioned in the "New guidance material" as "eg. follow crew instructions, react in appropriate manner", ...)</p> <p>Page 21, question nb 5 Comment: we are in favor of this proposal in principle but requests to consider the ongoing</p>



discussions on the “loop belt safety“ for TTL . A separate seat is favorable (for the comfort of the parents) but not a must considering that if the child is less than 2 years old a separate seat is not required neither.

Principal question: Who decides if a child aged 2 or more is severely disabled and not able to occupy a separate seat? Where we should “draw the line“ (weight, size). We recommend adding a weight and size limit.

Page 27

GM2 CAT.OP.MPA.1555b) maximum nrs of SCPs

Comment: Typo: Should read 155b

As already highlighted, we think no passenger can be forced to assist ...(we do not know how the passengers react in case of emergency ...!)

How – up front- we will know how many able bodied and willing passengers – as potential assistants - will be on board to define the nbs of SCPs ?

Page 46, Chapter 4.6

Passenger Briefing - SCP briefing procedures

Chosen Option 1 Establish procedures for the pre-flight briefing of SCPS and their safety assistants regarding normal and emergency situations

Proposal GM1.OP.MPA.155 SCP Briefing procedures

Parents travelling with infants:

ADD: briefing on the use of the loop belt

ADD: provide the infant with an oxygen mask in case of decompression after fitting one’s own mask

Stretcher occupant:

ADD: Possibility to instruct a second safety assistant to evacuate the stretcher passenger efficiently

Passenger with disability of both upper and lower limbs:

ADD: securing/releasing of the seat belt

ADD: providing the passenger with an oxygen mask in case of decompression after fitting one’s own mask

Passenger Briefing - Develop procedures for planned emergency evacuation

Chosen Option 1/ During pre- planned emergency situations, if time permits relevant passengers are briefed by cabin crew on assisting SCPS

Page 50, Chapter 4.7

Crew Training

Chosen Option1 / Amend applicable cabin crew training programs for recurrent training considering SCPS in normal and emergency procedures.

Page 52, Chapter 4.8

Maximum number of SCPS on board

Chosen Option 0/ Do nothing. Rely on operator safety management

Proposal:

Guidance to explain the meaning of "Passenger capable of assisting with an emergency" can be implemented in the definition of the safety assistant

Seating allocation for specific SCPS

Chosen Option 0 / Do nothing. Rely on operator safety management.

Justification: Option 1 seems to be impossible to realize in times of minimum crew operated flights

Page 62, Chapter 4.9

Safety assistant

Chosen option 1 / In limited cases a safety assistant could be required as established in the UK Code of Practice



	<p>Proposal:(see comment open question 4 to stakeholder) Page 67, Chapter 4.10 Changes to certification requirements - for evacuation certification Chosen option 0 Justification see impact summary Changes to certification requirements - change certification requirements to determine minimum number of cabin crews depending on number of SCPs on board Chosen option 0 Justification see impact summary</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>78 comment by: FNAM-French Aviation Industry Federation</p> <p>FNAM (Fédération Nationale de l'Aviation Marchande) is the French National Professional Union / Trade Association for Air Transport, grouping as full-members:</p> <ul style="list-style-type: none"> • CSTA: French Airlines Professional Union (incl. Air France) • SNEH: French Helicopters Operators Professional Union • CSAE: French Handling Operators Professional Union • GIPAG: French General Aviation Operators Professional Union • GPMA: French Ground Operations Operators Professional Union • EBAA France: French Business Airlines Professional Union <p>And as associated members:</p> <ul style="list-style-type: none"> • SAMERA: French Airport Material Handling & Catering Professional Union • UAF: French Airports Professional Union <p>Introduction</p> <p>The NPA 2014-01 introduces many changes in comparison with</p> <ul style="list-style-type: none"> - The Commission Regulation (EC) N° 965/2012, - The Acceptable Means of Compliance and Guidance Material related to Commission Regulation (EC) N° 965/2012. <p>The comments hereafter SHALL BE considered as an identification of some of the major issues FNAM asks EASA to discuss with third-parties before any publication of the proposed regulation.</p> <p>In consequence, the comments hereafter SHALL NOT BE considered:</p> <ul style="list-style-type: none"> - As a recognition of the third-parties consultation process carried out by EASA; - As an acceptance or an acknowledgement of the proposed regulation, as a whole or of any part of it; - As exhaustive: the fact that some articles (or any part of them) are not commented does not mean FNAM has (or may have) no comments about them, neither FNAM accepts or acknowledges them All. The following comments are thus limited to our understanding of the effectively published proposed regulation, notwithstanding their consistency with any other pieces of regulation. <p>FNAM General Comments</p> <p>FNAM supports the initiative taken by EASA aiming at a better integration of SCPs in the Air Transport sector, while taking into account the associated safety issues.</p> <p>For the record, on the base of the final report provided by TÜV Rheinland published in 2009 (study on Carriage by Air of Special Categories of Passengers) commissioned by the Agency,</p>



the recommendations given at that time would have serious cost implications for the airlines and for the manufacturers without obvious proves of increase of safety.

The balance between additional costs and undemonstrated increase of safety level appeared unacceptable.

Today this NPA proposed by the Agency brings new positive changes regarding the previous recommendation made in 2009. FNAM thanks and welcomes EASA for it as this latter will imply a strengthening of the harmonisation and the Level Playing Field within the European States thanks to the enforcing of their same level of safety.

However, some concerns are remaining about this proposal as it will impact directly the operations of FNAM's members.

Thus, FNAM is considering the following axes to enhance the project of regulation of the Commission:

- The perimeter of application of this NPA has to be clarified as it should affect only Commercial Air Transport operators with aeroplanes with cabin crew;
- The factors that operators should consider when carrying SCPs should be reconsidered;
- The "obese" sub-categories of SPC should not be considered as a safety risk;
- The management of pre-flight briefing of SCPs and their safety assistant may become a cause of flight delays;
- The type of sub-categories of SCPs should be clearly defined with a standardization of their terminology;
- The interference between this regulation and other National, European and International regulation shall be better taken into account.

These general comments are developed and explained article by article, in the further relevant sections of the CRT associated to the NPA 2014-01.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 85 comment by: AEA

The AEA general speaking welcomes the EASA NPA, which is based on the work of the EASA SCP rulemaking group. The AEA believes that this NPA establishes effective risk mitigating measures whenever SCPs are carried. The AEA also agrees with the EASA analysis that some of the recommendations from the TuV Rheinland Study would not be justified on safety grounds (i.e. changes to aircraft certification requirements & structures as well as minimum cabin crew requirements).

Nevertheless the AEA has a number of detailed comments as explained below.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 86 comment by: AEA

The AEA agrees with the EASA proposal to only amend AMC and Guidance Material but not to propose changes to the Implementing Rules of Reg. 965/2012 (Air OPS). The AEA believes that this is the most efficient way to tackle this issue bearing in mind the many situations which requires some flexibility.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).



comment

100

comment by: Luftfahrt-Bundesamt

Commented by: LUFTFAHRT-BUNDESAMT, Germany

Date: 10 April 2014

Question No 1 on briefing of safety assistants for stretcher occupants

This proposal includes GM on briefing the safety assistant of the stretcher occupant to disconnect medical equipment and leave the equipment behind. This GM is based on the recommendation of the TÜV Rheinland study that 'stretcher patients should be evacuated without the stretcher and that vital medical devices (respiration apparatus, infusions) mounted on the stretcher should be removable and mobile. <...> The ability to evacuate a stretcher via a slide was not proven according to the present knowledge. Sharp edges on the stretcher may damage the slide. Furthermore the behavior of a stretcher on a slide and during leaving the slide is not known.' The study recommends further investigations regarding evacuation of stretcher patients. The Agency invites stakeholders to comment on the proposed new GM1 CAT.OP.MPA.155(b) on evacuation of stretcher patients.

Comment on question no. 1: Briefing of safety assistants for stretcher occupants

With regard to taking medical and personal care of the patient under normal conditions and in case of emergency, a stretcher patient should be accompanied by at least two safety assistants (minimum age 18 and physically suited), who in case of emergency are capable of evacuating him/her (without stretcher). One of those safety assistants should be a medical professional (e.g. paramedic, nurse, etc.).

An SCP/PRM Briefing Leaflet should be handed over to the safety assistants in advance.

Patients on stretchers, who for medical reasons may not be disconnected from medical equipment and may not be moved without stretcher, should be excluded from a public transport flight but should be transported on an ambulance flight.

Question No 2 on a maximum number of SCPs on board

The existing AMC of the Air Ops Regulation (AMC1 CAT.OP.MPA.155(b)) establishes a list of factors that operators should consider when carrying SCPs, such as:

- (a) the aircraft type and cabin configuration;
- (b) the total number of passengers carried on board;
- (c) the number and subcategories of SCPs, which should not exceed the number of passengers capable of assisting them in case of an emergency evacuation; and
- (d) any other factor(s) or circumstances possibly impacting on the application of emergency procedures by the operating crew members.

The maximum number of SCPs contained in (c) above is, therefore, only one out of four elements to be considered when carrying SCPs. For certain operations, depending on the aircraft type used, a lower limit would theoretically be possible.

The TÜV Rheinland study stated that existing research does not provide evidence to establish a precise maximum limit for SCPs or for a certain fixed number of certain subcategories of SCPs, e.g. four (4) wheelchair passengers, on a given flight. Some stakeholders have requested that the Agency proposes such a precise limit, e.g. four (4) wheelchair passengers on a given flight.

The Agency invites stakeholders to comment on whether there is a need to define a further limit than the one already contained in AMC1 CAT.OP.MPA.155(b) which states that the operator should take into account a number of factors when carrying SCPs, including the factor that the number and subcategories of SCPs should not be greater than the number of passengers capable of assisting.

Comment on question no. 2: Maximum number of SCPs on board

If the 90 seconds rule for evacuation continues to be applied, a compensation for a deferral of evacuation should be introduced, e.g. increase in the number of safety assistants (1 per SCP/PRM, 2 for a non-mobile SCP/PRM who has to be carried) or a reduction of the number



of passengers.

The maximum number of SCP/PRM should be calculated by means of a risk classification and quantification scheme (analogously to the TÜV study, pages 121 – 133). The risk saturation level for each aircraft configuration should be defined by the operator in cooperation with the manufacturer in advance.

It should be taken into consideration to request the manufacturers to define such saturation levels on the basis of their maximum passenger seating capacities indicated in the TCDS (OSD discussion).

The number of passengers capable of assisting SCP/PRM should be reduced by the number of Able Bodied Persons (ABPs) required for doors and exits.

Question No 3 on proposed AMC for a safety assistant

Where this proposal addresses a safety assistant in certain limited cases, it is based on Article 4(1) of Regulation (EC) No 1107/2006, which stipulates that an air carrier may only refuse carriage to a PRM in order to meet applicable safety requirements (or if the size of the aircraft or its door makes embarkation or carriage physically impossible). This proposal includes new AMC, describing under which conditions a safety assistant could accompany the SCP. The wording of the new AMC in this NPA is based on the UK's Code of practice and states that SCPs should only be required to travel with a safety assistant, when it is evident that they are not self-reliant and their carriage could pose a safety risk to themselves, the crew or other passengers. This NPA proposes a safety assistant for passengers who are unable to:

- (a) unfasten their seat belt, or
- (b) leave their seat and reach an emergency exit unaided, or
- (c) retrieve and fit a life jacket, or
- (d) fit an oxygen mask without assistance, or
- (e) follow instructions given by the crew in an emergency situation.

Stakeholders are invited to comment on the content of this new AMC.

Comment on question no. 3: Safety Assistant

We welcome the proposal of having an SCP/PRM accompanied by a „Safety Assistant“ and appreciate the more detailed definition of conditions under which a „Safety Assistant“ is required.

In addition we suggest to hand over a briefing leaflet providing information on assistance in normal and emergency situations to the SCP/PRM and his/her „Safety Assistant“ not later than during check-in.

Question No 4 on definition of safety assistant

This proposal includes a new definition of 'safety assistant' as a newly proposed GM to Annex I (Definitions) to the Implementing Rules of the Air OPS Regulation. Do stakeholders agree with the proposed definition? Could it be misunderstood or should it be extended? In addition, the Agency proposal includes a minimum age of 16 years for the safety assistant. Stakeholders are requested to advise the Agency whether a minimum age is a realistic measure and whether 16 years is an adequate age when considering the responsibility of being responsible for a passenger, e.g. a passenger who cannot evacuate on his or her own. Stakeholders are invited to comment on the definition of a safety assistant and the proposal to establish a minimum age of 16 years for the safety assistant.

Comment on question no. 4: Definition of 'safety assistant'

Keeping in mind that in an emergency the physical fitness and sense of responsibility of the „Safety Assistant“ are essential, this person should be at least 18 years of age.

If the physical constitution of the SCP/PRM requires more than one person for evacuation, s/he should be accompanied by a second „Safety Assistant“.

Question No 5 on alternative means to restrain severely disabled children during flight



Annex II to Regulation (EC) No 1107/2006 on the rights of disabled persons and persons with reduced mobility when travelling by air requires that operators 'must make all reasonable efforts to arrange seating to meet the needs of individuals with disability or reduced mobility on request and subject to safety requirements and availability'. Today's safety requirements do not allow a child over the age of two to occupy the same seat as their parent/guardian (CAT.OP.MPA.225(b)(2) Seats, safety belts and restraint systems). In the case of severely disabled children, some children cannot be safely restrained in their own seat. Also, they may have limited ability to sit upright unaided or to use an aircraft seat and safety belt effectively. Despite being above the age of two, the child can weigh less and be much smaller than other children of the same age. For those severely disabled children, a change to the Implementing Rule requirements in CAT.OP.MPA.225(b) would enable them to travel, e.g. by using a loop-belt and occupying the same seat as their parent/guardian. One Member State has requested the Agency to allow such children, over the age of 2 years, to be seated on the same seat as their parent/guardian, utilising a restraint aid, such as a supplementary loop-belt during taxi, take-off and landing (and any other times as the pilot-in-command deems necessary). The Member State argues that this is the preferred method as it is the most comfortable method to accommodate the safety needs of the disabled child. However, this practice is contrary to the requirement that children over the age of 2 must occupy their own seat. Since the multi-occupancy would only be needed for restraint during taxi, take-off, and landing (and any other times as the pilot-in-command deemed necessary) so a further consideration is whether operators should ensure that a separate seat is provided for the use of the child during other phases of flight e.g. in the cruise when the seat belt signs are not illuminated. The separate seat could still be used by the child in the cruise and would remove the necessity for the severely disabled child to remain on the parents' lap for the duration of the flight. In addition, for operators who have maximum seating, if the separate seat was utilised by someone else it could take the Maximum Passenger Seating Capacity (MPSC) over that at which the aircraft has been certificated. A change to the rules would allow the child to travel. The change to the requirements of the Implementing Rule should be subject to the following conditions:

(a) It shall only be relied on in respect of children, aged two years or more, who because of physical disability cannot be properly secured in their own seat using the aeroplane safety belt.

(b) It shall only be relied on if the operator has satisfied itself that the child cannot be secured using any other supplementary restraint device, support, or comfort aid that can reasonably be made available.

(c) The operator must satisfy itself that having regard to the size and weight of the child, the child may be satisfactorily restrained.

(d) The operator shall specify in its operations manual which aircraft seats can be used for the purpose of this exemption.

(e) The commander shall ensure that the child is restrained by a child-restraint device, e.g. a supplementary loop or other restraint device.

Stakeholders are invited to comment on this proposal to change the existing Implementing Rules (IRs) via a separate Agency Opinion and to exempt severely disabled children above the age of two from the requirement to occupy their own seat during taxi, take-off, and landing and any other times as the pilot-in-command deems necessary.

Stakeholders are also invited to comment on whether operators should ensure that a separate seat is provided for the use of the child at other times in flight.

Comment on question no. 5: Restraint of severely disabled children during flight

We consider the proposal to place a child over two years on the lap of the accompanying adult – whether secured with a loop belt or not - not acceptable.



If a child is not capable of sitting unaided there is a high probability of a seating aid already being available. The best solution would be to transport the child in its "normal" seating aid provided it has been verified that the seating aid can be safely placed and secured on the passenger seat with the normal seat belt.

In cases where the preferred solution described above is not feasible, an alternative device for transportation, e.g. the MERU TRAVEL CHAIR, might be considered.

Comment on Seating Allocation

We consider it essential to have the correct seating allocation completed prior to passenger boarding.

The general practice to pass the problems on to cabin crew who cannot escape the situation and their responsibility is not acceptable.

The travel of children and their accompanying adults in different classes of cabin is not considered acceptable for two reasons:

1. The transferral of responsibility from parents/accompanying adults to third parties not actually involved is not acceptable.

