

PART VIII

PASSENGERS AND PASSENGER HANDLING

189. (1) A person on board an aircraft shall not interfere with a crew member in the performance of his duties.

Unacceptable  
conduct of  
passenger

(2) A passenger shall fasten his seat belt and keep it fastened while the seat belt sign is lit.

(3) A person on board an aircraft shall not recklessly or negligently act or omit to act in such a manner as to endanger the aircraft or persons and property therein.

(4) A person shall not conceal himself or cargo on board an aircraft.

(5) A person shall not smoke—

(a) while the no-smoking sign is lit; or

(b) in any aircraft lavatory.

(6) A person shall not tamper with, disable or destroy any smoke detector installed in any aircraft lavatory.

(7) A person shall not enter in or be on an aircraft when under the influence of alcohol or drugs to the extent that the safety of the aircraft or its occupants is likely to be endangered.

(8) A passenger shall from the time of boarding an aircraft to the time of disembarking an aircraft comply with all safety instructions given by a crew member.

(9) A person who contravenes any of the provisions of this regulation is guilty of an offence and is liable on summary conviction to a fine of twenty-five thousand dollars and imprisonment for one year.

***Refuelling or Defuelling with Passengers Embarking on Board  
or Disembarking***

190. (1) An operator shall establish operational procedures for refuelling or defuelling an aircraft while passengers are embarking, on board or disembarking the aircraft.

Requirements  
for refuelling  
or  
defuelling  
with  
passengers  
embarking, on  
board  
or  
disembarking

(2) A pilot in command shall not allow an aircraft to be refuelled when passengers are embarking on board or disembarking an aircraft unless—

(a) the aircraft is manned by qualified personnel ready to initiate and direct an evacuation;

(b) two-way communication is maintained between qualified personnel in the aircraft and the ground crew supervising the refuelling; and

(c) he complies with the operational procedures under subregulation (1) established by the operator.

(3) Unless specifically authorized by the Authority, a national air operator shall not allow a helicopter to be refueled or defuelled when—

(a) passengers are embarking or disembarking; or

(b) the engine is running or the rotors are turning.

***Passenger Seats, Safety Belts and Shoulder Harnesses***

Required  
passenger  
seats, safety  
belts and  
shoulder  
harnesses

191. (1) A person shall not operate an aircraft unless there are available during the take-off, en-route flight, and landing—

(a) an approved seat or berth for each person on board the aircraft who has reached his second birthday; and

(b) an approved seat belt for separate use by each person on board the aircraft who has reached his second birthday, except that two persons occupying a berth may share one approved safety belt and two persons occupying a multiple lounge or divan seat may share one approved safety belt during en-route flight only.

(2) Except as provided in this paragraph, each person on board an aircraft operated under this part shall occupy an approved seat or berth with a separate safety belt properly secured about him during movement on the surface, take-off, and landing.

(3) A safety belt provided for the occupant of a seat may not be used by more than one person who has reached his or her second birthday.

(4) Notwithstanding subregulations (2) and (3), a child may—

(a) be held by an adult who is occupying an approved seat or berth, provided the child has not reached his second birthday; or

(b) occupy a child restraint system acceptable to the Authority, furnished by the operator or by the parent, guardian, or attendant designated by the child's parent or guardian to attend to the safety of the child during the flight.

(5) This regulation does not prohibit the operator from providing child restraint systems consistent with safe operating practices and acceptable to the Authority, or determining the most appropriate passenger seat location for use of the child restraint system.

(6) A passenger shall have his seatbelt securely fastened at any other time the pilot in command determines it is necessary for safety.

(7) When cabin crew is required in a commercial air transport operation, the pilot in command may delegate his responsibilities under this regulation.

(8) Notwithstanding subregulation (7) a pilot in command shall ascertain that the proper briefing in respect on the use of the seat belt has been conducted prior to take-off.

(9) The pilot in command shall ensure that during take-off and landing and whenever, by reason of turbulence or any emergency occurring during flight, the precaution is considered necessary, all passengers on board an aircraft shall be secured in their seats by means of the seat belt or harnesses provided.

***Passenger Briefing***

192. (1) An operator shall establish procedures in his Operations Manual to ensure that—

Required  
passenger  
briefing

- (a) passengers are given a verbal briefing about safety matters; and
  - (b) passengers are provided with a safety briefing card containing instructions which shall indicate the operation of emergency equipment and exits likely to be used by passengers.
- (2) A pilot in command shall ensure that before take-off—
- (a) passengers are briefed on the following items where applicable:
    - (i) smoking regulations;
    - (ii) back of the seat to be in the upright position and tray table stowed;
    - (iii) location of emergency exits;
    - (iv) location and use of floor proximity escape path markings;
    - (v) stowage of hand baggage;
    - (vi) restrictions on the use of portable electronic devices; and
    - (vii) the location and the contents of the safety briefing card;
  - (b) passengers receive a demonstration on the following:

(i) the use of safety belts and safety harnesses, including how to fasten and unfasten the safety belts and safety harnesses;

(ii) the location and use of oxygen equipment where required; and

(c) the location and use of life jackets where required.

