



DIRECTION DE L'AVIATION CIVILE
GRAND-DUCHÉ DE LUXEMBOURG



Access to Air Travel for Persons with Reduced Mobility and Disabled Persons

Guide of practice



Table Of Contents

Definitions.....	3
Abbreviations.....	3
Section 1 – Purpose	4
Section 2 – Responsibilities for PRM Assistance	5
2.1 New rights to protect disabled persons and persons with reduced mobility	5
2.2 Assistance under the responsibility of lux-Airport.....	5
2.3 Assistance under the responsibility of the air carrier	6
Section 3 – Pre-journey	6
3.1 Information.....	6
3.2 Booking Arrangements	6
3.3 Seat Reservations	6
Section 4 – Arriving at the airport	6
4.1 By car	6
4.2 By taxi.....	7
4.3 By rental car	7
4.4 By bus.....	7
4.5 Airport Access Routes Map.....	7
4.6 Other Requirements	9
Section 5 –Facilities within the Terminal Building and Boarding	9
5.1 Landside facilities	9
5.1.1 Public facilities	11
5.2 Airside facilities.....	11
Section 6 – On Board the Aircraft.....	13
6.1 Design of aircraft.	13
6.2 Seat allocation	13
6.3 Information.....	13
6.4 Special equipment (e.g. oxygen, assistance Dogs).....	13
6.5 Catering.....	14
Section 7 – Disembarking and Leaving the Airport	15
7.1 Transfer to the terminal	15
7.2 Baggage retrieval	15
7.3 Immigration and customs	15
7.4 Access to transport leaving the airport	15
Section 8 – Training.....	16
Annex 1 – Terminal Plan	17
Annex 2 - Members of the working group.....	18
Annex 3 - Regulation (EC) No 1107/2006 of the European Parliament	19
Annex 4 - Summary of Legislation.....	31
Annex 5 - Manuals.....	33

Definitions

“Disabled person” or “person with reduced mobility” means any person whose mobility when using transport is reduced due to any physical disability (sensory or locomotor, permanent or temporary), intellectual disability or impairment, or any other cause of disability, or age, and whose situation needs appropriate attention and the adaptation to his or her particular needs of the service made available to all passengers. EC 1107/2006, page 21, art 2 (a)

Abbreviations

PRM: Person with Reduced Mobility.

WCHR : Passenger who can move slowly, climb stairs, but requires a wheelchair for long itineraries in the terminal.

WCHS : Passenger who can walk only a few steps from the aircraft door to the wheelchair.

WCHC : Passenger who can not walk at all and thus requiring assistance during the whole trip.

STRC : Passenger on a stretcher.

BLND : Blind or eyesight impaired passenger.

DEAF : Deaf or hearing impaired passenger.

OXYG : Passenger requiring the usage of a bottle of oxygen during the flight.

MEDA : Passenger acknowledged by the airline physician.

Section 1 – Purpose

The purpose of this Guide of Practice is to improve the accessibility of air travel to persons with reduced mobility and disabled persons. The guide sets the minimum standards that the aviation industry should provide but encourages those involved to provide higher level of service and facilities.

It is aimed at all those involved in air travel in Luxembourg. These include travel agents, tour operators, airport operators, Luxembourg airport and airlines. It provides guidance to the industry to comply with EC No 1107/2006 concerning the rights of persons with reduced mobility and disabled persons when travelling by air.

It is also aimed at disabled passengers and passengers with reduced mobility and can be used as a guide to plan a journey. For passengers one of the main messages of this code is to be prepared, let people know if any kind of assistance is needed and make arrangements well in advance. This helps airlines and airports to provide a better service.

The Guide covers all aspects of air travel – from pre-journey planning through to arriving at the final destination. It also covers the facilities onboard the aircraft and inside the airports. It is intended that this guide should be adopted by the air travel industry in Luxembourg.

The Guide has been produced by the “Direction de l’Aviation Civile” (DAC), supported by a working group including representatives of lux-Airport, Luxair and Info-Handicap.

Refer to annex 1 for full credits on the working group.

The guide may be revised when new developments take place that would support amendments. The current version of the guide is made available on the internet site of the DAC Luxembourg.

Section 2 – Responsibilities for PRM Assistance

2.1 New rights to protect disabled persons and persons with reduced mobility

As from 26 July 2007, it will be illegal for an air carrier (airline), travel agent or tour operator to refuse a booking on the grounds of disability or of reduced mobility for any flight leaving an airport or arriving at an airport in the European Union. It will also be illegal to refuse a disabled person or person with reduced mobility to allow boarding an aircraft when they have a valid ticket and reservation.