2. We expect a safety problem in case of emergency, if the family members try to reunite.

SCP/PRM or the second safety assistant should be allocated the window seat. Otherwise the window seat may not be occupied.

Disabled passengers with seating aids should preferably be seated in seat rows with bulkheads behind.

Passengers being capable of assisting an SCP/PRM should be asked whether they are prepared to take the role as assisting person (e.g. for a UM). This should be clarified at the gate at the latest.

Comment on SCP/PRM Standard Briefing

Individual briefings of SCP/PRMs and their safety assistants by the cabin crew in addition to the standard briefings is considered unacceptable in view of the high workload of the cabin crew during turn-around and cabin preparation. This applies especially to single cabin crew operation.

An increase of workload should be compensated by assigning additional cabin crew members or by allowing more turn-around time to ensure that all duties can be performed in the available time.

We suggest a briefing leaflet providing information on assistance to SCP/PRM in normal and emergency situations to be handed over to the SCP/PRM and his/her „Safety Assistant“ not later than during check-in to keep the workload for cabin crew on an acceptable level. Please refer also to our comment on the item "Emergency Operation" (GM3 CAT.OP.MPA.155(b)).

The briefing leaflets should be available on board as well.

Comment on SCP/PRM Emergency Briefing

Individual briefings of SCP/PRMs and their safety assistants by the cabin crew in addition to the standard emergency briefings of passengers and ABPs is considered unacceptable in view of the high workload of the cabin crew during cabin preparation in case of a prepared emergency landing/ditching. This applies especially to single cabin crew operation.

Comment on conditions of safe carriage for unaccompanied children

The travel of children and their accompanying adults in different classes of cabin is not considered acceptable (refer to the above mentioned).

(Preferably female) passengers being capable of assisting an UM should be asked whether they are prepared to take the role of an assisting person. This should be clarified at the gate at the latest. The assisting passenger should receive a briefing leaflet to prepare her (him) for the required duties in normal and emergency situations. UM and assisting passenger should be introduced to each other at the gate.

The UM should receive a briefing of the content of the passenger safety briefing card by the



	<p>person accompanying the child from check-in to the gate. Comment on Cabin Crew Training AMC1 ORO.CC.140 should be amended as follows: (b) (3) and (4) should be part of the annual training. Furthermore, we propose to replace (b) (3) and (b) by the following text: “Training on normal and emergency procedures should also include training on normal and emergency procedures for special categories of passengers established by the operator“. The new text should be included under (a). Resume In view of the demographic trend and as the carriage of SCPs is a global issue, a long-term solution should be developed also with the support by ICAO that offers simple and practicable procedures to all stakeholders. For this purpose, cabin interiors (seats, lavatories, stowage for on-board wheelchairs, child restraint devices, seating aids for severely disabled persons, stretchers) should be designed that adequately consider the needs of SCPs and PRMs and adequate procedures to be followed by all operators should be developed. Furthermore, the evacuation demonstration should take into account a certain percentage of SCPs and PRMs. This percentage should be indicated in the TCDS, so that a limitation of maximum numbers of SCP/PRMs may be deduced (OSD). For the time being it is highly improbable that CS 25.803 is complied with in actual operations. Any legislation/procedures should ensure that operators with smaller aircraft and single cabin crew operation are not burdened disproportionately. The rights of SCP/PRMs to travel may not curtail the rights of Non-SCP/PRM of safety.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>135 comment by: UK CAA</p> <p>Page No: N/A Paragraph No: Various Comment: UK CAA suggest the terminology should be reviewed for consistent use of passenger classification in all AMC and GM. Examples include: AMC4 CAT.OP.MPA.155(b) refers to ‘children up to the age of twelve years’ GM1 CAT.OP.MPA.155(b) refers to ‘children of less than 12 years of age’ and GM2 CAT.OP.MPA.155(c) refers to ‘children up to 12 years old’ Justification: To align with Annex I – Definitions Used in Annex II-V – Air Operations regulation. Proposed Text: ‘(5)(b) child/children ... are less than 12 years of age’.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>156 comment by: CAA-NL</p> <p>The Netherlands comments on EASA NPA 2014-01 on Carriage of Special Categories of Passengers (SCP’s). Draft EASA Decision proposed changes to ED Decision 2012/015/R – Definitions The RIA gives on page 46 item 4.6.2.1. the following legal uncertainty: “Those passengers</p>



expected to assist the SCP in case of an emergency situation take on themselves an additional burden and may just accept this responsibility because they feel pressured by the cabin crew, the SCP or other passengers. Those passengers are unlikely to understand the aviation safety risks involved, nor the individual capabilities of the SCP they are asked to assist. The legal question whether such a responsibility can be transferred to an unrelated passenger, who is not aware of the consequences, has not been assessed in detail in this RIA, since it is outside the scope of this rulemaking task, but has been raised by rulemaking group members." We conclude that for a formal assigned safety assistant there will be legal responsibilities and therefore we suggest to increase the minimum age to 18 years. This is the age at least in the Netherlands where a person becomes fully responsible for its own actions.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

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comment by: Charles Briffa

Malta wants to enter the following comment to NPA 2014-01.

"Malta objects to this proposal for the reasons outlined hereunder:

Although there are benefits to this Notice of Proposed Amendment - not least of which to those who need such assistance when required in certain situations - cases may arise where those chosen by the crew to act as assistants may not always be willing, and perhaps not pleased at all, to have been chosen to act as such. Consequently, an alternative could be found even prior to assigning seats to unwary passengers who may be faced with the situation when on board without any hope of finding someone to change seats with if they do not wish to offer their assistance. One issue would be what would happen if such a passenger would refuse to offer assistance and there is nobody else who would offer such assistance. One must remember that, in case of emergency or evacuation, most passengers would tend to fend for themselves rather than attend to the needs of others, at the risk of losing their own life or limb.

The discretionary power given to the cabin crew to re-allocate special categories of persons (SCP) next to an able-bodied person may put undue pressure on the said person who would have boarded the aeroplane unaware of this circumstance (to enjoy the flight and not to assist other persons), and who may not be inclined to assist. This will therefore not achieve the desired results.

In this regard, Malta believes that there should be a limit on the number of SCPs and the operator may require that an assistant is available next to the SCP, who would be aware of the risks involved before booking the flight."

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

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comment by: Swiss International Airlines / Bruno Pfister

Swiss Intl. Air Lines participated in formulating the AEA comments below and submits them as being fully in line with our own.

SWISS and AEA Comments to EASA Notice of Proposed Amendment (NPA) 2014-01 (Carriage of Special Categories of Passengers (SCPs))

General AEA Comment (1):

The AEA general speaking welcomes the EASA NPA, which is based on the work of the EASA



SCP rulemaking group. The AEA believes that this NPA establishes effective risk mitigating measures whenever SCPs are carried. The AEA also agrees with the EASA analysis that some of the recommendations from the TuV Rheinland Study would not be justified on safety grounds (i.e. changes to aircraft certification requirements & structures as well as minimum cabin crew requirements).

Nevertheless the AEA has a number of detailed comments as explained below.

General AEA Comment (2):

The AEA agrees with the EASA proposal to only amend AMC and Guidance Material but not to propose changes to the Implementing Rules of Reg. 965/2012 (Air OPS). The AEA believes that this is the most efficient way to tackle this issue bearing in mind the many situations which requires some flexibility.

Question No 1 (Briefing of Safety Assistants for Stretcher Occupants)

AEA reply:

At most of the AEA members, safety assistants are currently briefed on a case by case basis. Further briefing could be implemented into the booking process.

Most of the AEA members do not accept patients on a stretcher who require life sustaining measures (such passengers would need to be carried on dedicated ambulance flights). The AEA supports the TuV Rheinland's view that the evacuation of the complete stretcher is dangerous for the patient and the crew/other passengers, if not (technically) impossible, because of the stretcher's fixture in the cabin.

Question No 2 (Maximum Number of SCPs on-board)

AEA reply:

The AEA agrees with the EASA proposal not to define a specific limit. This is in line with the fact that there are many different situations (types of SCPs, type of aircraft etc) which cannot be easily translated into a hard limit. Most airlines have done away with a hard limitation due to the US DoT guidelines on PRMs.

Question Nr 3 (Proposed AMC on Safety Assistant)

AEA reply:

The proposed AMC on Safety Assistants, which as such is in line with the UK Code of Conduct, is reasonable and supported. Nevertheless, the question will arise how to enforce such a requirement as long as it does not put some ownership on the passengers during the booking process and/or the check-in procedure. The question will also arise how to deal with such a requirement in the case of transfer passengers on code-share flights with non-EU airlines, who might be subject to different requirements.

Question Nr 4 (Definition of Safety Assistants)

AEA reply:

Today passengers book their flight online and check-in online. It is essential that the airline can assess both the passenger's and the safety assistant's physical ability. The ability to assist depends on various factors other than age such as mental and physical capability.

Some sub-categories of SCPs travel with teenagers who are physically and mentally fully capable to assist them e.g. blind passengers only need guidance. The AEA therefore also proposes to change the minimum age of a safety assistant to 12 (instead of 16).

Question Nr 5 (Alternative Means to Restrain Severely Disabled Children During Flight)

AEA reply:

The AEA agrees with the EASA proposal to allow such children over the age of two to occupy the same seat as their parent/guardian (during taxiing, take off and landing).

On the question whether a separate seat should be provided for the use of the child at other times in-flight, the AEA agrees with this proposal as long as it does not impact individual airline commercial policies (whether or not to charge for such a separate seat)

AMC2 CAT.OP.MPA.155(b) & GM1.CAT.OP.MPA.155(b) (Briefing of SCP and Safety Assistant)



	<p>AEA Comment: Whereas most of the proposed briefing requirements are reasonable as general information or in specific cases, it would be impractical to implement a dedicated briefing by the cabin crew for each and every SCP or safety assistant (in particular in terms of aircraft turn-around times and the potential interference with more safety critical cabin crew duties) The AEA therefore suggests allowing for different means to achieve the same objectives i.e. the use of information leaflets (to be made available at booking or check-in) or briefing cards. AMC4 CAT.OP.MPA.155(b) (Conditions for Safe Carriage of Unaccompanied Children) AEA Comment: The AEA agrees with the proposal that children up to the age of 12 years old, separated from the accompanying adults, who are travelling in another cabin class, should be regarded as unaccompanied children, to ensure that they are assisted in case of emergency situations GM1 CAT.OP.MPA.155(c) (Group Seating of Special Categories of Passengers) AEA Comment: The requirement to avoid group seating of extremely obese passengers might be very difficult to enforce in practice.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>197 comment by: Romanian CAA</p> <p>Romanian CAA Comments to NPA 2014-01</p> <p>1. AMC1 CAT.OP.MPA.155 (b): (c): There should be a specification/definition for „passenger capable of assisting them..”</p> <p>2. AMC3 CAT.OP.MPA.155(b): Who decides and how is possible to prove the „evidence”?</p> <p>3. AMC4 CAT.OP.MPA.155(b): The text should be more detailed so to be more clear for the operators;</p> <p>4. GM1 CAT.OP.MPA.155(b): Concerning the briefing procedure, if the pax seated next to SCP is not a „safety assistant”, is it possible for this one not to be able to help (does not want, does not understand, is scared....). So, is it acceptable for the operator to take this risk or is better to implement the necessity of a passenger safety statement (for example that he/she is self responsible for this kind of situations)? On the other hand, the text does not comply with the text at point (c) of AMC3 CAT.OP.MPA.155 (b)-SCP travelling with a safety assistant, because according to this, the „passenger with disability of upper limbs”, if unable to fit a life jacket, must have a safety assistant.</p> <p>5. GM1 CAT.OP.MPA.155(c), point (b): The text should be more clear, in order to help operators to establish those procedures; furthermore, the wording „passengers capable of assisting”, should be defined;</p> <p>5. GM2 CAT.OP.MPA.155(c): Regarding the „unaccompanied child”, the wording „where possible”, should be avoided so the operator to be able to establish procedures according to any situation; Concerning the „assistance dogs” how is it possible for an operator to be responsible for the safety of the other passengers seating in the vicinity of the dog, if the restraint harness allows him to move if scared and maybe to hurt the other passengers.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).



responses).

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comment

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comment by: European Disability Forum

The European Disability Forum (EDF) is the European umbrella organisation representing the interests of 80 million persons with disabilities in Europe. The mission of EDF is to ensure that disabled people have full access to fundamental and human rights through their active involvement in policy development and implementation in Europe. EDF is a member of the Social Platform and works closely with the European institutions, the Council of Europe and the United Nations.

EDF welcomes in principal a clarification of the safety rules in air travel as persons with disabilities can be currently denied boarding under Regulation 1107/2006 if the airline deems it to be a safety risk. However, the changes that the EASA proposes are not fully satisfactory either. Both the status quo and the proposed changes leave too many possibilities for airlines to deny transportation to persons with disabilities, which is discrimination.

EDF has singled out three main points of concern for persons with disabilities which are explained in more detail below.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

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comment by: European Disability Forum

Attachment #1

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

EXECUTIVE SUMMARY

p. 1

comment

28

comment by: Disabled Peoples Organisations Denmark

DPOD Response to the EASA Consultation on
Special Categories of Passengers

DPOD - Disabled Peoples Organisations Denmark - finds the initiatives of briefing PRMs and PWDs on safety procedures of importance; also the proposals of training the cabin crew and the elaboration of guidelines/manuals for evacuation strategies of PRMs and PWDs will be an improvement of great value.

It is of course of crucial importance to claim all passenger briefing-documents like leaflets, websites, videos, etc. on safety procedures to be fully accessible to all target groups of PWDs.

We are worried why it does not clearly emerge from the text, who will actually be responsible for the evacuation of a PRM, who are not able to walk and thus have to be carried during an incident of evacuation?

Pg. 13 og 14, point 2:



DPOD recommends clarification and clear distinction of what will be a) the exact tasks and legal responsibility of the cabin crew/aircraft personnel; b) the tasks and responsibility of the personal assistant of the PRM or PWD, c) the tasks and responsibility of the “safety assistants” proposed. Related to PRMs, who are not able to walk during the incident of an evacuation and related to all target groups of PRMs and PWDs.

It is important for DPOD to emphasize the fact, that in the incident of an evacuation neither a “safety assistant” nor our own personal assistant will be able to carry us as PRMs to the emergency gate of the aircraft. Inevitably it has to be the task and responsibility of the airline company and the aircraft personnel to have a realistic evacuation strategy and to provide for the aids and appliances needed to evacuate PRMs and PWDs. DPOD is strongly opposed to the proposal of “safety assistants”, if they are not selected among the aircraft personnel only.

We recommend EASA instead to advocate and promote the research and collection of existing materials and experience of evacuation of PRMs and PWDs - inclusive of the aids and appliances necessary to meet the needs of the safest possible evacuation of PRMs and PWDs.

Furthermore at EU-level we strongly recommend the elaboration of accessibility standards for aircrafts (like seats and seating, aisle width, flextoilets/accessible toilet in aircrafts, on-board wheelchair, etc., the standards to be adapted also to meet the needs of the aids and appliances necessary for the evacuation of PRMs and PWDs (aisle width, evacuation via on-board wheelchair or stretcher, aircraft seats designed with wheels as for instance this example - www.youtube.com/watch?v=AxOT99U-xJ8 etc.).

For further explanation or questions please contact DPOD, Monica Løland - tel.: +45 36 38 85 24 or e-mail: mol@handicap.dk

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

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comment by: European Cockpit Association

We agree with the general content, but we do have a comment about the Special Categories of Passengers referred to in the NPA. The definition of Special Categories of Passengers is given in the explanatory note of chapter 2, and seems to provide a correct and complete overview. However, further in the document a new category is introduced, (extremely) obese passengers. Our two comments are:

- 1) (extremely) obese passengers are introduced in the NPA without being defined neither stated in the definition of Special Categories of Passengers
- 2) Defining (extremely) obese passengers is very subjective, and also varies among different cultures. This might lead to undesired situations. Therefore the inclusion of obese passengers in this NPA is questionable

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

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comment by: IACA International Air Carrier Association

IACA welcomes the fact that - contrary to the 2009 TÜV Rheinland study on the carriage of SCPs - the NPA does not call for a change in aircraft certification requirements as other mitigating measures are highly effective.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).



responses).

comment

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comment by: European Transport Workers Federation - ETF

Attachment #2

Please see attached comments from ETF - European Transport Workers Federation.

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response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

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comment

155

comment by: CAA-NL

The Netherlands comments on EASA NPA 2014-01 on Carriage of Special Categories of Passengers (SCP's).

General Comments

The EU regulation on Passengers with Reduced Mobility EC 1107-2006 gives in article 4.1.b the possibility for limitations of PRM's due to the actual physical configuration of the aircraft. This NPA is fully concentrated on procedural measures which may have a better ground in the UN treaty on the rights of persons with a handicap of 13 December 2006. No reference nor link to this treaty is made in this NPA.