(3) A pilot in command shall ensure that after take-off of an aircraft passengers are reminded of the following:

(a) smoking regulations; and

(b) use of safety belts and safety harnesses.

(4) A pilot in command shall ensure that before landing passengers are reminded of the following:

(a) smoking regulations;

(b) use of safety belts and safety harnesses;

(c) back of the seat to be in the upright position and tray table stowed;

(d) re-stowage of hand baggage; and

(e) restrictions on the use of portable electronic devices.

(5) A pilot in command shall ensure that after landing passengers are reminded of the following:

(a) smoking regulations; and

(b) use of safety belts and safety harnesses.

(6) A pilot in command shall ensure that in an emergency during flight, passengers are instructed in such emergency action as may be appropriate to the circumstances.

### ***In-flight Emergency Instruction***

Required in-flight emergency instruction

193. In an emergency during flight, the pilot in command shall ensure that all persons on board are instructed in such emergency action as may be appropriate to the circumstances.

***Minimum Supply and Use of Passenger Oxygen***

194. (1) The pilot in command shall ensure that breathing oxygen and masks are available to passengers in sufficient quantities for all flights at such altitudes where a lack of oxygen might harmfully affect passengers.

Minimum supply and use of passenger oxygen

(2) The pilot in command shall ensure that the minimum supply of oxygen prescribed by the Authority is on board the aircraft.

(3) The pilot in command shall require all passengers to use oxygen continuously at cabin pressure altitudes above 15,000 feet.

***Passenger Medication***

195. Notwithstanding regulation 189(7), a person who is under medication and is a medical patient under proper care may be allowed to enter in or be on an aircraft where the operator is satisfied that the safety of the aircraft and its occupants is not likely to be endangered.

Exceptions to use of medication by passenger

***Passenger Access***

196. An operator shall take all reasonable measures to ensure that a passenger is not in any part of an aircraft in flight which is not a part designated for accommodation of passengers unless temporary access has been granted by the pilot in command to any part of the aircraft:

Restricted areas of access of passengers

(a) for the purpose of taking action necessary for the safety of the aircraft or of any person, animal or goods therein; or

(b) in which cargo or stores are carried being a part which is designed to enable a person to have access thereto while the aircraft is in flight.

***Applicability of regulations 198 to 219***

197. Notwithstanding the generality of the foregoing regulations of this Part regulations 198 to 219 apply to commercial air transport operations.

Applicability of regulations 198 to 219

***Requirement to comply with instructions given by crew members***

198. A person on a commercial air transport flight shall comply with instructions given by a crew member in compliance with this Part.

Requirement to comply with instructions given by crew members

***Denial of Transportation of Certain Categories of Passengers***

199. (1) A national air operator shall not refuse transportation of any person where he has established procedures for the carriage of persons who may require the assistance of another person to move expeditiously to an exit in the event of an emergency.

Denial of transportation of certain categories of passengers

(2) Notwithstanding subregulation (1), a national air operator may deny transportation of a person where such person—

- (a) refuses to comply with the instructions regarding exit seating restrictions prescribed by the Authority; or
- (b) has a handicap that can be physically accommodated only by an exit row seat.

***Carriage of Persons without Compliance with Certain Passenger-Carrying Requirements***

Exemptions of certain passenger-carrying requirements

200. The passenger-carrying requirements for—

- (a) megaphones as specified in the Civil Aviation [(No. 7) Instruments and Equipment] Regulations, 2004;
- (b) passenger briefing as specified in regulations 214 and 215;
- (c) locking of cockpit compartment door in regulation 58,

shall not apply in commercial air transport operations where an aircraft is carrying only—

- (d) a crew member not required for the flight;
- (e) a representative of the Authority on official duty;
- (f) a person necessary to the safety or security of cargo or animals; or
- (g) any person authorized by the Operations Manual of the national air operator, as approved by the Authority.

***Cabin crew at Duty Stations***

Cabin crew at duty stations

201. (1) During take-off and landing and whenever the pilot in command so directs, cabin crew shall remain at their duty stations with safety belts and shoulder harnesses fastened except to perform duties related to the safety of the aircraft and its occupants.

(2) During take-off and landing, cabin crew shall be located as near as practicable to required floor level exits and shall be uniformly distributed throughout the aircraft to provide the most effective egress of passengers in event of an emergency evacuation.