In exceptional circumstances these rights may not apply to board an aircraft for legitimate safety or technical reasons. In such cases the disabled person or person with reduced mobility shall immediately be informed of the reasons therefore (or on request within five working days) and an acceptable alternative to the person must be offered.

As from 26 July 2008, rights to assistance at airports are foreseen to be ensured by the managing body of the airport which are specified hereafter. For the airport in Luxembourg lux-Airport assures the function and missions of the managing body.

Rights of assistance are also foreseen to be ensured by air carriers on board aircraft specified hereafter.

2.2 Assistance under the responsibility of lux-Airport

Assistance and arrangements necessary to enable disabled persons and persons with reduced mobility to:

- Communicate their arrival at the airport and their request for assistance at the designated points inside and outside the terminal building,
- Move from a designated point to the check-in counter,
- Check-in and register baggage,
- Proceed from the check-in counter to the aircraft, with completion of emigration, customs and security procedures,
- Board the aircraft, with the provision of lifts, wheelchairs or other assistance needed, as appropriate,
- Proceed from the aircraft door to their seats,
- Store and retrieve baggage on the aircraft,
- Proceed from their seats to the aircraft door,
- Disembark from the aircraft, with the provision of lifts, wheelchairs or other assistance needed, as appropriate,
- Proceed from the aircraft to the baggage hall and retrieve baggage, with completion of immigration and customs procedures,
- Proceed from the baggage hall to the designated point,
- Reach connecting flights when in transit, with assistance on the air and land sides and within and between terminals as needed,
- Move to the toilet facilities if required.

Where a disabled person or person with reduced mobility is assisted by an accompanying person, if requested, allow the provision of necessary assistance to this person in the airport with embarking and disembarking.

Ground handling of all necessary mobility equipment such as electric wheelchairs subject to advance warning of 48 hours and to possible limitations of space on board the aircraft, and subject to the application of relevant legislation concerning dangerous goods.

Temporary replacement of damaged or lost mobility equipment, albeit not necessarily on a like-for-like basis.

Ground handling of recognized assistance dogs, when relevant.

Communication of information needed to take flights in accessible formats.

2.3 Assistance under the responsibility of the air carrier

Carriage of recognized assistance dogs in the cabin, subject to national regulations.

In addition to medical equipment, transport of up to two pieces of mobility equipment per disabled person or person with reduced mobility, including electric wheelchairs (subject to advance warning of 48 hours and to possible limitations of space on board the aircraft, and subject to the application of relevant legislation concerning dangerous goods).

Communication of essential information concerning a flight in accessible formats.

The making of 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.

Assistance in moving to toilet facilities if required.

Where a disabled person or person with reduced mobility is assisted by an accompanying person, the air carrier will make all reasonable efforts to give such person a seat next to the disabled person or person with reduced mobility.

Section 3 – Pre-journey

3.1 Information

Information and potential restrictions about carriage of persons with reduced mobility is available on the air carrier's website. Please note that any request for special assistance should be mentioned when booking your flight.

3.2 Booking Arrangements

For organizational reasons and in order to guarantee you the required assistance, it is essential that the air carrier is notified of your requirements at least 48 hours before the flight. Please note that any request for special assistance should be mentioned when booking your flight. Persons who wish to apply for special assistance are requested to notify their airline (either in person or through their travel agent) when booking their flight or, at the latest, 48 hours before their flight.

Please inform your travel agent, airline or handling agent in advance if you use a collapsible or powered wheelchair. Please ask them about special arrangements or any rules that may apply. This is also important for the airport of destination.

3.3 Seat Reservations

When notifying the required assistance while booking your flight, a special code is inserted into your reservation record. This will allow airport staff and flight crews to be aware of your special needs and will also determine your seat in the aircraft. PRM must not occupy seats where their presence could impede the crew in their duties, obstruct access to emergency equipment or impede the emergency evacuation of the airplane. Particular seat reservation is therefore not possible and the most convenient seat will then be allocated to you depending on the aircraft type. As a general rule, all passengers who necessitate special assistance or for whom additional services are required are pre-boarded.

Section 4 – Arriving at the airport

4.1 By car

4.1.1 PRM dedicated parking spaces

Dedicated parking spaces are available in the underground and upper deck parking for PRM:

- Level 1 – **40** spaces
- Upperdeck – **4** spaces

From	To	Distance
Parking – Level 1	Assistance Office	5 to 35 meters
Parking - Upper deck	Dedicated call points	30 meters

4.1.2 Special equipment in parking areas

There's a W-C for PRM's in the underground parking.