Q1:

We agree with the GM in general, however we would like to suggest for clarity to include the statement made in this question on vital medical devices. 'that vital medical devices (respiration apparatus, infusions) mounted on the stretcher should be removable and mobile and could be taken with an evacuation'.

Q2:

We do not think there is an additional need to define further limits on top of the included in AMC1 CAT.OP.MPA.115(b).

Q3:

We support the current proposal for this AMC.

Q4:

The RIA gives on page 46 item 4.6.2.1. the following legal uncertainty: "Those passengers expected to assist the SCP in case of an emergency situation take on themselves an additional burden and may just accept this responsibility because they feel pressured by the cabin crew, the SCP or other passengers. Those passengers are unlikely to understand the aviation safety risks involved, nor the individual capabilities of the SCP they are asked to assist. The legal question whether such a responsibility can be transferred to an unrelated passenger, who is not aware of the consequences, has not been assessed in detail in this RIA, since it is outside the scope of this rulemaking task, but has been raised by rulemaking group members." We conclude that for a formal assigned safety assistant there will be legal responsibilities and therefore we suggest to increase the minimum age to 18 years. This is the age at least in the Netherlands where a person becomes fully responsible for its own actions.



response	<p>Q5: We agree with the proposal to change the existing IR via a separate opinion to be able to exempt certain disabled children above the age of 2 to occupy always their own seat. We do not agree with the possibility to occupy this seat with another passenger.</p> <p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>157 comment by: CAA-NL</p> <p>The Netherlands comments on EASA NPA 2014-01 on Carriage of Special Categories of Passengers (SCP's).</p> <p>AMC4 CAT.OP.MPA.155(b) Carriage of special categories of passengers (SCPs) We wonder why there is a difference in the applicability of (a) and (b), not self-reliant children ☒☒ children up to the age of 12. We suggest to use the criteria of (a) for both (a) and (b) so (b) would be: “(b) Children, which are not self-reliant, separated from the accompanying adult(s), who are travelling in another cabin class, should be regarded as unaccompanied children, to ensure that they are assisted in case of emergency situations.” If this suggestion is accepted it also triggers changes in the table of GM1 CAT.OP.MPA.155(b) and the table of GM2 CAT.OP.MPA.155(c).</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>158 comment by: CAA-NL</p> <p>The Netherlands comments on EASA NPA 2014-01 on Carriage of Special Categories of Passengers (SCP's).</p> <p>GM1 CAT.OP.MPA.155(b) Carriage of special categories of passengers (SCPs) In this table under 'Passenger with disability of upper limbs' the briefing of the passenger seated next to SCP is described. This seems to be inconsistent with AMC3 CAT.OP.MPA.155(b) where the necessity of a safety assistant is described. AMC1/2 CAT.OP.MPA.155(c) Carriage of special categories of passengers (SCPs) We wonder how this will work with all current possibilities for self assignment of seats with pre-boarding through the internet.</p> <p>Impact assessment, General Comment: The do nothing option always scores a -1 on safety impact solely due to the expected increase of the number of SCP's. This fully ignores the possibilities of improvements to be initiated by the SMS of the operators which are now being developed. Only in 4.7.1 some credit is given to the SMS of the operator but then only with option 1 where there is a risk evaluation assigned to the operator. 4.8.4.1. Option 2 an economic impact score of -3, although we agree that this option would require a considerable effort from the to establish such limits for its fleet /operations, we think that this will not generate the repetitive annual costs as are linked to this value.</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>



	responses).
comment	159 comment by: CAA-NL
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	160 comment by: CAA-NL Attachment #3
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).

2 Explanatory Note	p. 7-10
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comment	2 comment by: Reduced Mobility Rights Limited EDF stands for European Disability Forum, not European Disability Foundation like incorrectly mentioned in the Explanatory Note.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	26 comment by: European Disability Forum Please change the name to "European Disability Forum"
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	57 comment by: FNAM-French Aviation Industry Federation According to the paragraph "Operational procedures applying to SCPs" p.8, EASA listed four factors "that operators should consider when carrying SCPs". The factor (c) indicates that "the number and subcategories of SCPs, which should not exceed the number of passengers capable of assisting them in case of an emergency evacuation". FNAM wants to point out that this requirement would be unmanageable for the operators, who will have to wait until the end of the boarding to know if they can accept or not some subcategories of SCPs on board. As per example, it is not possible to implement quotas on the number of infant, UM, or obese passengers... carried. This requirement would be against the principle of anti-discrimination. Moreover, the EASA and the FAA regulation would be thus divergent. The procedures on a code-share flight between an European and an American operator will be just unmanageable as the passenger will be treated with differences from one leg to another of the flight. FNAM acknowledges that the way the AMC is currently written does not differ much from the drafted proposition and that current and future provisions are worded the same way JAA guidance was. Nevertheless, there are circumstances where meeting (c) will be very difficult



	and these exceptional circumstances should somehow be reflected in the AMC. To conclude, FNAM is requesting to remove this state (c) from the factors which have to be considered by operators when carrying SCPs.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>58 comment by: FNAM-French Aviation Industry Federation</p> <p>According to the paragraph “How did the Agency embark on this rulemaking task?” p.10, this NPA affects CAT operators of aeroplanes, and the CAT operations on helicopters, sailplanes and balloons, and “as well as non-commercial operations” are excluded from the scope of it. FNAM agrees with this proposal. However, within the RIA part 4.1.2. “Who is affected”, it is written:</p> <p>“The following stakeholders are affected by this proposal:</p> <ul style="list-style-type: none"> — Commercial Air Transport operators, who must ensure safe carriage of all passengers on board and who provide information to SCPs, e.g. on their website. - CAT operators of aeroplanes and helicopters, although helicopter operations are mostly conducted in aircraft with smaller cabin and without cabin crew. Therefore, many of the NPA amendments will not apply to helicopter operators. - Non-commercial operators and operators with non-motor-powered aircraft, e.g. sailplanes and balloons are excluded from the scope of this NPA. “ <p>These two paragraphs are completely contradictory. Thus, FNAM is suggesting to EASA to change this last paragraph p.33 as follows:</p> <p>“The following stakeholders are affected by this proposal:</p> <ul style="list-style-type: none"> — Commercial Air Transport operators with aeroplanes with cabin crew, who must ensure safe carriage of all passengers on board and who provide information to SCPs, e.g. on their website. <p>CAT operators with other categories of aircraft, and non-commercial operators and operators with non-motor-powered aircraft, are excluded from the scope of this NPA. {...}”</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>108 comment by: DGAC France</p> <p>Page 10 - paragraph just before paragraph 2.1 Although the NPA mentions the following :</p> <p>“Finally, the scope of this proposal is limited to commercial air transport (CAT) with aeroplanes. CAT operations with other categories of aircraft (e.g. helicopters, sailplanes, and balloons) as well as non-commercial operations are not addressed with this rulemaking activity”</p> <p>There is no such formal exclusion of other than CAT-aeroplane operations from the provisions foreseen.</p> <p>On the contrary, on the same topic, page 33 in paragraph 4.1.2 :</p> <p>“The following stakeholders are affected by this proposal:</p> <p>Commercial Air Transport operators, who must ensure safe carriage of all passengers on board and who provide information to SCPs, e.g. on their website.</p>



- CAT operators of aeroplanes and helicopters, although helicopter operations are mostly conducted in aircraft with smaller cabin and without cabin crew. Therefore, many of the NPA amendments will not apply to helicopter operators...”
 DGAC supports the limitation of the scope of the modified rules to operations conducted under CAT with aeroplane.
 The measures needed for boarding SCP in e.g. helicopters could be directly dealt with company procedures. Accident records should confirm that SCP is not an issue for this kind operations for the time being.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

2.1 Overview of the issues to be addressed

p. 10-12

comment

59

comment by: FNAM-French Aviation Industry Federation

Regarding safety risks for smaller children, and particularly the use of child restraint devices, FNAM agrees with EASA to wait the ICAO deliberations on child restraint devices. Today, the new devices possible requirements are still not clear.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

2.3 Summary of the Regulatory Impact Assessment (RIA)

p. 12-15

comment

60

comment by: FNAM-French Aviation Industry Federation

Regarding the paragraph (b), FNAM agrees that additional requirements for «CABIN CREW TRAINING » are needed. However, FNAM insists on the fact that these requirements should not lead to additional extra costs for operators which are already in economic difficulties.
 Regarding the paragraph (c), EASA integrates the notion of “obese passenger”. Some measures of mitigation are defined for this category of SCPs.

First of all, FNAM raises the issue of the definition of an obese passenger. Who will have the responsibility to judge if a passenger is obese? Will it be on the opinion of the cabin crew, or a specific maximum weight will be defined? In part 4.8.2.2 “Seating allocation for specific SCPs”, EASA states that “from a certification point of view, group seating of SCPs that are extremely obese should be avoided, since each individual seat place is certificated for a maximum weight of 77 kg.” The limit of 77kg cannot be acceptable.

Secondly, it is required that the number of obese has to be limited in the same row to “ensure that the seat structure, can better resist the additional strain”. FNAM would like to point out that the argument of seat structure developed by EASA depends on the type of aircraft and of the type of cabin configuration. As per example, there will be less consequence on an A380 than on an ATR 42 due to the mass of the aircraft. Moreover, this requirement will imply the cabin crew to distribute a family of person qualified as “obese” all over the aircraft and thus to separate them which will be discriminatory.

Finally, FNAM points out that we can't characterize a category of SCP as a cause of safety risk. This is as well discriminatory from the other passengers.

To conclude, such a requirement won't be able to enforce in practice by the operators.



response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	61 comment by: FNAM-French Aviation Industry Federation FNAM agrees with and supports the decision taken on the paragraph (e) which states that changes to certification requirements regarding the minimum number of cabin crews have been disregarded due to other mitigating measures.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	110 comment by: DGAC France Page 14 - paragraph 2.3 The NPA stipulates : " (e) Finally, safety risks stemming from certification requirements, such as evacuation test requirements, and specific certification elements, such as minimum number of cabin crew, number and position of cabin crew stations, aisle width, size of emergency exit doors, access to exits considering evacuation of SCPs, have also been assessed in this NPA... this NPA concludes that a change in certification requirements whenever SCPs are carried is not called for due to the following reasons: ..." The fact that no change is foreseen for certification requirements is fully supported.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).

2.4 Overview of the proposed amendments

p. 15-19

comment	5 comment by: Reduced Mobility Rights Limited Table 1 (retained options....) Seating Allocation for specific SCPs, point 3 On surface, this option may seem to be most appropriate. However, it does not take into consideration two key aspects, availability of movable armrests and availability of onboard wheelchairs. It is borderline criminal to allow WCHC be scattered across the cabin on aircraft where movable armrests are available only on selected rows (easyjet) and onboard wheelchairs are not available (easyjet, jet2, flyBE, Aer Lingus, Cityjet and many more). Safety of the passenger should always be the focus of new rules. Allowing WCHCs to be manhandled into seats where movable armrests are not provided seriously hinders personal safety, and may lead to injuries, let alone cause delays with the enplaning/deplaning process. It may also prevents the passenger to move from/to the lavatory. We believe that, first and foremost, availability of movable armrests on all aisle seats and onboard wheelchair on all aircraft with more than 60 seats should be made compulsory before proposing this rule, mirroring the existing rule in 14 CFR Part 382.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).



responses).

comment

6 comment by: Reduced Mobility Rights Limited

Table 1 (retained options....) Seating Allocation for specific SCPs, point 1

Where and when objectively required, a safety assistant must be seated next to the SCP. This essential change requires the revision of (EC)1107/2006, Annex II, since airlines are simply required to make "all reasonable efforts to give such person a seat next to the disabled person".

However, the Head of the Passenger Rights Unit, Jean Louis Colson, said in December 2013 DG MOVE does not think the Regulation should be modified any time soon.

Passing the rule without making the case for a revision of the Regulation would generate a conflict of interpretation between this proposal and the covenant of the Regulation.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

7 comment by: Reduced Mobility Rights Limited

Table 1 (retained options....) Seating Allocation for specific SCPs, point 5

Include severe hearing loss, mental disability, Alzheimer's.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

8 comment by: Reduced Mobility Rights Limited

Table 1 (retained options....) Safety Assistant (Definition)

At least 18 years of age.

Add

(d) assist with the specific needs of the passenger. It makes little to no sense having a one to one solution whereby the assistant is able to assist the SCP during an evacuation but has no clue on, by example, how to feed him or her.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

84 comment by: Swedish Transport Agency, Civil Aviation Department
(Transportstyrelsen, Luftfartsavdelningen)

According to table 1 on page 17 (Retained options and proposed AMC and GM – Cabin Crew Training) this NPA proposes amendments to AMC to Part ORO regarding cabin crew training programmes for both conversion AND recurrent training.

The proposed amendment to AMC1 ORO.CC.140 contains only amendments for recurrent training. However there should also be a change to the operator conversion training



programme regarding specific procedures for SCPs.
Hence AMC1 ORO.CC.125(d) should also be changed by adding the proposed text in AMC1 ORO.CC.140(b)(3);
Training on normal and emergency procedures for special categories of passengers (SCPs) should cover the specific procedures established by the operator for the safe carriage of SCPs.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 131 comment by: DGAC France
Page 17 - Table 1 – Retained options and proposed AMC and GM
As far as cabin crew training is concerned the proposal is to address both initial training during conversion course and subsequent recurrent training :
"Amend applicable cabin crew training programmes in AMC to Part ORO for conversion training and recurrent training."
However, only ORO.CC.140 is later affected in the change proposal and not ORO.CC.125.
Note : paragraph numbering is not consistent with the title of the paragraph in table 1 second column :
"AMC1 ORO.CC.140(b) Aircraft type specific training and operator conversion training/
TRAINING PROGRAMME – OPERATOR CONVERSION TRAINING"
It should read :
"AMC1 ORO.CC.125(d) Aircraft type specific training and operator conversion training
TRAINING PROGRAMME – OPERATOR CONVERSION TRAINING
and
AMC1 ORO.CC.140 Recurrent training TRAINING PROGRAMMES"

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 163 comment by: FNAM-French Aviation Industry Federation
Regarding the "Table 1 – Retained options and proposed AMC and GM", as far as cabin crew training is concerned, the proposal is to address both initial training during conversion course and subsequent recurrent training:
"Amend applicable cabin crew training programmes in AMC to Part ORO for conversion training and recurrent training."
However, only ORO.CC.140 is later affected in the change proposal and not ORO.CC.125.
Note: paragraph numbering is not consistent with the title of the paragraph in table 1 second column:
"AMC1 ORO.CC.140(b) Aircraft type specific training and operator conversion training/
TRAINING PROGRAMME – OPERATOR CONVERSION TRAINING"
It should read :
"AMC1 ORO.CC.125(d) Aircraft type specific training and operator conversion training



	TRAINING PROGRAMME – OPERATOR CONVERSION TRAINING and AMC1 ORO.CC.140 Recurrent training /TRAINING PROGRAMMES"
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).

2.5 Open questions to stakeholders	p. 20-22
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comment	3 comment by: Reduced Mobility Rights Limited Q2: the only acceptable non discriminatory limit on carriage of SCPs is the total number of seats on board the aircraft less the number of seats located in an emergency exit. By example, an easyjet A319 configured with 156 PAX seats has 16 seats located in emergency exits (1ABCD and two overwing rows). Therefore the applicable limit for the carriage of SCPs would be 140. The reasoning behind this suggestion is the following: the SCP count is based on available data like prenotification of assistance or visual identification. However, passengers with hearing loss and invisible disabilities like Alzheimer's and dementia may not be identifiable in such ways. In this respect setting a limit of one able body to one SCP may preclude a person notifying of his/her different ability from carriage whilst allowing other undeclared SCPs onboard. This would not only create a blatant case of discrimination by means of compliance, but also alter the one to one ratio because undetected SCPs may prove unable to assist others during the emergency evacuation. Waiving the limit on carriage of SCPs would also create a common standard with 14 CFR Part 382.17 .
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment	4 comment by: Reduced Mobility Rights Limited Q3: The presence of the safety assistant is important; however the question does not address the special relationship in the case of carriage of UMs, whereby the assigned cabin crew watches over a non predetermined number of unaccompanied minors. If this concept is valid, whereby one person may be in charge of being safety assistant for a number of SCPs, then the question should have a broader scope as one cabin crew could be in charge of assisting three or four UA (Unaccompanied Adults), by example dementia sufferers. In our opinion, the presence of a one to one safety assistance should be limited in cases where the passenger has severe mobility limitations (cannot make his or her way to the emergency exits unaided), cannot follow instructions given by cabin crew like in the case of deaf/blind passengers (both conditions combined), or cannot cope with simple tasks or instructions like severe mental conditions. In all other cases, the possibility of an escort looking over a number of passengers like in the case of carriage of UMs should be allowed.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).



comment

30

comment by: United Kingdom Access to air travel working group

Question 2 – on a maximum number of SCPs on board.