(3) Where passengers are on board a parked aircraft, cabin crew or another person qualified in emergency evacuation procedures for the aircraft, shall be placed in the following manner:

- (a) where only one qualified person is required, that person shall be located in accordance with the Operations Manual procedures of national air operator;
- (b) where more than one qualified person is required, those persons shall be spaced throughout the cabin to provide the most effective assistance for the evacuation in case of an emergency.

(4) An air operator shall ensure that crew members who are not required flight or cabin crew members, have also been trained in, and are proficient to perform, their assigned duties.

### ***Evacuation Capability***

202. (1) The pilot in command, senior cabin crew and other person assigned by the national air operator shall ensure that, when passengers are on board the aircraft prior to movement on the surface, at least one floor-level exit provides for egress of passengers through normal or emergency means.

Pilot in command to ensure emergency exit is available

(2) A national air operator shall establish for approval by the Authority, the necessary functions to be performed by the crew members in an emergency or a situation requiring emergency evacuation for each type of aircraft.

### ***Arming of Automatic Emergency Exits***

203. A person shall not cause an aircraft carrying passengers to be moved on the surface, take-off or land unless each automatically deployable emergency evacuation assisting means installed on the aircraft is armed and ready for evacuation.

Prohibition in respect of armed emergency exit

### ***Accessibility of Emergency Exits and Equipment***

204. (1) An air operator shall ensure that carry-on baggage or other items do not block access to the emergency exits when the aircraft is moving on the surface, during take-off or landing or while passengers remain on board.

Prohibition on blocking access to emergency exit

(2) A pilot in command of an aircraft shall ensure that relevant emergency equipment remains easily accessible for immediate use.

### ***Stops Where Passengers Remain on Board***

205. (1) At stops where passengers remain on board an aircraft, the pilot in command of such aircraft, the senior cabin crew or both shall ensure that—

Pilot in command or senior cabin crew to ensure

- (a) all engines are shut down;
- (b) at least one floor level exit remains open to provide for the disembarking of passengers; and

- (c) there is at least one person immediately available who is qualified in the emergency evacuation of the aircraft and who has been identified to the passengers on board as responsible for the passenger safety.

(2) Where refuelling with passengers on board an aircraft, the pilot in command or a designated company representative shall ensure that the requirements specified in regulation 190 and the Operations Manual procedures are followed.

### ***Carriage of Persons with Reduced Mobility***

Requirements for passengers with reduced mobility

206. (1) A national air operator shall establish procedures for the carriage of persons with reduced mobility.

(2) A national air operator shall ensure that persons with reduced mobility do not occupy seats where their presence could—

- (a) impede the crew in their duties;
- (b) obstruct access to emergency equipment; or
- (c) impede the emergency evacuation of the aircraft.

(3) The pilot in command of an aircraft shall be notified when persons with reduced mobility are to be carried on board.

### ***Carriage of Inadmissible Passengers, Deportees or Persons in Custody***

Requirements for transport of inadmissible passengers, deportees or persons in custody

207. (1) A national air operator shall establish procedures for the transportation of inadmissible passengers, deportees or persons in custody to ensure the safety of the aircraft and its occupants.

(2) The pilot in command of an aircraft shall be notified when the persons under subregulation (1), are to be carried on board.

### ***Exit Row Seating***

Passenger requirements for exit row seating

208. A pilot in command or senior cabin crew of an aircraft shall not allow a passenger to sit in an emergency exit row where the pilot in command or senior cabin crew determines that it is likely that the passenger would be unable to understand and perform the functions necessary to open an exit and to exit rapidly.

### ***Carriage of Weapons***

Restriction on carriage of weapons

209. (1) A person shall not, while on board an aircraft, carry on or about his person a firearm, weapon or munitions of war, either concealed or unconcealed.

(2) A person who contravenes subregulation (1), is guilty of an offence and is liable on summary conviction to a fine of five thousand dollars and imprisonment for two years.

(3) This regulation shall not apply to an air marshal authorized to be on board an aircraft in accordance with the Civil Aviation [(No. 8) Aviation Security] Regulations, 2004.

### ***Oxygen for Medical Use by Passengers***

210. (1) A national air operator may allow a passenger to carry and operate equipment for the storage, generation or dispensing of medical oxygen on an aircraft under conditions as prescribed by the Authority.

Requirements for oxygen for medical use by passengers

(2) A national air operator shall ensure that a person is not allowed to connect or disconnect oxygen-dispensing equipment to or from an oxygen cylinder while any other passenger is aboard an aircraft engaged in commercial air transport.

### ***Carry-on Baggage***

211. (1) An air operator shall not allow the boarding of carry-on baggage unless it can be stowed and secured in an approved location in accordance with the Operations Manual procedures of the air operator.

Restrictions on carry-on baggage

(2) An air operator shall not allow aircraft passenger entry doors to be closed in preparation for taxi or pushback unless at least one required crew member has verified that each article of baggage has been properly stowed in overhead racks with approved restraining devices or doors, or in approved locations of the bulkhead.