All signs at the parking/airport are clear and easy to understand, with a special attention for people with learning or mental disabilities.

4.2 By taxi

There must be a "special" park space for taxi's carrying PRM, so that these people may use the nearest access point to the PRM contact areas within the airport facilities.

Taxis equipped for the transport of PRM should be available at all times.

Distance from taxi drop-off area to nearest PRM contact area:

From	To	Distance
Taxi drop-off	Dedicated call point 1 & 2	10 meters

4.3 By rental car

The car hire companies have to propose some cars with special PRM equipments, so that the PRM can also hire a car. Companies with such cars are:

Avis, Budget, Europcar, Hertz and Sixt. Please contact them for further information.

4.4 By bus

- The bus driver helps the PRM to get in or out of the bus .e.g. with special ramps...
- In Luxembourg, there is a special bus service, Rollibus, for persons with reduced mobility. This service has to be booked in advance.

From	To	Distance
Bus stop – line 16	Dedicated call point 1	5 meters

Rollibus

Every person who has to use a wheelchair to move and living in the territory of the city of Luxembourg, or another village who is connected to the Rollibus service can use this service. The specially equipped "Rollibus" makes his movements on order.

The Rollibus service is in use:

Mondays to Thursdays, Saturdays, Sundays and holidays from 7.00 to 20.00 hours; and
Fridays from 7.30 to 22.00 hours.

The driver will take care of the PRM in the front door of the building of departure, and will leave the PRM up on the front door of the building of destination. The number of persons in wheelchair for the same destination is limited to three.

The persons in wheelchair have the possibility of being accompanied by valid persons (maximum one person per PRM in wheelchair). The price is 1.50 € per person transported and by route.

For any information, please contact the service "Rollibus" Mondays till Fridays from 8.00 to 18.00 hours at phone +352 4796 2888 or consult website [www. vdl.lu](http://www.vdl.lu) or www.mobility.lu

4.5 Airport Access Routes Map

Access to the airport and its parking with special PRM spaces are clearly indicated with appropriate signs.

Airport access plan (by car)