There is no need to define a further limit.

Regulation EC1107/2006 concerning the rights of disabled persons and persons with reduced mobility (PRMs) when travelling by air ensures that PRMs have the same opportunities for air travel as those of others, in particular that they have the same rights to free movement, freedom of choice and non-discrimination. This should be the foremost consideration when defining a limit. A new rule here would potentially restrict access to flights for many PRMs creating barriers to access, particularly in regard to group travel involving a number of PRMs travelling together. It might also result in different policies adopted by different airlines which would undermine the principle of consistent standards of accessibility set out in Regulation 1007/2006.

There are also a number of practical obstacles to setting a precise limit. A high number of PRMs do not pre-notify of their assistance needs. Therefore as a result, airlines will not be able to manage such limits at the booking stage and SCPs may be denied boarding at the airport. In addition, PRMs might intentionally not pre-notify for fear of being refused boarding and therefore not receive assistance at the airport which they might rely upon. It is also often difficult to identify disabilities, particularly invisible disabilities (for example, hearing loss).

Question 3 on proposed AMC for a safety assistant

There is sometimes inconsistency with airline policies and practices on this. This might provide PRMs with more certainty about when they can travel alone and when they must have a carer. It would also provide airlines with more certainty in making decisions about when to require carer.

Question 4 - Definition of safety assistant

Deciding on the suitability of a safety assistance should only be done on a case by case basis and be based solely on whether the assistant is “capable of assisting” not any other arbitrary measure, such as the age of assistant (e.g. a 15 year old boy would be better physically able to help than a 16 year old girl). An age criteria could unduly restrict access. The definition of safety assistant should be “a passenger accompanying and sitting next to” an SCP. To not have the safety assistance sitting next to would appear to undermine the reasons for having a safety assistant.

Question 5 - on alternative means to restrain severely disabled children during flight

Severely disabled children above the age of two should be exempted from the requirement to occupy their own seat during taxi, take-off, and landing and any other times as the pilot-in-command deems necessary. Airlines should ensure that a separate seat next to the parent is provided for the use of the child at other times in flight.

Allowing a child over two to be seated on the lap of a parent may allow some severely disabled children who are 2,3 or even 4 years access to air travel. The additional suggestion that an airline must keep the seat next to the adult free for the child to sit in (if need be) apart from taxi, take off and landing would further increase chances of being able to travel.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

32

comment by: FAA

Federal Aviation Administration, United States of America

Comment Pg 21, last paragraph:

“Question No 5 on alternative means to restrain severely disabled children during flight”



Allowing children with disabilities (who cannot be safely restrained in their own seat using only a seat belt) to be restrained on the lap of an adult with a supplementary loop belt or other restraint device during taxi, takeoff, and landing may have unintended consequences. While this may reduce injury risk for the child during turbulence events it does not provide significant protection during an emergency landing and, in that case, may even present an injury risk for the adult.

Carriage of this category of passenger has been accommodated in the U.S. by permitting use of orthotic positioning devices (OPD) (as described FAA Order 8900.1, Volume 3, Chapter 33, Section 6, Paragraph 3-3577) or by an exemption process that allows children with disabilities (and adults with disabilities) to use certain other devices to sit securely and safely in their own seat. These other devices may require an attachment to the seat for proper functioning which is why as part of this process the proposed device is evaluated by the FAA to ensure that when used by the applicant, it provides adequate restraint, does not introduce additional safety concerns, meets flammability requirements, and does not impede egress or safety of other passengers.

Some of the devices that have been cited in previous exemptions granted are: the E-Z-On Modified Vest, Houdini 27 Harness, Ortho Kinetics Travel Chair Model 6332, MERU Travel Chair, and a special version of the AmSafe CARES device. Additionally, there are many types of child restraint systems approved by the FAA for use on aircraft (that can be used without an exemption) that accommodate the needs of children with disabilities such as the Columbia Medical Child TheraPedic Positioning Seat, Carrie Tumbleforms Elementary Carrie Seat, Brittax Frontier 85 SICT, Diona Radian RXT and the Bergeron Special Tomato

Allowing children with disabilities to occupy their own seat and be restrained with devices allowed by exemption or by child restraint systems approved by the FAA for use on aircraft, provides this category of passenger a much higher level of safety than being lap held using a supplementary loop belt.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

51

comment by: European Disability Forum

Additionally, the proposal has also formulated a number of more specific “open questions to stakeholders” on which EDF would like to provide some input:

1) Question on a maximum number of SCPs on board:

As stated above, EDF opposes any kind of restriction or limitation of persons with disabilities or reduced mobility on board. A limit of four wheelchair users, as it was imposed by Ryanair for example, is purely arbitrary and does not contribute to increase safety. This was supported by the outcome of the TÜV Rheinland study.

2) Question on proposed AMC for a safety assistant:

It should be made clear in the Code of Practice that there has to be evidence that support is needed to perform the necessary tasks such as fastening the seatbelt and fitting an oxygen mask.

3) Question on definition of safety assistant:

EDF does not have an opinion on the minimum age because the age should not be the primary factor to decide about the ability of a person to assist. Furthermore, we would to reiterate our position that the focus should be on making airplanes more accessible rather than regulating the issue of safety assistants.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).



comment	<p>62 comment by: FNAM-French Aviation Industry Federation</p> <p>EASA asked input from stakeholders regarding 5 specific questions. The question n° 1 is on briefing of safety assistants for stretcher occupants. FNAM considers that this proposal is not based on a safe basis. First of all, the medical evacuations (MEDEVAC) of stretcher occupants shall not be discussed in this NPA. FNAM considers it is out of scope. Secondly, it has to be clear that in the public air transport, the safety assistant of stretcher occupants has to be a healthcare worker, especially for disconnecting medical equipment. These skills are not accessible for any person. Thus, in the case of having a safety assistant as healthcare worker, he should not be briefed on what to do with the medical devices : he is the one who knows if such devices are necessary or not for the stretcher occupant. He may be warned about the fact that evacuating with stretchers could damage the slide (if confirmed, see comment just below) and, as stated in the GM, that "it is advisable to leave stretcher or litter in the aircraft", if possible; Finally, FNAM is asking EASA if there is any proof that a stretcher can damage the slide. Airplane stretchers are normally built in a shape which should not be sharp. As a conclusion, this GM might need some changes and limit its scope to safety assistants with medical proficiency.</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>79 comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</p> <p>Question No 1 Transport of stretcher patients is not very common among Swedish operators. These types of transports are costly and requiring "non-standard" technical solutions. Swedish Transport Agency supports EASA's initiative regarding further investigations of stretcher patients to gain further knowledge in this area.</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>80 comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</p> <p>Question No 2 Swedish Transport Agency supports current rules as stated in AMC1 CAT.OP.MPA.155(b). (Note: GM2 to CAT.OP.MPA.155(b) should read GM2 CAT.OP.MPA.155(b) on Page 27)</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>81 comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen)</p> <p>Question No 3 Swedish Transport Agency supports the proposed AMC for a safety assistant.</p>



response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	82 comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen) Question No 4 Swedish Transport Agency supports the proposed definition of a safety assistant.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	83 comment by: Swedish Transport Agency, Civil Aviation Department (Transportstyrelsen, Luftfartsavdelningen) Question No 5 Swedish Transport Agency supports a change to exempt severely disabled children above the age of two from the requirement to occupy their own seat during taxi, take-off, and landing and any other times as the pilot-in-command deems necessary. If the IR is changed in this direction operators should ensure that a separate seat is provided for the use of the child at other times of the flight.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	87 comment by: AEA Question No 1 (Briefing of Safety Assistants for Stretcher Occupants) AEA reply: At most of the AEA members, safety assistants are currently briefed on a case by case basis. Further briefing could be implemented into the booking process. Most of the AEA members do not accept patients on a stretcher who require life sustaining measures (such passengers would need to be carried on dedicated ambulance flights). The AEA supports the TuV Rheinland's view that the evacuation of the complete stretcher is dangerous for the patient and the crew/other passengers, if not (technically) impossible, because of the stretcher's fixture in the cabin.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	88 comment by: AEA Question No 2 (Maximum Number of SCPs on-board) AEA reply: The AEA agrees with the EASA proposal not to define a specific limit. This is in line with the fact that there are many different situations (types of SCPs, type of aircraft etc) which cannot be easily translated into a hard limit. Most airlines have done away with a hard limitation due to the US DoT guidelines on PRMs.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).



responses).

comment

89

comment by: AEA

Question Nr 3 (Proposed AMC on Safety Assistant)

AEA reply:

The proposed AMC on Safety Assistants, which as such is in line with the UK Code of Conduct, is reasonable and supported. Nevertheless, the question will arise how to enforce such a requirement as long as it does not put some ownership on the passengers during the booking process and/or the check-in procedure. The question will also arise how to deal with such a requirement in the case of transfer passengers on code-share flights with non-EU airlines, who might be subject to different requirements.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

90

comment by: AEA

Question Nr 4 (Definition of Safety Assistants)

AEA reply:

Today passengers book their flight online and check-in online. It is essential that the airline can assess both the passenger's and the safety assistant's physical ability. The ability to assist depends on various factors other than age such as mental and physical capability.

Some sub-categories of SCPs travel with teenagers who are physically and mentally fully capable to assist them e.g. blind passengers only need guidance. The AEA therefore also proposes to change the minimum age of a safety assistant to 12 (instead of 16).

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

91

comment by: AEA

Question Nr 5 (Alternative Means to Restrain Severely Disabled Children During Flight)

AEA reply:

The AEA agrees with the EASA proposal to allow such children over the age of two to occupy the same seat as their parent/guardian (during taxiing, take off and landing).

On the question whether a separate seat should be provided for the use of the child at other times in-flight, the AEA agrees with this proposal as long as it does not impact individual airline commercial policies (whether or not to charge for such a separate seat)

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

96

comment by: PassePartout Training Ltd

Question 2: there should be no limit imposed on a maximum number of SCPs on board. Regulation 1107/2006 ensures that PRMs have the same opportunities for air travel as those of others, in particular they have the same rights to free movement, freedom of choice and non-discrimination. A new rule would potentially restrict access to flights for many PRMs and create barriers to access.



response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>98 comment by: PassePartout Training Ltd</p> <p>Question 3 on proposed AMC for a safety assistant Greater clarity and consistency across Europe is required on when a safety assistant is needed and what their role should be. This should give clarity both to PRMs and to airlines.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>99 comment by: PassePartout Training Ltd</p> <p>Question 4: definition of Safety Assistant There needs to be some clarity over who can fulfil the safety assistant role. Otherwise there is a risk that the person selected and whose seat has been paid for is deemed to be unacceptable bu the airline at the last minute. A minimum age of 16 is fine and it is also important to set out the other broad criteria about being able to understand safety instrcutions, assist in an emergency and not have other priorities (like a family travelling with them).</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>111 comment by: DGAC France</p> <p>Page 20 - Question 1 EASA proposes a GM on briefing of the of the safety assistant of a of stretcher occupant; briefing would roughly consist in asking the safety assistant to disconnect medical equipment and leave the equipment behind, including the stretcher. This is based on the fact that "the ability to evacuate a stretcher via a slide was not proven according to the present knowledge. Sharp edges on the stretcher may damage the slide..." A few comments on the GM :</p> <ul style="list-style-type: none"> - If the safety assistant has a medical proficiency, he should not be briefed on what to do with the medical devices : he is the one who knows if such devices are necessary or not for the stretcher occupant. He may be warned about the fact that evacuating with stretchers could damage the slide (if confirmed - Is it?) and, as stated in the GM, that "it is advisable to leave stretcher or litter in the aircraft", if possible; Yet, if the flight is a dedicated emergency medical flight, this GM should not even be used as long as the risk exposure is not the same (only a few passengers) and as the medical issues are probably not the same. - The case of a safety assistant without any medical competence taking care of a stretcher occupant with medical devices is difficult to envisage: is it realistic that a safety assistant may decide to disconnect the medical devices without knowing the possible effects on the stretcher occupant? Can he judge the adequacy of this decision?



And how should the safety assistant react if he's told by the way that, in case of evacuation, "it is advisable to leave stretcher or litter in the aircraft"? Again, he will probably not feel comfortable with such a decision and may not know what to do...

As a conclusion, this GM might need some changes (first bullet proposing simpler GM) and limit its scope to safety assistants with medical proficiency.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

112

comment by: DGAC France

Page 20 - Question 2

It has been outlined that the Commission received complaints about inconsistent requirements and different policies across Europe for two main reasons: numerical limits and the need for an accompanying passenger. While the first subject will likely be addressed (see question 3) we fear that the second one will remain open.

With the proposal, it is up to the operator to define limits after an assessment taking into account the 4 elements listed from (a) to (d) in AMC1 CAT.OP.MPA.155(b). EASA should be aware that this assessment may lead to inconsistent outcomes between operators, even though they operate the same aircraft type. Unfortunately the proposal will not avoid dispute about the application of regulation 1107/2006.

However we must admit that it does not appear possible to set precise numerical limits because these limits depend upon aircraft type, number of doors, size of the doors, number of aisle, cabin layout... It would be difficult for the EASA to define precise limits for all aircraft types and variants if not substantiated by certification data or additional research to the existing TÜV Rheinland study. In that perspective, EASA's proposal for paragraph (c) of AMC1 CAT.OP.MPA.155 (b) constitutes a performance based regulation and is, as such, the preferred option for French DGAC, even though AMC1 CAT.OP.MPA.155(b) can be difficult to comply with as foreseen and leaves some questions unsolved (see following comments)

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

113

comment by: DGAC France

Page 21 -Question 3

We support the proposal.

The AMC defining the cases where a safety assistant is needed is very useful and is supported.

It should solve the problem of inconsistent policy from an operator to another.

See comment on the wording of AMC3 CAT.OP.MPA.155(b).

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).



responses).

comment

114

comment by: DGAC France

Page 21-22 - Question 5

The first proposition exempting some SCP from the requirement to occupy their own seat during certain phases of the flight is fully supported. Yet, does it need to be developed through a different opinion?

Are the consequences such that this proposition could not be dealt within the current opinion?

We also support the need to keep a separate seat available for use during other phases of flights so that the maximum number of passenger set by the certification (MPSC) is not exceeded.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

126

comment by: FNAM-French Aviation Industry Federation

According to the question 2, EASA listed four factors “that operators should consider when carrying SCPs” in the AMC1 CAT.OP.MPA.155(b). The factor (c) indicates that “the number and subcategories of SCPs, which should not exceed the number of passengers capable of assisting them in case of an emergency evacuation”. FNAM wants to point out that this requirement would be unmanageable for the operators, who will have to wait until the end of the boarding to know if they can accept or not some subcategories of SCPs on board. As per example, it is not possible to implement quotas on the number of infant, UM, or obese passengers... carried. Those limits would be against the principle of anti-discrimination, and would not bring anything except undue lack of flexibility for operators.

Moreover, the EASA and the FAA regulation would be thus divergent. The procedures on a code-share flight between an European and an American operator will be just unmanageable as the passenger will be treated with differences from one leg to another of the flight.

Thus, FNAM is requesting to remove this state (c) from the factors which have to be considered by operators when carrying SCPs.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

128

comment by: FNAM-French Aviation Industry Federation

The proposal of the question n°3 which define under which circumstances an SCP requires to travel with a safety assistant, is an important starting point. It will give a good basis for all European airlines, thus FNAM welcomes this proposal.

Moreover, FNAM notices that the status of GM for the definition of the ‘safety assistant’ suggests that EASA intention was not to create a hard rule.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

129

comment by: FNAM-French Aviation Industry Federation



response	<p>The question n°4 defines the safety assistant. FNAM would like to insist on the fact that it is the cabin crews which are responsible of their passengers. Thus, the age of 16 years for the safety assistant is realistic but it is not adequate to give him/her any responsibility regarding the SCP he/she is travelling with.</p> <p>Moreover, it is essential that the airline can assess both the passenger's and the safety assistant's physical ability. The ability to assist depends on various factors other than age such as mental and physical capability.</p> <p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>130 comment by: FNAM-French Aviation Industry Federation</p> <p>Regarding question n°5, FNAM approves the first proposition exempting some SCP from the requirement to occupy their own seat during certain phases of the flight is fully supported. Yet, does it need to be developed through a different opinion? Are the consequences such that this proposition could not be dealt within the current opinion? FNAM has no preconceived opinion on the question on whether operators should ensure that a separate seat is to be provided for the use of the child at other times in flight. In any case, it seems relevant to address it.</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>132 comment by: DGAC France</p> <p>Question 4</p> <p>French DGAC agrees with the 3 elements that have been considered for the definition of a 'safety assistant'.</p> <p>However, as for any limit, the age limit of 16 years old will likely be questioned by some travellers close to but just under the limit: e.g. a 15 1/2 years old person who is perfectly used to take care of his/her PMR sister or brother might be also acceptable.</p> <p>The status of GM for the definition of the 'safety assistant' suggests that EASA intention was not to create a hard rule. The definition could first list the 3 elements to be considered, as currently done, and in addition, include a sentence such as : "Typically this would be the case when the safety assistant is at least 16 years old"</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>136 comment by: UK CAA</p> <p>Page No: 20 Paragraph No: 2.5 - Question 1 – on briefing of safety assistants for stretcher occupants. Comment: UK CAA fully supports.</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>



responses).

comment

137

comment by: UK CAA

Page No: 20

Paragraph No: 2.5 - Question 2 – on a maximum number of SCPs on board.