(3) An air operator shall not allow carry-on baggage to be stowed in a location that would cause such location to be loaded beyond its maximum placard weight limitation.

### ***Carriage of Cargo in Passenger Compartments***

212. A national air operator shall not allow the carriage of cargo in the passenger compartment of an aircraft except under conditions approved by the Authority.

Prohibition on carriage of cargo in passenger compartment

### ***Smoking on Board Prohibition***

213. (1) The pilot in command shall ensure that no person on board an aircraft is allowed to smoke.

Prohibition on smoking on aircraft

(2) In those areas in the cabin where oxygen is being supplied, the pilot in command shall ensure that required passenger information signs are lit.

Requirement to brief passengers prior to takeoff in commercial air transport operations

***Passenger Briefings***

214. (1) A pilot in command of an aircraft shall not commence a take-off unless the passengers are briefed prior to take-off in accordance with the procedures of the Operations Manual of the national air operator on—

- (a) smoking limitations and prohibitions;
- (b) emergency exit location and use;
- (c) use of safety belts;
- (d) location and use of emergency floatation equipment;
- (e) placement of seat backs and tray tables;
- (f) the normal and emergency use of oxygen and where flight is above 12,000 feet above Mean Sea Level; and
- (g) the passenger briefing card.

(2) The pilot in command or senior cabin crew shall immediately before or immediately after turning the seat belt sign off, ensure that the passengers are briefed to keep their seat belts fastened while seated, even when the seat belt sign is off.

(3) A passenger briefing card required by this regulation shall contain information that is pertinent only to the type and model aircraft used for that flight.

(4) The pilot in command or senior cabin crew shall before each take-off, ensure that any persons of reduced mobility is personally briefed on—

- (a) the route to the most appropriate exit; and
- (b) the time to begin moving to the exit in event of an emergency.

(5) A pilot in command under this regulation may delegate his briefing responsibility to the senior cabin crew where cabin crew is required.

(6) Notwithstanding subregulation (4), a pilot in command shall ascertain that the proper briefing required by this regulation has been conducted prior to take-off.

***Passenger Briefing for Extended Over Water Operations***

Requirement to brief specific to over water operations

215. (1) An air operator shall establish procedures for the briefing of passengers when conducting extended over water operations.

(2) A pilot in command of an aircraft shall not commence extended over water operations unless all passengers have been briefed on the location of life rafts where applicable and location and operation of life vests and other floatation equipment including a demonstration of the method of donning and inflating.

***Passenger Seat Belts and Information Signs***

216. (1) The pilot in command of an aircraft shall turn on required passenger information signs during any movement on the surface, for each take-off and each landing and whenever considered necessary in the interest of safety.

Required passenger seat belts and information signs in commercial air transport operations

(2) A passenger on board an aircraft occupying a seat or berth shall fasten his safety belt and keep it fastened while the “Fasten Seat Belt” sign is lit or, in aircraft not equipped with such a sign, whenever instructed by the pilot in command.

(3) At each unoccupied seat under this regulation, the safety belt and shoulder harness, where installed, shall be secured so as not to interfere with a crew member in the performance of his duties or with the rapid egress of occupants in an emergency.

***Passenger Seat Backs***

217. (1) A pilot in command of an aircraft shall not take-off or land an aircraft unless each passenger seat back is in the upright position.

Requirement for seat backs to be upright prior to takeoff and landing

(2) The senior cabin crew of an aircraft engaged in commercial air transport operations shall ensure that prior to take-off or landing each passenger seat back is in the upright position.

***Stowage of Food, Beverage and Passenger Service***

218. (1) A pilot in command shall not operate an aircraft on the surface, take-off or land—

Restrictions of movement in respect of stowage of food and beverage

- (a) when any food, beverage or tableware is located at any passenger seat;
- (b) unless each food and beverage tray and seat back tray table is in the stowed position;
- (c) unless each passenger serving cart is secured in its stowed position; and
- (d) unless each movie screen that extends into an aisle is stowed.

(2) A senior cabin crew shall ensure that while an aircraft is in movement on the surface or is taking off and landing—

- (a) food, beverage or tableware is not located at any passenger seat;
- (b) each food and beverage tray and seat back tray table is in the stowed

position;

(c) each passenger serving cart is secured in its stowed position; and

(d) each movie screen that extends into an aisle is stowed.

***Securing of Items of Mass in Passenger Compartment***

Requirements  
to secure  
items of mass  
in passenger  
compartment

219. A national air operator shall ensure that prior to take-off or landing of an aircraft each item of mass in the passenger cabin is properly secured to prevent it from becoming a hazard during taxi, take-off and landing and during turbulent weather conditions.