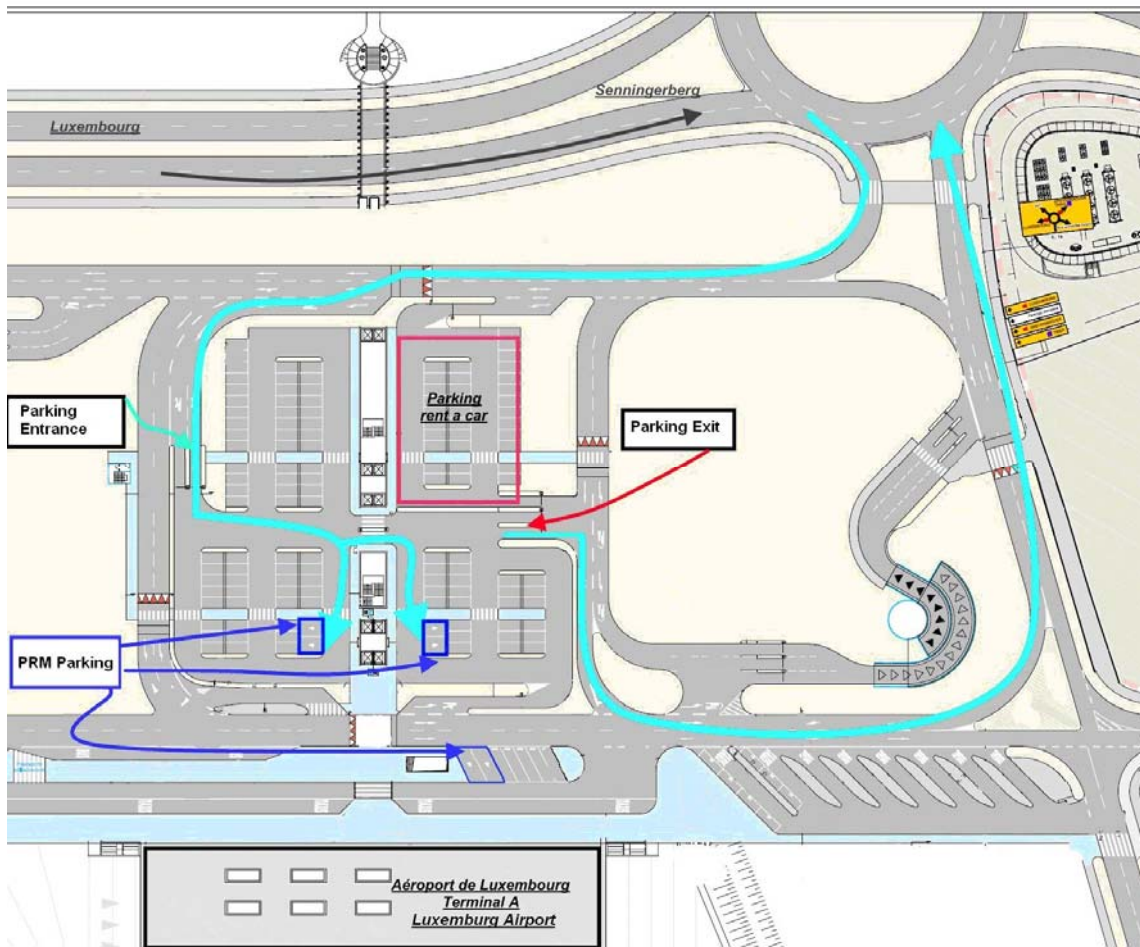


Figure 4.5.1 - Ground Level Parking

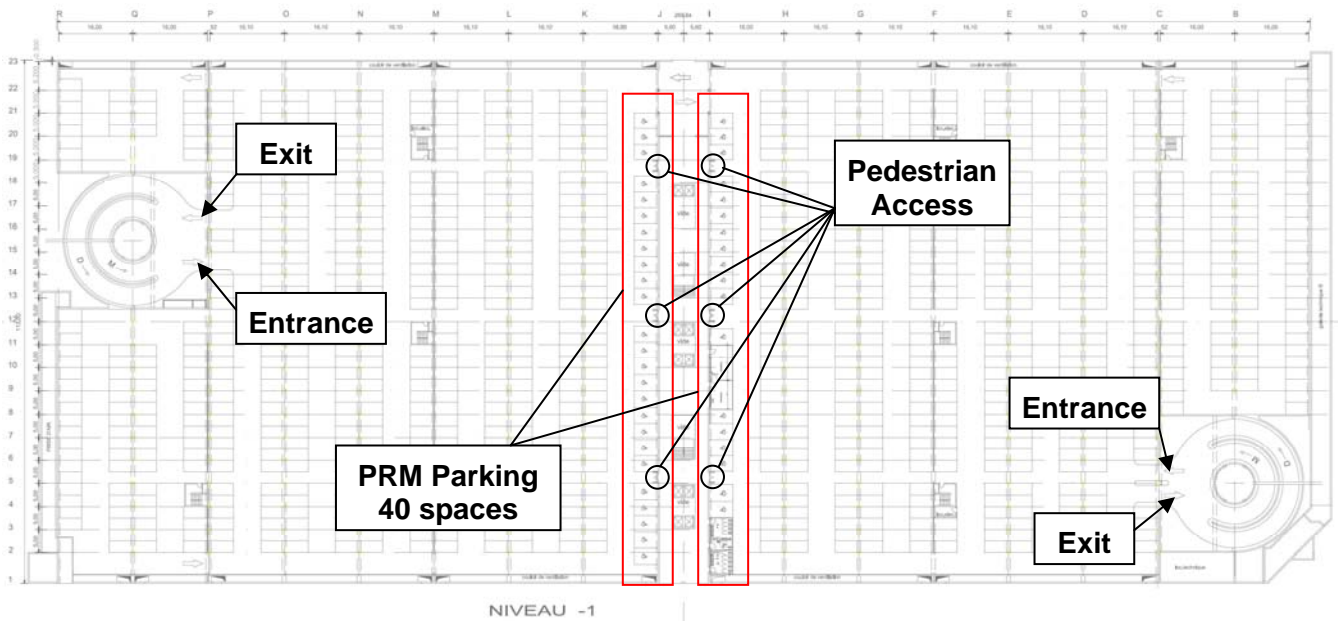


Figure 4.5.2 – 1st Level Underground Parking

Bus / taxi (arrival/departure) plan

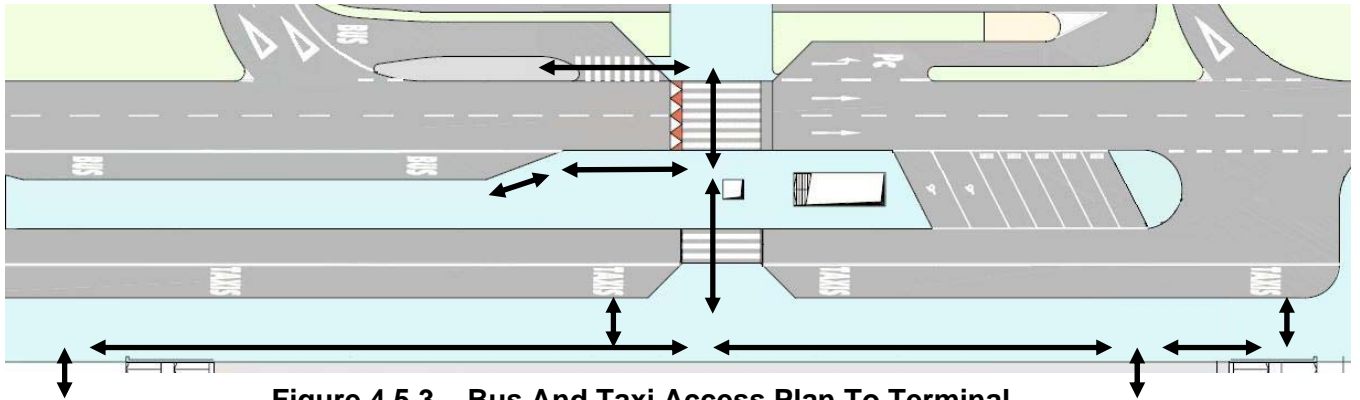


Figure 4.5.3 – Bus And Taxi Access Plan To Terminal

4.6 Other Requirements

Payment of parking charges may be done at info desks

Section 5 –Facilities within the Terminal Building and Boarding

5.1 Landside facilities

Plan of the terminal with information about where special equipment for PRM can be found in Annex 1.

5.1.1 Check-in facilities

PRM and disabled persons should proceed to the check-in desk where the staff will check booking arrangements to ensure that appropriate assistance will be provided. Where no such notice is recorded, and the staff considers that assistance might be needed, they should ask the passenger concerned and arrange such assistance with the airline, as necessary.

Check-in agents should as well ensure that an appropriate seat assignment has been done.

If the PRM or disabled person is travelling with his own wheelchair and need it to be specially packed, the check-in agent need to be advised. Check as well that the assistance requested on arrival is really confirmed.

If the PRM or disabled person has just some difficulties to walk and need a wheelchair, it has to be asked directly at check-in desk, so that an agent should bring one and assist the person up to the boarding gate.

Once checked-in, a staff from the airline the passenger is traveling with or their representatives, will provide the requested assistance.

5.1.2 Reserved seating areas

There is no special area for PRM; all public areas are easily accessible for disabled passengers.

5.1.3 Special equipment

Fixed Equipment (only in Terminal A, Terminal B being closed for the moment)

- Elevators
 - Public arrival hall (*passerelle* level) to Public departure hall (ground level) - Restaurant (mezzanine level)