Comment: The UK CAA does not consider there to be a necessity to define a further limit. The criteria in CAT.OP.MPA.155 is considered to be suitably robust.

Justification: Regulation (EC) 1107/2006 concerning the rights of disabled persons and persons with reduced mobility (PRMs) when travelling by air ensures that PRMs have the same opportunities for air travel as those of others, in particular that they have the same rights to free movement, freedom of choice and non-discrimination. A new rule here would potentially restrict access to flights for many PRMs creating barriers to access, particularly in regard to group travel involving a number of PRMs travelling together. It might also result in different policies adopted by different airlines which would undermine the principle of consistent standards of accessibility set out in Regulation (EC) 1007/2006.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

138

comment by: UK CAA

Page No: 21

Paragraph No: 2.5 - Question 3 – on proposed AMC for a safety assistant.

Comment: UK CAA fully supports. There is sometimes inconsistency with airline policies and practices on this. However, we would suggest that more than one safety assistant may be necessary, for example, when lifting is required. This would align with UK Department for Transport's 'Access to Air Travel for Disabled Persons and Persons with Reduced Mobility' - Code of Practice. Ref 3.14.

Justification: This would provide PRMs with more certainty about when they can travel alone and when they must have a carer. It would also provide airlines with more certainty in making decisions about when to require carers.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

139

comment by: UK CAA

Page No: 21

Paragraph No: 2.5 - Question 4 – on definition of a safety assistant.

Comment: A minimum age limit of 16 years has the potential to be overly restrictive and not take into consideration the specific needs of the SCP. The UK CAA proposes a minimum age of 12 years. See also UK CAA comment suggesting revision to the proposed text for the definition of a safety assistant under 'Definitions – New Guidance material including a new definition'.

Justification: Annex 1 of the Air Operations regulation defines an adult as a person 12 years and above. The specific needs of the SCP should be considered when determining the suitability and number of safety assistants required.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).



responses).

comment

140

comment by: UK CAA

Page No: 21 & 22

Paragraph No: 2.5 - Question – 5 alternative means to restrain severely disabled children during flight.

Comment: UK CAA supports the proposal with the following additional comment/consideration;

- A seat must be provided to ensure compliance with CAT.IDE.A.205 & CAT.IDE.H.205. If a seat is not provided there is potential for the MOPSC to be exceeded.

- When determining that a child cannot be secured using any other supplementary restraint device that can reasonably be made available, economic reasons are not considered to be acceptable justification for non provision of such a device by an operator or passenger.

Justification: Economic reasons are not considered to be justification for permitting multiple seat occupancy for persons with disability aged two years and above. Allowing a child over two to be seated on the lap of a parent may allow some severely disabled children who are 2,3 or even 4 years access to air travel. The additional suggestion that an airline must keep the seat next to the adult free for the child to sit in (if need be) apart from taxi, take off and landing would further increase chances of being able to travel.

Proposed Text:

“alternative means to restrain severely disabled children during flight

(a) It shall only be relied on in respect of children, aged two years or more, who because of physical disability cannot be properly secured in their own seat using the aeroplane safety belt.

(b) It shall only be relied on if the operator has satisfied itself that the child cannot be secured using any other supplementary restraint device, support, or comfort aid that can reasonably be made available. Economic reasons would not normally be considered acceptable justification for non provision of such a device by an operator or passenger.

(c) The operator must satisfy itself that having regard to the size and weight of the child, the child may be satisfactorily restrained.

(d) The operator shall specify in its operations manual which aircraft seats can be used for the purpose of this exemption.

(e) The commander shall ensure that the child is restrained by a child-restraint device, e.g. a supplementary loop or other restraint device.

(f) The commander shall ensure that a seat or berth is provided for the child. This should be adjacent to the accompanying adult.”

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

161

comment by: IATA

Question No. 1 - IATA Response:

Most of the IATA airlines do not accept stretchers with medical equipment attached so a special briefing to the SA on how to disconnect the medical equipment would not be justified. IATA agrees that the evacuation of stretcher passengers will not include the stretcher itself.

Question No. 2 - IATA Response:



	A clear definite limit is difficult to set due to the various issues involved.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	164 comment by: IATA Question No. 1 - IATA Response (2): Furthermore, additional consideration is likely required by the Agency to assess for the recommendation to disconnect life supportive devices such as when evacuating a patient, for example a passenger dependent on a respirator, without their respirator.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	165 comment by: IATA Question No. 3 – IATA Response: IATA recognizes that the information about the need for a Safety Assistant should be available to the airline as early as possible – starting at the booking process. Issues relating to the various jurisdictions (e.g. passenger travelling on a US carrier to Europe and continuing with a European carrier etc.) have to be taken into account. The place the briefing takes place is important with the aim to have the briefing as much as possible before the boarding process – e.g. in the airport, so as not to create operational issues and delays.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	166 comment by: IATA Question No. 4 – IATA Response IATA supports the minimum age of 16 for the safety assistant.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	167 comment by: IATA Question No. 5 – IATA Response IATA agrees with the EASA proposal to allow severely disabled children above the age of two to occupy their own seat during taxi, takeoff, and landing. Airlines would offer a separate seat for the use of the child at other times in flight, provided that seats are available and this does not contradict their commercial policies (e.g. a fully booked flight). IATA requests that the Agency also promote a car-type restraint devices (e.g. TravelChair) instead of loop-belt restraints for severely disabled children older than 2 when it is a suitable option to best secure the child.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).



comment	<p>191 comment by: Queen Elizabeth's Foundation for Disabled People</p> <p>NPA 2014 -01 Comment to Question 5, P21</p> <p>Queen Elizabeth's Foundation for Disabled People (QEF) is a leading UK disability charity with more than 75 years' experience of developing innovative services which enable and support people to increase independence and improve opportunities for life.</p> <p>QEF are not in favour to change the current rules to exempt severely disabled children above the age of two from the requirement to occupy their own seat during taxi, take off, and landing.</p> <p>Frequently a physically disabled child will have symptoms such as high or low muscle tone, spasms, spinal curvature and uncontrolled involuntary movements, requiring supportive seating to manage these symptoms.</p> <p>In addition it is not uncommon for physically disabled children to have accompanying cognitive disabilities. Conditions such as Global Developmental Delay, Cerebral Palsy, and Spina Bifida often have accompanying secondary conditions.</p> <p>For example some children with may have seizures but need to fly; see http://www.circleofmoms.com/moms-of-epilepticseizure-disorder-kids/flyin</p> <p>These children will require seating that supports them during the seizure and post seizure as a parent may not be able to have the child located on their lap during these periods, as 1) the seizure could cause physical movements that endanger the child and parent, 2) It can be distressing to be holding a child when the seizure occurs as the convulsions will be felt by the parent, 3) Children often vomit or dribble and it is difficult to attend to a child when they are sitting on a lap as opposed to being in their own supportive seating.</p> <p>We do not believe it is realistic for a child with a severe physical disability to sit on a parent's lap for take-off, taxiing and landing.</p> <p>There are product solutions that provide a severely disabled child over the age of two with support whilst in an aircraft seat which are preferable for both child and parent. In addition being in their own seat supported by the aircraft safety belt prevents any of the associated dangers that can occur when an infant sits on their parents lap with a supplementary loop belt. It is understood that this poses dangers to the fragile frame of an infant and would pose similar dangers to a disabled child over the age of two.</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>194 comment by: IACA International Air Carrier Association</p> <p>Attachment #4</p> <p>Question No 2 on a maximum number of SCPs on board</p> <p>In addition to the procedures on establishing the maximum number of SCPs, some airlines expressed the need to define more precise limits on the maximum number of SCPs on board and seating allocation, especially for planning purposes. The statement '...the operator should take into account a number of factors when carrying SCPs, including the factor that the number and subcategories of SCPs should not be greater than the number of passengers capable of assisting..' is considered too vague and impractical. An example of more precise limits is attached hereto.</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>



3 Proposed amendments — 3.1 Draft EASA Decision proposed changes to ED Decision 2012/015/R — Definitions	p. 23
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comment	9	comment by: Luxair
	We do agree to this change.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	34	comment by: Christopher Mason
	Luxair agrees to this change.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	141	comment by: UK CAA
	<p>Page No: 23</p> <p>Paragraph No: 3.1 Draft EASA Decisions proposed changes to ED Decision 2012/015/R – Definitions – New Guidance material including a new definition</p> <p>Comment: A minimum age limit of 16 years has the potential to be overly restrictive and not take into consideration the specific needs of the SCP. The UK CAA proposes a minimum age of 12 years. Reference to ability to react in an appropriate manner is considered subjective and would be a factor that is difficult to determine and be consistently applied by operators. The specific needs of the SCP should be considered when determining the suitability and number of safety assistants required.</p> <p>Justification: Annex 1 of the Air Operations regulation defines an adult as being a person 12 years and above. The specific needs of the SCP should be considered when determining the suitability and number of safety assistants required.</p> <p>Proposed Text:</p> <p>“(103) ‘safety assistant’ means a passenger, accompanying an SCP, who is at least 12 years old and is physically and mentally able to:</p> <p>(a) follow crew instructions;</p> <p>(b) react in an appropriate manner in emergency situations; and</p> <p>(c) assist in an emergency situation or evacuation of the SCP, with specific regard to the individual needs of the SCP.”</p>	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	173	comment by: ERA
	We do agree to this change.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	



3 Proposed amendments — 3.2 Draft EASA Decision proposed changes to ED Decision 2012/018/R
— Part CAT p. 23

comment 142 comment by: UK CAA

Page No: 23
Paragraph No: 3.2 AMC1 CAT.OP.MPA.155(b) Carriage of special categories of passengers (SCPs) - Procedures
Comment: UK CAA fully supports.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 143 comment by: UK CAA

Page No: 24
Paragraph No: 3.2 AMC2 CAT.OP.MPA.155(b) Carriage of SCPs – Briefing of SCP and Safety Assistant
Comment: UK CAA fully supports.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

3 Proposed amendments — 3.2 Draft EASA Decision proposed changes to ED Decision 2012/018/R
— Part CAT — AMC1 CAT.OP.MPA.155(b) Carriage of special categories of passengers (SCPs) — p. 23
PROCEDURES

comment 63 comment by: FNAM-French Aviation Industry Federation

According to the paragraph “Operational procedures applying to SCPs” p.8, EASA listed four factors “that operators should consider when carrying SCPs”. The factor (c) indicates that “the number and subcategories of SCPs, which should not exceed the number of passengers capable of assisting them in case of an emergency evacuation”. FNAM wants to point out that this requirement would be unmanageable for the operators, who will have to wait until the end of the boarding to know if they can accept or not some subcategories of SCPs on board. As per example, it is not possible to implement quotas on the number of infant, UM, or obese passengers... carried. This requirement would be against the principle of anti-discrimination.

Moreover, the EASA and the FAA regulation would be thus divergent. The procedures on a code-share flight between an European and an American operator will be just unmanageable as the passenger will be treated with differences from one leg to another of the flight.

FNAM acknowledges that the way the AMC is currently written does not differ much from the drafted proposition and that current and future provisions are worded the same way JAA guidance was. Nevertheless, there are circumstances where meeting (c) will be very difficult and these exceptional circumstances should somehow be reflected in the AMC...is requesting to remove this state (c) from the factors which have to be considered by operators when carrying SCPs.

To conclude, FNAM is requesting to remove this state (c) from the factors which have to be considered by operators when carrying SCPs.



response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>115 comment by: DGAC France</p> <p>Page 23 - paragraph 3.2</p> <p>AMC 1 CAT.OP.MPA.155(b) “When establishing the procedures for the carriage of special categories of passengers, the operator should take into account the following factors: ... (c) the number and subcategories of SCPs, which should not exceed the number of passengers capable of assisting them in case of an emergency evacuation; and...” This provision needs clarification : how should an operator consider requirement c) above when, in many cases, operators discover that certain passengers are SCP while being checked? Should the operator deny boarding to some of these SCP? First, this provision is linked with discrimination issues. Even though discrimination can be considered acceptable if it allows meeting the safety objectives of the rules (AMC in fact), such a situation will not be easy to cope with for operators.</p> <p>Secondly, it does not always seem possible for an operator to be assured that (c) is complied with. Originally, provision (c) stating that the number and subcategories of SCPs should not exceed the number of passengers capable of assisting was already included in TGL44 ACJ OPS 1.260 except that it was then applicable to PRMs. The extended applicability to all SCPs will make it sometimes difficult to satisfy :</p> <ul style="list-style-type: none"> - in many cases, the operator does not know what passengers are SCP until checking/boarding ... He then may be aware of the fact that he meets criteria (c) OR NOT only when he checks/boards the last passengers.... at a time when it is too late to manage any problem properly. - For example: transport of large groups of UM travelling to holiday camps. French National rules governing holiday camps mandate at least 1 organiser/person for 12 children. This is currently accepted and implemented for aviation safety purposes in France. <p>Yet, the European rule as foreseen could lead to have less passengers capable of assisting than SCPs (UM in that case) on given flights. In that case it should be possible that a safety assistant (e.g. a dedicated crew member) takes care of several children: they may be grouped in order for the safety assistant to be able to assist them more easily.</p> <p>As a conclusion, there are circumstances where meeting (c) will be very difficult and these exceptional circumstances should somehow be reflected in the AMC.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).

3 Proposed amendments — 3.2 Draft EASA Decision proposed changes to ED Decision 2012/018/R
 — Part CAT — AMC2 CAT.OP.MPA.155(b) Carriage of special categories of passengers (SCPs) — p. 24
 BRIEFING OF SCP AND SAFETY ASSISTANT



comment	10	comment by: Luxair
	This is too complex. In cases with single cabin crew operation this is not feasible as it would take resource away from other duties.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	35	comment by: Christopher Mason
	Luxair - tthis is too complex. In cases with single cabin crew operation this is not feasible as it would take resource away from other duties.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	64	comment by: FNAM-French Aviation Industry Federation
	<p>This paragraph envisages that operators should establish procedures for the pre-flight briefing of SCPs and their safety assistants.</p> <p>In order to have a precise RIA on this requirement, it would have been useful to simulate on actual flights the time needed to brief SCP and their assistant, with whether low or rather high number of SCP, taking into account the various tools available to carry out such briefings.</p> <p>Even if some of these briefing may be made through internet (or through other methods) before the flight, some other won't be able to plan in advance. Thus, these new provisions will require considerable time for the cabin crews to brief all the SCPs and their assistants. It would be impractical to implement a dedicated briefing in particular in terms of aircraft turn-around times and the potential interference with more safety critical cabin crew duties. Thus FNAM points out that it may become a cause of flight delays.</p>	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	92	comment by: AEA
	<p>Whereas most of the proposed briefing requirements are reasonable as general information or in specific cases, it would be impractical to implement a dedicated briefing by the cabin crew for each and every SCP or safety assistant (in particular in terms of aircraft turn-around times and the potential interference with more safety critical cabin crew duties)</p> <p>The AEA therefore suggests allowing for different means to achieve the same objectives i.e. the use of information leaflets (to be made available at booking or check-in) or briefing cards.</p>	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	103	comment by: Boeing
	Boeing does not support the future rule making outlining in this section. Rather, Boeing would suggest that industry look for design solutions that would allow these severely	



response	<p>disabled children to be retained safely in their own seat.</p> <p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>104 comment by: Boeing</p> <p>The proposed text states: “(a) The operator should establish procedures for the pre-flight briefing of SCPs and their safety assistants, if applicable, regarding their respective safety responsibilities in normal and emergency situations. REQUESTED CHANGE: Propose to change text as shown below with deletion in strikethrough and addition in bold. (a) The operator should establish procedures for the pre-flight briefing of SCPs and if applicable their safety assistants, if applicable, regarding their respective safety responsibilities in normal and emergency situations. JUSTIFICATION: By moving “if applicable” it is clearly understood that the pre-flight briefing is to be given to the SCP and their safety assistant if they have a safety assistant. As previously written, it could be read to give the operator the option of establishing the pre-flight briefing if they decided a pre-flight briefing was needed. The intent was to require the operator to establish the procedures for the briefing, but only to give ‘relief’ on whether it’s provided to a safety assistant (since safety assistants are not always used).</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>116 comment by: DGAC France</p> <p>Page 24 - paragraph 3.2</p> <p>AMC2 CAT.OP.MA.155 (b) The need for dedicated briefings is understood. We note that not all briefings need to be oral briefings, which is a very good point.</p> <p>Yet, it would have been useful to simulate on actual flights the time needed to brief SCP and their assistant, with whether low or rather high number of SCP, taking into account the various tools available to carry out such briefings. This could have helped decide on the feasibility of this provision.</p> <p>See also comment 134 concerning paragraph 4.6.4.1 and SCP briefing procedures (page 48)</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>

3 Proposed amendments — 3.2 Draft EASA Decision proposed changes to ED Decision 2012/018/R — Part CAT — AMC3 CAT.OP.MPA.155(b) Carriage of special categories of passengers (SCPs) — SCP p. 24 TRAVELLING WITH A SAFETY ASSISTANT

comment

11

comment by: Luxair



response	<p>We do agree on this.</p> <p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>36 comment by: Christopher Mason</p> <p>Luxair agrees to this change.</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>52 comment by: European Disability Forum</p> <p>First of all, the requirement for certain SCPs to travel with a “safety assistant” is generally rejected by EDF. Even under the current EASA proposal, there are too many decisions left to the airline, i.e. the airlines would be able to decide who the safety assistant could be, in which cases this would apply and who pays the cost. This could potentially lead to arbitrary judgment, discrimination and denial of boarding again.</p> <p>More generally, it would already be difficult to establish which passenger would need a safety assistant. Asking for a medical certificate would be discriminatory according to Regulation 1107/2006. And even if you follow a list of criteria, every person has different abilities and this cannot always be clearly assessed. It should also be kept in mind that many persons with disabilities can compensate for an impairment of one sense or for limited mobility. Other persons, on contrary, have invisible disabilities that may be difficult to identify by airline staff.</p> <p>The principle of a safety assistant itself could also be questioned. If it is the task of the safety assistant to assist during evacuation, who would be finally responsible for physically carrying a wheelchair user out of the plane? It cannot be reasonably expected to find a safety assistant who is physically fit enough to carry another person. EASA should rather invest in research to find viable solutions for the evacuation procedure itself such as on-board wheelchairs or the minimum width of the aisle and the seats. If the airplane itself is made more accessible, many issues that are currently related to the provision of a safety assistant could be solved.</p> <p>If, however, a safety assistant is required, this should always be free of charge for the passenger. For many persons with disabilities, the “safety assistant” would preferably be a person they trust and who knows their needs, i.e. a personal assistant, friend or family member. As it is for example already practiced in Canada, the “One-person-one-fare” Policy of the Canadian Transport Agency could be a good example of how the issue of the safety assistant can be solved. In that case, a disabled person will not pay for the ticket of an assistant.</p> <p>Alternatively, a compromise could also be found in existing US legislation (Air Carrier Access Act, Sec. 382.35): A safety assistant can be required but has to be provided and paid for by the airline - no additional cost or obligation is created for the passenger. Even if this is the less favoured solution from EDF’s point of view it is still adhering to the principle that no additional cost should be borne by the passenger.</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>



comment	<p>101 comment by: PassePartout Training Ltd</p> <p>There is potential confusion in the use of the term "safety assistant" which is US terminology and under US law can be a staff member or volunteer who gets a seat for free. That is not the case in Europe. It would therefore be better to use the wording from Regulation 1107/2006 which refers to an "accompanying person".</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>133 comment by: DGAC France</p> <p>Page 24 -AMC3 CAT.OP.MPA.155(b)</p> <p>« Typically this will be the case when the SCP is unable to [...] » We suggest to remove the word "typically" as it might suggest that the 5 criteria listed from (a) to (e) are just examples and might not be the only ones.</p> <p>If these 5 criteria have been accepted by stakeholders representing PMR interests, the list should be limited to them. The risk is that any other additional element could be seen as a breach to Reg. 1107/2006 (e.g. comfort items such as the use of the lavatory)</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>
comment	<p>144 comment by: UK CAA</p> <p>Page No: 24 Paragraph No: 3.2 AMC3 CAT.OP.MPA.155(b) Carriage of SCPs – SCP Travelling with a Safety Assistant</p> <p>Comment: UK CAA fully supports, however we would suggest that more than one safety assistant may be necessary, for example, when lifting is required.</p> <p>Justification: The inclusion of the need for more than one safety assistant better reflects the needs of the SCPs. This is recognised under the current UK Department for Transport Code of Practice 3.14</p> <p>Proposed Text: "SCP TRAVELLING WITH A SAFETY ASSISTANT An SCP should only be required to travel with a safety assistant, when it is evident that the SCP is not self-reliant and carriage could pose a safety risk to himself or herself or other passengers. In some cases more than one assistant may be necessary, for example, where lifting is required. Typically, a safety assistant this will be required the case when the SCP is unable to: (a) unfasten their seat belt, or (b) leave their seat and reach an emergency exit unaided, or (c) retrieve and fit a life jacket, or (d) fit an oxygen mask without assistance, or (e) follow the safety briefing and instructions given by the crew in an emergency situation."</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>



comment	171	comment by: FNAM-French Aviation Industry Federation
	In the following sentence, “Typically this will be the case when the SCP is unable to [...]”, FNAM suggests to remove the word “typically” as it might suggest that the 5 criteria listed from (a) to (e) are just examples and might not be the only ones. If these 5 criteria have been accepted by stakeholders representing PMR interests, the list should be limited to them.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	

comment	174	comment by: ERA
	This is too complex. In cases with single cabin crew operation this is not feasible as it would take resource away from other duties.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	

comment	175	comment by: ERA
	We do agree on this.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	

3 Proposed amendments — 3.2 Draft EASA Decision proposed changes to ED Decision 2012/018/R
— Part CAT — AMC4 CAT.OP.MPA.155(b) Carriage of special categories of passengers (SCPs) — p. 24
CONDITIONS OF SAFE CARRIAGE FOR UNACCOMPANIED CHILDREN

comment	94	comment by: AEA
	The AEA agrees with the proposal that children up to the age of 12 years old, separated from the accompanying adults, who are travelling in another cabin class, should be regarded as unaccompanied children, to ensure that they are assisted in case of emergency situations	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	

comment	145	comment by: UK CAA
	Page No: 24 Paragraph No: AMC4 CAT.OP.MPA.155(b) Carriage of SCPs – Conditions of Safe Carriage for Unaccompanied Children Comment: Para. (a): UK CAA fully supports. Comment: Para. (b): The UK CAA does not consider it appropriate for children under the age of 12 years to be separated from an accompanying adult. The UK CAA shares the concern of the rulemaking group on the social, safety and legal consequences of asking a person who has no connection to the child under 12, who is separated from the accompanying adult, to act as a safety assistant. Although deemed	



outside of the scope of the task, this should be addressed before implementation of the proposed changes.

Justification: Proposed regulatory changes should not be introduced until the legal requirements (responsibilities and liabilities) and safety implications have been adequately addressed.

Proposed Text:

“(b) Children up to less than the age of twelve years old, should not be separated from the an accompanying adult(s), who are travelling in another cabin class, should be regarded as unaccompanied children, in order to ensure that they are assisted in case of emergency situations.”

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

3 Proposed amendments — 3.2 Draft EASA Decision proposed changes to ED Decision 2012/018/R — Part CAT — GM1 CAT.OP.MPA.155(b) Carriage of special categories of passengers (SCPs) — SCP p. 25-27 BRIEFING PROCEDURE

comment

12

comment by: Luxair

For UMs: This is too complex. In cases with single cabin crew operation this is not feasible as it would take resources away from other duties.

For parents traveling with infants: This is good for prepared emergency landings only. Again too complex for every flight especially with single cabin crew operation.

For extremely obes passengers: Again, it makes sense for prepared emergency landings. it is too complex to make all these different briefing for each flight.

Luxair does not accept stretchers.

For visually impaired passengers: This certainly makes sense for a prepared emergency but is too complex for each flight especially in single cabin crew operations. Instead we would suggest to have safety briefing cards available in braille.

For passengers with disability of the upper limbs: Too complex for each flight. See above.

For passengers with disability of the lower limbs: Too complex for each flight. See above.

For passengers with disability of upper and lower limbs: Too complex for each flight. See above.

For physically disable passenger (alded walking): This is not feasible.

All in all this is too complex. There are too many different persons to be briefed if this is applied. We believe that this is not feasible.

An alternative to briefing all SCP cases individually would be a general announcement to all passengers that in case of emergency able bodied passengers should assist passengers in difficulty.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

37

comment by: Christopher Mason

Luxair -

For UMs: This is too complex. In cases with single cabin crew operation this is not feasible as it would take resources away from other duties.

For parents traveling with infants: This is good for prepared emergency landings only. Again



too complex for every flight especially with single cabin crew operation.
 For extremely obese passengers: Again, it makes sense for prepared emergency landings. It is too complex to make all these different briefings for each flight.
 Luxair does not accept stretchers.
 For visually impaired passengers: This certainly makes sense for a prepared emergency but is too complex for each flight especially in single cabin crew operations. Instead we would suggest to have safety briefing cards available in braille.
 For passengers with disability of the upper limbs: Too complex for each flight. See above.
 For passengers with disability of the lower limbs: Too complex for each flight. See above.
 For passengers with disability of upper and lower limbs: Too complex for each flight. See above.
 For physically disabled passenger (aided walking): This is not feasible.
 All in all this is too complex. There are too many different persons to be briefed if this is applied. We believe that this is not feasible.
 An alternative to briefing all SCP cases individually would be a general announcement to all passengers that in case of emergency able bodied passengers should assist passengers in difficulty.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 53 comment by: European Disability Forum

EDF rejects the notion that the number of SCPs should not exceed the amount of persons capable of assisting on a flight because it is discriminatory to exclude people based on their disability; or indeed any kind of limitation on the number of SCPs.
 Under the US legislation for example, (ACAA, see link above) it is not allowed to impose a maximum number of SCPs.
 EDF would like to point out that limiting the numbers of SCPs per flight does not mean that the evacuation procedures would be faster or easier. . Of the seemingly non-disabled passengers it is also possible that persons have invisible disabilities or that the majority are older people. It is thus impossible for the airline to establish an exact ratio based on the limited passenger information they have.
 And besides the discriminatory nature of this provision, it is also a practical problem: how many trips would it take the Paralympic delegation of a country to travel if there was a limit to the number of SCPs on board of a single flight? A good practice example is given by Thomas Cook who does not set any restrictions on the number of passengers with disabilities in their policy and mobility equipment is given priority over other luggage. They also provide a free seat for a designated assistant next to the passenger with a disability. It is, however, reasonable to expect that a large group of persons with disabilities travelling together could pre-notify the airline.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 66 comment by: FNAM-French Aviation Industry Federation

Regarding the third category of SCP, "extremely obese passengers", FNAM raises the issue of the definition of an extremely obese passenger. Who will have the responsibility to judge if a passenger is obese? Will it be on the opinion of the cabin crew, or a specific maximum



	weight will be defined? In part 4.8.2.2 “Seating allocation for specific SCPs”, EASA states that “from a certification point of view, group seating of SCPs that are extremely obese should be avoided, since each individual seat place is certificated for a maximum weight of 77 kg.” The limit of 77kg cannot be acceptable.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	67 comment by: FNAM-French Aviation Industry Federation In the GM1 CAT.OP.MPA.155(b) EASA defines nine “SCP groups”, and in the GM2 CAT.OP.MPA.155(c), EASA defines nine “SCP categories” where some of them are different from the “SCP group”. FNAM proposes to EASA to align these two GMs and to use only one wording for both which would be “SCP category”.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	72 comment by: FNAM-French Aviation Industry Federation Regarding “Passenger with disability of lower limbs” paragraph, the safety assistant should be briefed to know that in case of decompression, they have to first put on their own oxygen mask.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	93 comment by: AEA Whereas most of the proposed briefing requirements are reasonable as general information or in specific cases, it would be impractical to implement a dedicated briefing by the cabin crew for each and every SCP or safety assistant (in particular in terms of aircraft turn-around times and the potential interference with more safety critical cabin crew duties) The AEA therefore suggests allowing for different means to achieve the same objectives i.e. the use of information leaflets (to be made available at booking or check-in) or briefing cards.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	102 comment by: PassePartout Training Ltd It is not possible to oblige the person sitting next to a PRM passenger to assist. This can only be done on a voluntary basis. Interpretative Guidance from the Commission in 2012 sets out how this can be done.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	105 comment by: Boeing



The proposed text states:
 Brief visually impaired passenger and safety assistant, if applicable, on the following:
 REQUESTED CHANGE: Propose to change text as shown below with deletion in strikethrough and addition in bold
 Brief visually impaired passenger and if applicable safety assistant, if applicable, on the following:
 JUSTIFICATION: By moving “if applicable” it is clearly understood that the flight briefing is to be given to the visually impaired passenger and their safety assistant if they have a safety assistant. As previously written, it could be read to give the operator the option of providing any briefing in this area. The intent was to require the operator to provide a briefing, but only to give ‘relief’ on whether it’s provided to a safety assistant (since safety assistants are not always used

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 106 comment by: Boeing

The proposed text states:
 (b) In case of decompression, if stretcher occupant is using medical oxygen, the stretcher occupant may continue with medical oxygen.
 REQUESTED CHANGE: Delete this paragraph in its entirety.
 JUSTIFICATION: The flow rate of Medical oxygen brought onboard the airplane by a passenger is unknown and may not be appropriate for hypoxia protection in a airplane decompression environment. Boeing recommends that all passenger use the airplane passenger oxygen system in the event of a decompression as that system has been certified and shown to prevent hypoxia protection when used correctly.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 117 comment by: DGAC France

Page 25 - GM1 CAT.OP.MPA.155 (b)
 Extremely obese passengers are not precisely defined unlike other categories of SCP. We understand though that what is important is the adequacy of the exit.
 For those passengers, what really needs to be addressed is seating allocation, as is done through GM2 CAT.OP.MPA.155 (c) (page 29).
 This seating allocations should ensure that in case of evacuation, the SCP will naturally be directed to what constitutes a suitable exit for him
 One should assume that this seating allocation is correctly managed, in which case no tactless extra briefing would be needed for these SCPs. This is why in GM1 CAT.OP.MPA.155(b), the briefing for extremely obese passengers should be deleted.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).



responses).

comment	<p>154 comment by: UK CAA</p> <p>Page No: 25, 26 & 27 Paragraph No: GM1 CAT.OP.MPA.155(b) Carriage of SCPs – SCP BRIEFING PROCEDURE Comment (1): Unaccompanied children of less than 12 years · The UK CAA shares the concern of the rulemaking group on the social, safety and legal consequences of asking a person who has no connection to the child under 12, who is separated from the accompanying adult, to act as a safety assistant. Although deemed outside of the scope of the task, this should be addressed before implementation of the proposed changes and suggests removal of the proposed text. · The UK CAA fully supports seating allocation of unaccompanied children as indicated in GM2 CAT.OP.MPA.155(c) Justification: The UK CAA does not consider it appropriate for children under the age of 12 years to be separated from an accompanying adult. ***** *****</p> <p>Comment (2): Parents travelling with infants The UK CAA believes that the contents of the briefing can be achieved by inclusion in the safety briefing card required by CAT.OP.MPA.170(b). Proposed Text: “Information regarding the following should be provided by means of a briefing or inclusion in the passenger safety card; Briefing on · The brace position for adult with lap-held infant, · Briefing on How to evacuate carrying an infant: (a) On land, jump on the slide; and (b) in case of water landing, how to fit and when to inflate infant flotation aid (e.g. life vest, flotation cot).” ***** *****</p> <p>Comment (3): Stretcher occupant UK CAA fully supports. ***** *****</p> <p>Comment (4): Visually impaired passenger UK CAA fully supports and proposes inclusion of the additional text below. Proposed Text: “(h) Operators should consider providing safety information in Braille format.” ***** *****</p> <p>Comment (5): Passenger with disability of upper limbs Where such a briefing is necessary a passenger would be required to travel with a safety assistant in accordance with AMC3 CAT.OP.MPA.155(b) and proposes the revised text below.</p>
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	<p>Justification: An SCP who is not self reliant would be required to travel with a safety assistant if unable to unfasten their seatbelt, fit a lifejacket or fit an oxygen mask. Proposed Text: “Brief SCP and safety assistant passenger seated next to SCP: (a) to assist with the operation of their seat belt, if necessary; (b) in case of a ditching evacuation, to fit the life jacket on the SCP. (c) in case of decompression, to first put on their own oxygen mask before fitting the SCP’s oxygen mask, if necessary.” ***** *****</p> <p>Comment (6): Passenger with disability of lower limbs UK CAA does not support point (c) Justification: Cabin crew may still be required to perform crowd control duties once the immediate cabin area has been evacuated and should only consider assistance when satisfied that they are no longer required to control evacuation from exits for which they are responsible. Proposed Text: “(c) that cabin crew can only assist once the immediate cabin area has been evacuated.” ***** *****</p> <p>Comment (7): Passenger with disability of both upper and lower limbs UK CAA does not support point (a)(2) Justification: Cabin crew may still be required to perform crowd control duties once the immediate cabin area has been evacuated and should only consider assistance when satisfied that they are no longer required to control evacuation from exits for which they are responsible. Proposed Text: “(a)(2) that the SCP might have to wait for cabin crew as they can only assist once the immediate cabin area has been evacuated.”</p>
response	<p>For a response to the comment, please see Chapter 2 (Summary of comments and responses).</p>

comment	<p>168 comment by: IATA</p> <p>Comment on GM1 CAT.OP.MPA.155(b) – “Passenger with disability of upper limbs” IATA considers that the “passenger seated next to the SCP” would be classified as a Safety Assistant under this rulemaking. Since a passenger with disability in both upper limbs will likely not be able to unfasten their seatbelt or fit an oxygen mask. IATA proposes to replace “passenger seated next to the SCP” in cases where both upper limbs are affected to the point of not being self-reliant with a “Safety Assistant”. This would be applicable to cases where both upper limbs are affected and only if the passenger with disability or injury is not able to: (a) unfasten their seat belt, or (b) leave their seat and reach an emergency exit unaided, or (c) retrieve and fit a life jacket, or (d) fit an oxygen mask without assistance, or (e) follow the safety briefing and instructions given by the crew in an emergency situation.</p>
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response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 176 comment by: ERA