 - Passenger hall (ground level) to Departure lounge (*passerelle* level) (2x)
 - Departure lounge (*passerelle* level) to Bus gates (tarmac level) (4x)
 - Arrival Schengen (tarmac level) to Departure lounge (*passerelle* level)
 - Arrival Non-Schengen (tarmac level) to Departure lounge (*passerelle* level)
- Telephone booths
 - Public telephones may be found on *passerelle* level (departures) near west entrance, and at Mezzanine level near the toilets.

- Other public telephones are accessible to passengers in departure gates.
- Restrooms
 - Public departure hall
 - VIP Lounge
 - Restaurant
 - Public arrival hall
 - Baggage hall
 - Departure lounge (1x Dep. hall, 1x Dep. hall Schengen, 2x Dep. hall Non-Schengen, 1x Arr. Non-Schengen)
- Special points
 - Reception point for departing PRM (Public dep. hall)
 - Information / Assistance point (Departure lounge)
 - Reception point for arriving PRM (Public arrival hall)

Mobile equipment

The Handling agencies have all the necessary equipment to assist the persons with reduced mobility and disabled persons at the airport, from the check-in up to the boarding of the aircraft. While the passenger's own wheelchair is processed through the baggage system to be loaded in the aircraft holds, he is provided a manual wheelchair up to the aircraft and vice-versa. On the ramp, a PRM-vehicle will be used for a comfortable boarding and de-boarding process.



Luxair PRM vehicle

5.1.1 Public facilities

All restaurants and commerce are accessible to PRM

- Restaurants
 - Terminal A
 - Restaurant
 - VIP Lounge
 - Bar
- Commerce
 - Public departure hall (2x)
 - Departure lounge (4x)

5.2 Airside facilities

5.2.1 Customs and Security

Like all other areas in the airport, this should be fully accessible to persons with reduced mobility and disabled persons. The desks should be accessible to wheelchair users and be suitable for people who are deaf or hearing impaired, visually impaired or have a learning disability.

Security is important to everyone - checks are made on all passengers and baggage. Neither persons with reduced mobility and disabled persons nor their mobility equipment (e.g. wheelchairs) can be exempted from security searches.

All the facilities should be accessible, the aisles and security archways or metal detectors are wide enough to allow wheelchairs to pass through, and staff will lift bags on to the x-ray machines if necessary.

Security staff is trained to conduct searches of disabled and less mobile passengers with sensitivity and care.

5.2.2 Information

All signs within the airport should be clear and easy to find.

Pictures or pictograms should also be used as often as possible.

At the information desk staff will be able to tell persons with reduced mobility and disabled persons where to find accessible facilities such as telephones, toilets, restaurants and shops. These facilities should be well signed and easy to find.

If, for any reason, any of these facilities is not fully accessible yet, the staff should make all reasonable effort to make sure that the passenger is able to use it.

Airport operators and airlines will have to consider how passengers with visual or hearing impairments or learning disabilities can access information about flight times and locations.

So it should be easy to find information desk where staff will be able to give the information and all the advice needed.

Once the staff knows where the passenger is and what information he needs, they should make sure that he is kept up-to-date and timely informed about his flight.

Once the passenger cleared the security check points, he is not allowed to go back the way he came. However, the PRM or disabled person will find on the airside part toilets, shops and restaurant . Everything should be accessible to persons with reduced mobility and disabled persons.

When travelling by air, it is important to know about safety and what to do in case of emergency. Staff will give the passenger lots of information about what he can or can not do. Please pay attention to this information.

These instructions may slightly differ on every airline, but they should all be accessible to people with visual, hearing or learning disabilities.

5.2.3 Shopping and restaurants

Airport shops and restaurants are easily accessible to PRM or disabled persons. When time allows it, should the passenger wants to spend some time shopping or at the restaurant, he has to inform the PRM agent at the time of check-in, in order to be guided through the desired area and be picked up at an agreed time to proceed to boarding. Organizational timings should be confirmed for the PRM's comfort and an on-time departure.

5.2.4 Boarding

A PRM agent will lead the PRM or disabled person to the gate best located for aircraft position 15 minutes prior to boarding-time in order to board on PRM-vehicle for transfer to the aircraft. The cabin elevator will ease the boarding process and comfort. As a general rule, all passengers who necessitate special assistance or for whom additional services are required are pre-boarded. From that point, Cabin crews will assist the passenger and organize his personal comfort.

Section 6 – On Board the Aircraft

6.1 Design of aircraft.

The European Civil Aviation Conference (ECAC) has published guidance on making air travel more accessible to disabled people or people with reduced mobility. This section builds on ECAC DOC No. 30; it should apply to aircraft coming newly into service and, where feasible, to existing aircraft after a major refurbishment.

In aircraft with 30 and more seats at least 50% of all aisle seats should have movable armrests to permit easy access.

Aircraft with more than one aisle should be equipped with at least one spacious lavatory accessible to disabled people or people with reduced mobility.

An onboard wheelchair should be provided where the aircraft has a toilet capable of accommodating one, and on all aircraft with more than one aisle.

Particular attention should be paid to color and tone contrast and also to having an even level of lighting in all parts of the cabin, including the lavatories. Floor surfaces should be level and slip resistant.

All instructions should be simple and unambiguous. Pictograms should be used whenever possible.

6.2 Seat allocation

Passengers with reduced mobility or disabled persons should not be allocated seats where their presence could impede the crew in their duties, obstruct access to emergency equipment or impede the emergency evacuation of the airplane. If a disabled passenger has been allocated one of these seats the crew will be right to ask them to move to another seat.

Communication of essential information concerning a flight should be made in accessible formats. All reasonable efforts should be made to arrange seating to meet the needs of individuals with disability or reduced mobility on request and subject to safety requirements and availability.

All measure should be taken that the crew members are informed about the passengers' special needs. The crew should be prepared to provide reasonable assistance to passengers with reduced mobility or disabled persons.

Where a person with reduced mobility or a disabled person is assisted by an accompanying person, the air carrier will make all reasonable efforts to give such person a seat next to the disabled person or person with reduced mobility.

Note: For the safety of crew and passengers cabin crew must not lift disabled passengers.

6.3 Information

All information, especially the one relating to emergency procedures, should be accessible to people with a visual, hearing or learning disability. Cabin crew should be trained to assist by reading or explaining the contents if requested to do so.

Ideally, all announcements should be made visually and orally. This will permit people with sensory problems to get access to all information given to other passengers. Where videos are used to communicate safety information, sub-titles should be included.