For UMs: This is too complex. In cases with single cabin crew operation this is not feasible as it would take resources away from other duties.
 For parents traveling with infants: This is good for prepared emergency landings only. Again too complex for every flight especially with single cabin crew operation.
 For extremely obese passengers: Again, it makes sense for prepared emergency landings. It is too complex to make all these different briefings for each flight.
 Luxair does not accept stretchers.
 For visually impaired passengers: This certainly makes sense for a prepared emergency but is too complex for each flight especially in single cabin crew operations. Instead we would suggest to have safety briefing cards available in braille.
 For passengers with disability of the upper limbs: Too complex for each flight. See above.
 For passengers with disability of the lower limbs: Too complex for each flight. See above.
 For passengers with disability of upper and lower limbs: Too complex for each flight. See above.
 For physically disabled passenger (aided walking): This is not feasible.
 All in all this is too complex. There are too many different persons to be briefed if this is applied. We believe that this is not feasible.
 An alternative to briefing all SCP cases individually would be a general announcement to all passengers that in case of emergency able bodied passengers should assist passengers in difficulty.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

3 Proposed amendments — 3.2 Draft EASA Decision proposed changes to ED Decision 2012/018/R — Part CAT — GM2 CAT.OP.MPA.155(b) Carriage of special categories of passengers (SCPs) — p. 27
 MAXIMUM NUMBER OF SCPS

comment 13 comment by: Luxair

We do agree to this.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 38 comment by: Christopher Mason

Luxair agrees to this change.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).



comment	146	comment by: UK CAA
	Page No: 27 Paragraph No: GM2 CAT.OP.MPA.155(b) Carriage of SCP's – MAXIMUM NUMBER OF SCPs Comment: UK CAA considers the GM to be overly restrictive and impracticable for an operator to manage and suggests removal of the proposed text. Justification: SCP's who are not self-reliant are required to travel with a safety assistant. The criteria in CAT.OP.MPA.155 is considered to be suitably robust.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	170	comment by: IATA
	Comment on GM2 CAT.OP.MPA.1555 (b) IATA proposes that cabin crew should be included in the ratio for calculating the Maximum Number of SCPs. IATA proposes that the word "passengers" in (a) is replaced with the term "persons". The Cabin Crew should be calculated in the total number of persons on board able to assist in the case of an emergency.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	177	comment by: ERA
	We do agree to this.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	

3 Proposed amendments — 3.2 Draft EASA Decision proposed changes to ED Decision 2012/018/R — Part CAT — GM3 CAT.OP.MPA.155(b) Carriage of special categories of passengers (SCPs) — p. 27
 BRIEFING PROCEDURE IN A PLANNED EMERGENCY

comment	14	comment by: Luxair
	We do agree to this.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	39	comment by: Christopher Mason
	Luxair agrees to this change.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	147	comment by: UK CAA



	<p>Page No: 27 Paragraph No: GM3 CAT.OP.MPA.155(b) Carriage of SCP's – BRIEFING PROCEDURE IN A PLANNED EMERGENCY Comment: UK CAA fully supports.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>178 comment by: ERA</p> <p>We do agree to this.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).

3 Proposed amendments — 3.2 Draft EASA Decision proposed changes to ED Decision 2012/018/R — Part CAT — AMC1 CAT.OP.MPA.155(c) Carriage of special categories of passengers (SCPs) — p. 27-28
SEATING OF SPECIAL CATEGORIES OF PASSENGERS

comment	<p>97 comment by: PassePartout Training Ltd</p> <p>Group seating on non-ambulatory PRMs To spread PRMs evenly throughout the cabin could mean that some PRMs will be allocated seats too far away from the toilet or that are not suitable for them. It might also prevent a group travelling together from sitting together. There could also be logistical problems if PRMs already seated are asked to move.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>148 comment by: UK CAA</p> <p>Page No: 27 & 28 Paragraph No: AMC1 CAT.OP.MPA.155(c) Carriage of SCP's – SEATING OF SCPS Comment: UK CAA fully supports.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>179 comment by: ERA</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).

3 Proposed amendments — 3.2 Draft EASA Decision proposed changes to ED Decision 2012/018/R — Part CAT — AMC2 CAT.OP.MPA.155(c) Carriage of special categories of passengers (SCPs) — p. 28
SEATING ALLOCATION OF SCPS WITH A DISABILITY AND/OR RESTRAINT AID



comment	15	comment by: Luxair
	We do agree to this.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	40	comment by: Christopher Mason
	Luxair agrees to this change.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	107	comment by: Boeing
	<p>The proposed text states:</p> <p>“(a) A disability and/or restraint aid that requires to be secured around the back of the seat, should not be used if there is a person seated behind, unless the seat configuration is approved for the use of such devices. This is to avoid the changed dynamic seat reactions with the disability and/or restraint aid, which may lead to head injury of the passenger seated behind.</p> <p>(b) If the seat design or installation would prevent head contact of the person seated behind, then no further consideration is necessary.”</p> <p>REQUESTED CHANGE: Replace the existing paragraphs (a) and (b) with the following:</p> <p>“</p> <p>(a) A disability and/or restraint aid that requires to be secured around the back of the seat, should not be used if there is a person seated behind, unless the seat configuration is approved for the use of such devices. This is to avoid the changed dynamic seat reactions with the disability and/or restraint aid, which may lead to head injury of the passenger seated behind.</p> <p>(b) Alternatively, If the seat design or and installation (with the device and simulated person) has been shown under dynamic loading conditions to would prevent head contact of the person seated behind, then no further consideration restriction is necessary.</p> <p>JUSTIFICATION: As previously written, paragraph (b) could be misinterpreted to mean that a typical row-to-row dynamic test that shows no –contact of the aft row occupants head with the forward row would be acceptable to then use the device on the forward row. But that typical row-to-row dynamic test would not necessarily have accounted for the fact that a person in the front row would be strapped to the seat back of that front row. By strapping a person to the seat, the dynamic behavior of that seat changes and it will not break forward in the same manner as if an occupant is not strapped to the seat back. A rewording is necessary to ensure the appropriate test is run (with the forward seat occupant strapped to the seat back) to ensure the second row occupant head really does not hit the seat in front.</p>	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	149	comment by: UK CAA
	<p>Page No: 28</p> <p>Paragraph No: AMC2 CAT.OP.MPA.155(c) Carriage of SCP's – SEATING ALLOCATON OF SCPs</p>	



	WITH DISABILITY AND/OR RESTRAINT AID Comment: UK CAA fully supports.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	180 comment by: ERA We do agree to this.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	192 comment by: Queen Elizabeth's Foundation for Disabled People Attachment #5 NPA 2014 -01 P28 SEATING ALLOCATION OF SCPS WITH A DISABILITY AND/OR RESTRAINT AID. Queen Elizabeth's Foundation for Disabled People (QEF) is a leading UK disability charity with more than 75 years' experience of developing innovative services which enable and support people to increase independence and improve opportunities for life. QEF are concerned that limiting the seat location for disabled people who require upper body support will have a negative impact on flight experience, and prevent some disabled people from flying. To date, a physically disabled adult who requires upper body support generally books seats that have the bulkhead directly in-front. It is a relatively short journey from boarding to these seats and importantly, this seat location enables the transfer team or family members to stand behind the passenger, and lift them into the window seat. It also affords the passenger additional leg room and a space for changing/toileting on long haul flights. If the passenger can only book seats with bulkhead directly behind, it will not be possible to lift the disabled passenger into the window seat. If with their own ability they can transfer into this seat there remains the practical challenge of attaching a restraining harness within limited space. This will take longer to install and is problematic. Already we are aware of passengers' own experiences through our service 'Tryb4ufly', where QEF provide disabled passengers the opportunity to try aircraft seating and transfer options before they fly to increase their confidence and reduce delay when boarding. One family who take frequent long haul flights from the UK have recently been told they must now take the rear row seats. They have declined these seats, because they know they can not transfer their son without lifting from behind. They have instead booked their usual seats, with the bulkhead in-front and decided to forego the benefits of the Crelling Harness support. In practice this means that Dad will have to continually support his son during take-off, landing and throughout the flight. In Dad's own words. "Disabled passengers and their families should have the right to fly as comfortably as possible, rather than being made to feel like an inconvenience and forced to the back of the plane". Dad's comment alludes to the negative perception that this ammendment could have on the aviation industry. A case study is included with this comment.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).



responses).

3 Proposed amendments — 3.2 Draft EASA Decision proposed changes to ED Decision 2012/018/R
— Part CAT — GM1 CAT.OP.MPA.155(c) Carriage of special categories of passengers (SCPs) — p. 28
GROUP SEATING OF SPECIAL CATEGORIES OF PASSENGERS

comment	16	comment by: Luxair
	This should be coordinated with the associations of passengers with reduced mobility. Starting to move passengers around and changing seats while boarding or when boarding has finished is not feasible and leaves all the responsibility with the cabin crew. This is a multilateral issue which needs to be addressed industry wide (e.g. including the travel agencies and other stakeholders) in order to make this work in a proper way.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	29	comment by: United Kingdom Access to air travel working group
	Airlines must consider needs of SCPs when establishing where to seat SCPs. To spread PRMs evenly throughout the cabin could mean that some PRMs might have to be allocated away from the toilet or in seats which are not suitable. Many airlines also have moveable armrests only in certain rows of the aircraft. It might also prevent a large group of SCPs sitting together. It could also lead to problems if SCPs are asked to move when already onboard and in their seat. This could discriminate unduly against PRMs by preventing them being able to make a personal choice about where to sit. It could prevent PRMs from being able to use the toilet onboard which could mean some passengers would be forced to dehydrate themselves or use catheters. Airlines must be mindful not to discourage some PRMs from travelling thus creating a barrier to access.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	41	comment by: Christopher Mason
	This should be coordinated with the associations of passengers with reduced mobility. Starting to move passengers around and changing seats while boarding or when boarding has finished is not feasible and leaves all the responsibility with the cabin crew. This is a multilateral issue which needs to be addressed industry wide (e.g. including the travel agencies and other stakeholders) in order to make this work in a proper way.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	54	comment by: European Disability Forum
	EDF represents the view that persons with disabilities should be able to travel in the same way as anybody else. That also means choosing the person they want to sit next to and	



where to sit (with certain exceptions such as in the emergency exit row).
 Due to the diversity of different types of disabilities, different seats can be more comfortable, depending on each person. Persons who need to use the toilet more often but do not mind standing up frequently might prefer an aisle seat. Others, who prefer a window seat because it is more quiet should be able to choose this, too. In any case it should be made sure that persons with disabilities who are travelling with an accompanying person or a personal assistant can sit next to each other. This should also be ensured for persons with intellectual disabilities who might be able to follow the safety instructions but would be upset by being separated from the accompanying person.
 Groups travelling together should not be split up and preferences should be respected within the possible means.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

73 comment by: FNAM-French Aviation Industry Federation

First of all, FNAM raises the issue of the definition of an extremely obese passenger. Who will have the responsibility to judge if a passenger is obese? Will it be on the opinion of the cabin crew, or a specific maximum weight will be defined? In part 4.8.2.2 "Seating allocation for specific SCPs", EASA states that "from a certification point of view, group seating of SCPs that are extremely obese should be avoided, since each individual seat place is certificated for a maximum weight of 77 kg." The limit of 77kg cannot be acceptable.
 Secondly, it will be discriminatory for a family of person qualified as "obese" to distribute them all over the aircraft and thus to separate them.
 Finally, FNAM points out that we can't characterize a category of SCP as a cause of safety risk (as it is made here for extremely obese passenger).
 To conclude, such a requirement won't be able to enforce in practice by the operators.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

95 comment by: AEA

The requirement to avoid group seating of extremely obese passengers might be very difficult to enforce in practice.

response

For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment

150 comment by: UK CAA

Page No: 28
 Paragraph No: GM1 CAT.OP.MPA.155(c) Carriage of SCP's – GROUP SEATING OF SCPs
 Comment:
 Sub-paragraph (a): UK CAA proposes the text is amended as shown below.
 Sub-paragraph (b): UK CAA fully supports.
 Justification:
 To facilitate access to exits and toilet facilities (including accessible toilet) the grouping of SCP's is likely to occur.



To spread PRMs evenly throughout the cabin could mean that some PRMs might have to be allocated away from the toilet or in seats which are not suitable. It might also prevent a large group of SCPs sitting together. It could also lead to problems if SCPs are asked to move when already onboard and in their seat.

This could discriminate unduly against PRMs. It could prevent PRMs from being able to use the toilet onboard which could mean some passengers would be forced to dehydrate themselves or use catheters. Airlines must be mindful not to discourage some PRMs from travelling thus creating a barrier to access.

Proposed Text:

“(a) Group seating of Where practicable, and taking into consideration access to exits and toilet facilities, non-ambulatory SCPs and extremely obese passengers should be avoided. They should be seated throughout the cabin to ensure that each SCP is surrounded by the maximum number of passengers capable of assisting in case of an emergency.

(b) If non-ambulatory SCPs cannot be evenly distributed throughout the aircraft cabin, the operator should establish procedures to mitigate the increased safety risk, such as seating of passengers capable of assisting in case of an emergency, additional briefings, or training of cabin crew.”

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 169 comment by: IATA
Comment on GM1 CAT.OP.MPA.155(c) – Group seating of SCP
IATA considers that the implementation of the provisions would be difficult in operations.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 181 comment by: ERA
This should be coordinated with the associations of passengers with reduced mobility. Starting to move passengers around and changing seats while boarding or when boarding has finished is not feasible and leaves all the responsibility with the cabin crew. This is a multilateral issue which needs to be addressed industry wide (e.g. including the travel agencies and other stakeholders) in order to make this work in a proper way.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

3 Proposed amendments — 3.2 Draft EASA Decision proposed changes to ED Decision 2012/018/R — Part CAT — GM2 CAT.OP.MPA.155(c) Carriage of special categories of passengers (SCPs) — p. 29-30 SEATING ALLOCATION OF SPECIAL CATEGORIES OF PASSENGERS

comment 1 comment by: Thomas Brinkmann, Bucher Leichtbau AG

On page 30 of 78 the following text appears:

"The stretcher should be installed behind a cabin monument that is capable of restraining the stretcher from moving throughout the cabin should it break loose."