6.4 Special equipment (e.g. oxygen, assistance Dogs)

Carriage of recognized assistance dogs in the cabin, subject to national regulations.

Assistance dogs should be permitted to travel in the passenger cabin at no extra charge. Airlines will ask the owner to provide proof that their dog has been trained.

The dog shall be accommodated on the floor at the feet of the PRM or disabled person. It should be attached to the passengers' seat belt for take-off, landing and during turbulence.

Passengers who need extra oxygen on the flight will have to inform the airline when they book, as special arrangements will be needed. Normal domestic bottles are not allowed on board of pressurized aircraft. In addition to medical equipment, transport of up to two pieces of mobility equipment per disabled person or person with reduced mobility is allowed, including electric

wheelchairs subject to advance warning of 48 hours and to possible limitations of space on board the aircraft, and subject to the application of relevant legislation concerning dangerous goods.

6.5 Catering

Food on planes must be served in sealed packages because of strict Health and Safety regulations. Airlines should consider 'user-friendly' packages that will be easy to open in the limited space of a plane seat.

Cabin crew should offer assistance to open packages to disabled persons and should describe the food, including the location on the tray, to visually impaired passengers. During the flight cabin crews should periodically check to see if disabled passenger or passenger with reduced mobility will need assistance.

Section 7 – Disembarking and Leaving the Airport

7.1 Transfer to the terminal

Upon arrival of the aircraft and as soon as other passengers have disembarked, you will be taken care of by one of the PRM agents. You will leave the aircraft with a manual wheelchair and a PRM-vehicle equipped with a cabin elevator. The staff will then escort you through the different stages of the arrival process.

If you have a connecting flight at Luxembourg Airport, airline staff will take you to the designated gate.

7.2 Baggage retrieval

If you have hold baggage to be collected, the PRM agent will assist you to collect them and carry these up the exit of the terminal building. Please make sure we are duly informed about potential additional needs.

7.3 Immigration and customs

Once your baggage collected, the PRM agent will escort you through the immigration and customs.

7.4 Access to transport leaving the airport

When all arrival formalities are completed and baggage is retrieved, PRM are assisted to the public arrival's hall. The assistance usually terminates at this point where PRM meet their greeting party. Special arrangements can be made through the assistance service prior to the flight to assist the PRM to specific areas where they can continue their journey such as:

- Taxi pick-up area (see figure 4.5.3);
- Airport Bus stops (see figure 4.5.3);
- Airport PRM transportation services (at bus stops: see figure 4.5.3);
- Airport car rental offices (see figure 4.5.1); and
- Airport parking (see figures 4.5.1 and 4.5.2).

For these special arrangements, PRM should confirm in advance with their airline what is available.

Section 8 – Training

All staff providing direct assistance to disabled persons and persons with reduced mobility must have knowledge of how to meet the needs of persons having various disabilities or mobility impairments.

Disability-equality and disability-awareness training must be provided to all staff that gets in contact with disabled persons and persons with reduced mobility. This training will provide staff with the necessary skills and confidence to perform their respective task.

Training must be provided upon recruitment of staff members. Refresher training courses must be planned at regular intervals throughout their careers. Organizations representing disabled people should be consulting in the development and implementation of training.

General training programs should include as a minimum:

- Information on the different disabilities, including hidden disabilities
- Barriers faced by disabled persons
- Understanding the needs of disabled persons
- Skills needed for escorting disabled persons
- Communication and interpersonal skills

In addition to disability-equality and disability-awareness training, some staff that provides extra services like driving specialized vehicles, dealing with equipment such as wheelchairs, or guiding and lifting disabled people, should get additional training to make sure they have the necessary skills.

Note: Having received all this training does not make every staff member an expert in all types of disability. Passengers should give advice and explain their personal requirements clearly if necessary.

Section 9 – Complaints

A disabled person or a person with reduced mobility whose booking has been refused or who has been refused boarding on the grounds of disability or reduced mobility should complain in the first place to the airline.

A disabled person or a person with reduced mobility who considers that the rights to assistance have been infringed may bring the matter to lux-Airport or to the attention of the air carrier concerned.

If the disabled person or a person with reduced mobility cannot obtain satisfaction in such way, complaints may be made in a second place to the Directorate of Civil Aviation, designated body responsible for the enforcement of the concerned regulation.