Comment from Bucher Leichtbau AG:
 The text passage should be deleted, because no cabin monument is capable to restrain a stretcher (... and not at all with an occupant on it!) from moving through the cabin in case that the stretcher breaks loose, unless the monument has been specifically designed and qualified for such an extra load case. The manufacturers of cabin monuments have enough to worry about to fulfil the specified needs of their products. The restrain of stretchers from moving through the cabin is therefore wrongly addressed at cabin monuments. It should instead be considered whether the compliance with CS 25.561 has been successful demonstrated by the stretcher. The requirements of CS 25.562 should also be considered, as far as a stretcher can comply with this rather seat specific paragraph.
 The text should therefore read:

The stretcher should be installed behind a cabin monument that is capable of restraining the stretcher from moving throughout the cabin should it break loose.
 The stretcher should be installed in a place where compliance with CS.25.561 and CS.25.562(b), (c)(7), (8) has successful been demonstrated.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 17 comment by: Luxair
 General comment: how can you sit passengers where visible and audible communication is possible during all phases of flight. This is too complex, especially in single cabin crew operations.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 42 comment by: Christopher Mason
 Luxair - General comment: how can you sit passengers where visible and audible communication is possible during all phases of flight. This is too complex, especially in single cabin crew operations.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 65 comment by: FNAM-French Aviation Industry Federation
 In the third category of SCP, "extremely obese passengers", FNAM raises the issue of the definition of an extremely obese passenger. Who will have the responsibility to judge if a passenger is obese? Will it be on the opinion of the cabin crew, or a specific maximum weight will be defined? In part 4.8.2.2 "Seating allocation for specific SCPs", EASA states that "from a certification point of view, group seating of SCPs that are extremely obese should be avoided, since each individual seat place is certificated for a maximum weight of 77 kg." The limit of 77kg cannot be acceptable.



response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>68 comment by: FNAM-French Aviation Industry Federation</p> <p>Seating allocation can also be a challenge considering that the operator may be aware quite (too) late that some/many SCPs will be on board. This is why some flexibility is needed. In that perspective, the fact that EASA proposes only a guidance is positive.</p> <p>Moreover, in the GM1 CAT.OP.MPA.155(b) EASA defines nine "SCP groups", and in the GM2 CAT.OP.MPA.155(c), EASA defines nine "SCP categories" where some of them are different from the "SCP group". FNAM proposes to EASA to align these two GMs and to use only one wording for both which would be "SCP category".</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>71 comment by: FNAM-French Aviation Industry Federation</p> <p>Regarding "Visually impaired passenger travelling with recognised assistance dogs in the cabin", FNAM asks EASA to mention that the dog should stay during the whole flight at the feet of the SCP passenger.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>77 comment by: FNAM-French Aviation Industry Federation</p> <p>Regarding the first category of SCP, "unaccompanied child", if we consider the age limit is 12 years old for an UM, it may be not realistic to ask him/her to assist the youngest, especially in case of emergency.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>118 comment by: DGAC France</p> <p>Page 29</p> <p>GM2 CAT.OP.MPA.155 (c) - Seating allocation</p> <p>Seating allocation can also be a challenge considering that the operator may be aware quite (too) late that some/many SCPs will be on board. This is why some flexibility is needed. In that perspective, the fact that EASA proposes only a guidance is positive.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).



comment

151

comment by: UK CAA

Page No: 29,30

Paragraph No: GM2 CAT.OP.MPA.155(c) Carriage of SCPs – SEATING ALLOCATION OF SCPs

Comment (1):

Unaccompanied child

The UK CAA fully supports with the following amendment.

Proposed Text:

“The seating of unaccompanied children of less than 12 years”.

Comment (2):

Passengers travelling with children up to 12 years old

The UK CAA fully supports with the following amendment.

Proposed Text:

“Passengers travelling with children less than up to 12 years old”

Comment (3):

Extremely obese passengers

The UK CAA fully supports.

Comment (4):

Passenger with physical disability of the upper limbs

It is unclear why a person who does not require a safety assistant should be allocated a seat so that visual and audible communication can be established with the cabin crew and suggests removal of the proposed text.

Justification:

A person who does not require a safety assistant is considered to be self-reliant.

Comment (5):

Passenger with disability of lower limbs

UK CAA fully supports.

Comment (6):

Passenger with disability of both upper and lower limbs

UK CAA fully supports.

Comment (7):

Mentally impaired passenger

It is unclear why a person who does not require a safety assistant should be allocated a seat so that visual and audible communication can be established with the cabin crew and suggests removal of the proposed text.

Justification:

A person who does not require a safety assistant is considered to be self-reliant.



Comment (8):
 Visually impaired passenger travelling with recognised assistance dogs in the cabin
 The UK CAA fully supports with the amendment proposed below.
 Justification: This would align with current requirements and guidance:
 ICAO Doc 9984 – Manual on Access to Air transport by persons with Disabilities. Para 8.10
 EC regulation 1107/2006 – refers to recognised assistance dog.
 UK DfT Access to Air Travel for Disabled Persons and Persons with Reduced Mobility - Code of Practice
 Proposed Text:
 “Visually impaired Passenger travelling with an recognised assistance dogs
 Suitable arrangements should be made between the passenger and operator in advance of a flight where a guide dog or recognised assistance dog is to be accommodated. A suitable restraint harness should be provided by the owner to secure and restrain the dog during taxi, take-off, landing, and turbulence. In cruise, it is acceptable for the dog to be subject to less restraint.
 Operators should provide seating with sufficient space so that the dog can remain on the floor at the passenger’s seat, this may require an extra seat provided by the aircraft operator in order for there to be enough floor space for the animal to lie down, without discomfort.”

Comment (9):
 Stretcher Occupant
 The UK CAA proposes the text should be amended as proposed below.
 Justification:
 Compliance with the applicable airworthiness requirement should be given priority.
 Proposed Text:
 “Alternatively, t The stretcher should be installed where it can demonstrate compliance with CS.25.562(b), (c)(7), (8).
 Alternatively T the stretcher should be installed behind a cabin monument that is capable of restraining the stretcher from moving throughout the cabin should it break loose.
 Alternatively, the stretcher should be installed where it can demonstrate compliance with CS.25.562(b), (c)(7), (8).
 Stretcher installation should be as close to the a floor level non-overwing exit as is practicable, preferably as close to a required cabin crew station with an adjacent seat for one designated safety assistant.”

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 182 comment by: ERA
 General comment: how can you sit passengers where visible and audible communication s possible during all phases of flight. This is too complex, especially in single cabin crew operations.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).



comment	18 We do agree to this.	comment by: Luxair
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	43 Luxair agrees to this change.	comment by: Christopher Mason
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	76 FNAM agrees that additional requirements for «CABIN CREW TRAINING » are needed. However, FNAM insists on the fact that these requirements should not lead to additional extra costs for operators which are already in economic difficulties. Moreover, AMC1 ORO.CC.140 has to be considered together with the transition period mentioned in paragraph 4.4 of page 41. All AMCs/GMs would apply 18 months after publication of the decision according to paragraph 4.4 of page 41 except for AMC1 ORO.CC.140 FNAM understands that the recurrent training cycle of AMC1 ORO.CC.140 justifies the 4 year transition mentioned page 41, but wonders how this will work with the implementation of the changes of AMCs/GMs to CAT.OP.155 as long as these AMCs/GMs have an impact on cabin crew members tasks before the 4 years transition elapses. Thus FNAM asks EASA to implement a transition period of 4 years for all these new changes after publication of the decision.	comment by: FNAM-French Aviation Industry Federation
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	119 Page 31 - §3.3 and page 41 - paragraph 4.4 AMC1 ORO.CC.140 (page 31) has to be considered together with the transition period mentioned in paragraph 4.4 of page 41. All AMCs/GMs would apply 18 months after publication of the decision according to paragraph 4.4 of page 41 except for AMC1 ORO.CC.140 French DGAC understands that the recurrent training cycle of AMC1 ORO.CC.140 justifies the 4 year transition mentioned page 41, but wonders how this will work with the implementation of the changes of AMCs/GMs to CAT.OP.155 as long as these AMCs/GMs have an impact on cabin crew members tasks before the 4 years transition elapses.	comment by: DGAC France
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	



comment	152 Page No: 31 Paragraph No: AMC1 ORO.CC.140 Recurrent Training Comment: UK CAA fully supports.	comment by: UK CAA
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	183 We do agree to this.	comment by: ERA
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	

4 Regulatory Impact Assessment (RIA) — 4.1 Issues to be addressed — 4.1.2 Who is affected?	p. 33
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comment	75 Within the part 4.1.2. “Who is affected”, it is written: “The following stakeholders are affected by this proposal: — Commercial Air Transport operators, who must ensure safe carriage of all passengers on board and who provide information to SCsPs, e.g. on their website. - CAT operators of aeroplanes and helicopters, although helicopter operations are mostly conducted in aircraft with smaller cabin and without cabin crew. Therefore, many of the NPA amendments will not apply to helicopter operators. - Non-commercial operators and operators with non-motor-powered aircraft, e.g. sailplanes and balloons are excluded from the scope of this NPA.” This paragraph is in contradiction with the one in the part “How did the Agency embark on this rulemaking task?” p.10 Thus, FNAM is suggesting to EASA to change the part 4.1.2. as follows: “The following stakeholders are affected by this proposal: — Commercial Air Transport operators with aeroplanes with cabin crew, who must ensure safe carriage of all passengers on board and who provide information to SCsPs, e.g. on their website. CAT operators with other categories of aircraft, and non-commercial operators and operators with non-motor-powered aircraft, are excluded from the scope of this NPA. {...}”	comment by: FNAM-French Aviation Industry Federation
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	120 Page 33 - paragraph 4.1.2 See comment 108 concerning the applicability of the proposed rules to operations conducted under other than CAT with aeroplane. French DGAC supports an explicit exclusion of these operations from the modified rules.	comment by: DGAC France



response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

4 Regulatory Impact Assessment (RIA) — 4.4 General aspects of the options and introduction of the impact analysis p. 41

comment 121 comment by: DGAC France
Page 41 - paragraph 4.4

See comment 119 on AMC1 to ORO.CC.140 (page 31)

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 127 comment by: FNAM-French Aviation Industry Federation

The transition period mentioned in paragraph 4.4 has to be considered together with AMC1 ORO.CC.140 page 31. All AMCs/GMs would apply 18 months after publication of the decision according to paragraph 4.4 except for AMC1 ORO.CC.140 FNAM understands that the recurrent training cycle of AMC1 ORO.CC.140 justifies the 4 year transition mentioned page 41, but wonders how this will work with the implementation of the changes of AMCs/GMs to CAT.OP.155 as long as these AMCs/GMs have an impact on cabin crew members tasks before the 4 years transition elapses. Thus FNAM asks EASA to implement a transition period of 4 years for all these new changes after publication of the decision.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

4 Regulatory Impact Assessment (RIA) — 4.6 Passenger Briefing — 4.6.1 SCPs briefing options identified p. 45

comment 19 comment by: Luxair
Luxair supports option 0 for SCPs Briefing procedures
Luxair supports option 1 for procedure for planned emergency evacuation

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).

comment 44 comment by: Christopher Mason
Luxair supports option '0' for SCPs Briefing procedures.
Luxair supports option '1' for procedure for planned emergency evacuation.

response For a response to the comment, please see Chapter 2 (Summary of comments and responses).



comment	184	comment by: ERA
	Luxair supports option 0 for SCPs Briefing procedures Luxair supports option 1 for procedure for planned emergency evacuation	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	

4 Regulatory Impact Assessment (RIA) — 4.6 Passenger Briefing — 4.6.2 Safety impact

p. 46-47

comment	153	comment by: UK CAA
	Page No: 46 Paragraph No: Para 4.6.2.1, SCP briefing procedures, last sub-paragraph Comment: The UK CAA shares the concern of the rulemaking group on the social, safety and legal consequences of asking a person who has no connection to the SCP to act as a safety assistant in the event of an emergency. Although deemed outside the scope of the task, this should be addressed before implementation of the proposed changes to the regulations. Justification: Proposed regulatory changes should not be introduced until the legal requirements (responsibilities and liabilities) and safety implications have been adequately addressed.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	

4 Regulatory Impact Assessment (RIA) — 4.6 Passenger Briefing — 4.6.4 Economic impact

p. 48

comment	134	comment by: DGAC France
	Page 48 - paragraph 4.6.4.1 on SCP briefing procedures	
	« Because of the high workload while boarding, individual briefings are often not feasible at that time. For this reason, the operator may decide to provide briefing to passengers prior to boarding, e.g. during the booking of the flight, on the operator's website, etc. »	
	The efficiency of a briefing provided at the time of the booking of the flight and/or on the operator's web site - i.e. probably a long time before the intended flight - is very questionable.	
	The safety briefing should be provided while boarding or checking (flexibility is needed indeed to alleviate potential multiple briefings on board - see also comment 116 on AMC2 CAT.OP.MA.155 (b)).	
	This briefing can be considered as a supplement to the generic passenger briefing mandated by CAT.OP.MPA.170 (a briefing is usually seen as a means to activate immediate memory). Moreover, it would not be possible for the operator to ensure that the SCP and his/her assistant have actually received and understood the briefing (ticking a box "I agree" on the website is not an evidence).	



response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>172 comment by: FNAM-French Aviation Industry Federation</p> <p>Regarding the sentence « Because of the high workload while boarding, individual briefings are often not feasible at that time. For this reason, the operator may decide to provide briefing to passengers prior to boarding, e.g. during the booking of the flight, on the operator's website, etc. », FNAM would like to point out that the efficiency of a briefing provided at the time of the booking of the flight and/or on the operator's website (i.e. probably a long time before the intended flight) is very questionable.</p> <p>The safety briefing should be provided while boarding or checking (flexibility is needed indeed to alleviate potential multiple briefings on board - see also comment 116 on AMC2 CAT.OP.MA.155 (b)).</p> <p>This briefing can be considered as a supplement to the generic passenger briefing mandated by CAT.OP.MPA.170 (a briefing is usually seen as a means to activate immediate memory).</p> <p>Moreover, it would not be possible for the operator to ensure that the SCP and his/her assistant have actually received and understood the briefing (ticking a box "I agree" on the website is not an evidence).</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).

4 Regulatory Impact Assessment (RIA) — 4.7 Crew Training — 4.7.1 Crew Training Option identified p. 50

comment	<p>20 comment by: Luxair</p> <p>Luxair supports option 0 for the cabin crew training in relation to SCP.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>45 comment by: Christopher Mason</p> <p>Luxair supports option '0' for the cabin crew training in relation to SCP.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	<p>185 comment by: ERA</p> <p>Luxair supports option 0 for the cabin crew training in relation to SCP.</p>
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).



4 Regulatory Impact Assessment (RIA) — 4.8 Seating Allocation — 4.8.1 Seating Allocation Options identified	p. 52-53
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comment	21	comment by: Luxair
	Luxair supports option 1 for the maximum number of SCPs on board.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	22	comment by: Luxair
	Luxair supports option 2 for seating allocation for specific SCPs. But this should also take into account the number of cabin crew members.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	46	comment by: Christopher Mason
	Luxair supports option '1' for the maximum number of SCPs on board.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	47	comment by: Christopher Mason
	Luxair supports option '2' for seating allocation for specific SCPs. But this should also take into account the number of cabin crew members.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	186	comment by: ERA
	Luxair supports option 1 for the maximum number of SCPs on board.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	187	comment by: ERA
	Luxair supports option 2 for seating allocation for specific SCPs. But this should also take into account the number of cabin crew members.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	

4 Regulatory Impact Assessment (RIA) — 4.8 Seating Allocation — 4.8.2 Safety impact	p. 54-56
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comment	74 comment by: FNAM-French Aviation Industry Federation Regarding the paragraph on "extremely obese passengers", in part 4.8.2.2 "Seating allocation for specific SCPs", EASA states that "from a certification point of view, group seating of SCPs that are extremely obese should be avoided, since each individual seat place is certificated for a maximum weight of 77 kg." The limit of 77kg cannot be acceptable. FNAM is requesting to give a clear definition of "extremely obese passengers".
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).

4 Regulatory Impact Assessment (RIA) — 4.9 Safety Assistant — 4.9.1 Safety Assistant Options identified p. 62

comment	23 comment by: Luxair Luxair supports option 1 in the definition of a safety assistant and need for a safety assistant in certain limited cases.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	48 comment by: Christopher Mason Luxair supports option '1' in the definition of a safety assistant and need for a safety assistant in certain limited cases.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).
comment	188 comment by: ERA Luxair supports option 1 in the definition of a safety assistant and need for a safety assistant in certain limited cases.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).

4 Regulatory Impact Assessment (RIA) — 4.10 Changes to Certification requirements — 4.10.1 Certification Requirements Options identified p. 67-68

comment	24 comment by: Luxair Luxair supports option 1 for evacuation certification: include representative sample of SCPs in evacuation tests.
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).



comment	25	comment by: Luxair
	Luxair supports option 0 for the certification requirements for minimum number of cabin crews to determine the minimum number of cabin crews in operational rules depending on the number of SCPs on board.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	49	comment by: Christopher Mason
	Luxair supports option '1' for evacuation certification: include representative sample of SCPs in evacuation tests.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	50	comment by: Christopher Mason
	Luxair supports option '0' for the certification requirements for minimum number of cabin crews to determine the minimum number of cabin crews in operational rules depending on the number of SCPs on board.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	189	comment by: ERA
	Luxair supports option 1 for evacuation certification: include representative sample of SCPs in evacuation tests.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	
comment	190	comment by: ERA
	Luxair supports option 0 for the certification requirements for minimum number of cabin crews to determine the minimum number of cabin crews in operational rules depending on the number of SCPs on board.	
response	For a response to the comment, please see Chapter 2 (Summary of comments and responses).	