The complaints should be addressed in written form to :

Direction de l'Aviation Civile

B.P. 283

L-2012 Luxembourg

Fax : (+352) 467790

Annex 1 – Terminal Plan

Level

MEZZANINE (+1)

- ① Panoramic restaurant

Level

REZ-DE-CHAUSSÉE (0)

- ② Main entrance area /Exit parking and public transport
- ③ Airlines and travel agencies counters
- ④ Cash dispenser
- ⑤ Check-in desks
- ⑥ Oversized baggage check-in
- ⑦ Customs desk
- ⑧ Passenger controls/Access to gates
- ⑨ Lounge

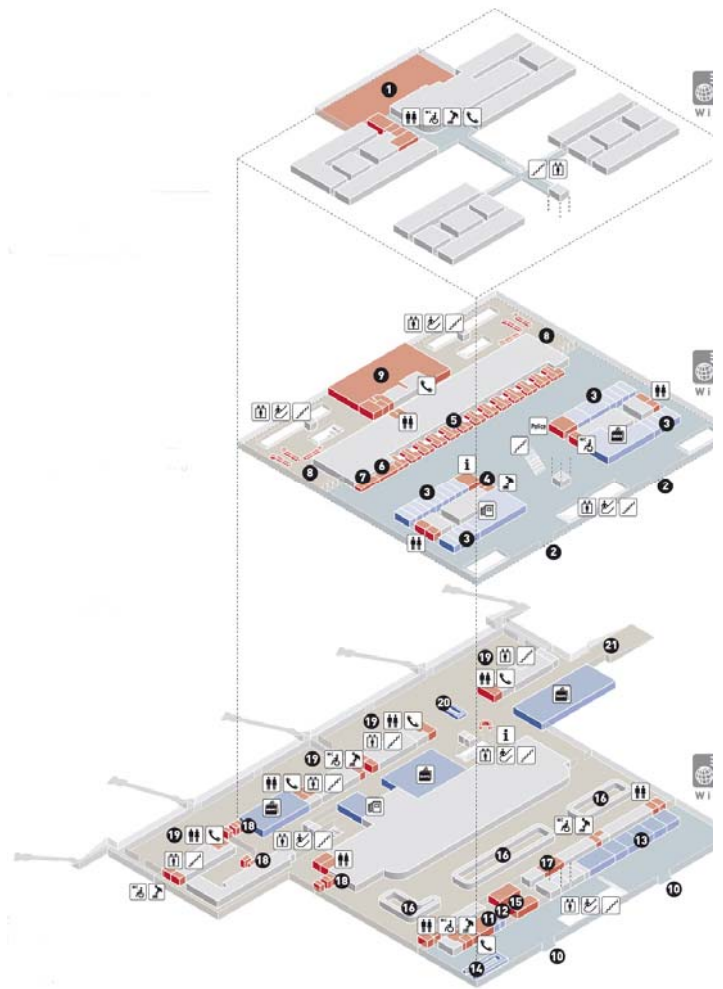
Level

PASSERELLE (-1)

- ⑩ Access to underground car park and to future railway station
- ⑪ Cash dispenser
- ⑫ Tourist information
- ⑬ Car rental
- ⑭ Bar
- ⑮ Exit; Customs control
- ⑯ Baggage claim
- ⑰ Oversize baggage claim and lost baggage
- ⑱ ID control and customs
- ⑲ Boarding gates
- ⑳ Bar
- ㉑ Access to terminal B

Key

- Public area
- Passenger area
- Airport services
- Commercial areas



Annex 2 - Members of the working group

Direction de l'Aviation Civile

Monsieur Claude Waltzing	Directeur de l'Aviation Civile	+352 247 4900
Madame Claude Wagener	Conseillère de direction adjointe	+352 247 4910
Monsieur Fränk Kraus	Attaché de Gouvernement 1 ^{er} en rang	+352 247 4911

Info-Handicap

Mme Fabienne Feller	Coordinateur en accessibilité	+352 366 466-1
M Yannick Breuer	Coordinateur en accessibilité	+352 366 466-1

Lux-Airport

Madame Claudine Leinenveber	Directeur d'Exploitation	+352 2464 3000
Madame Valérie Brunck		

Luxair

Monsieur Jean-François Ringlet	Vice-President Airport Services	+352 2456 4238
Captain Pascal Kremer	Deputy Flight Safety Officer	+352 2456 4513

Annex 3 - 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.

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

- Having regard to the Treaty establishing the European Community, and in particular Article 80(2) thereof,
- Having regard to the proposal from the Commission,
- Having regard to the opinion of the European Economic and Social Committee [1],
- Having consulted of the Committee of the Regions,
- Acting in accordance with the procedure laid down in Article 251 of the Treaty [2],

Whereas:

- (1) The single market for air services should benefit citizens in general. Consequently, disabled persons and persons with reduced mobility, whether caused by disability, age or any other factor, should have opportunities for air travel comparable to those of other citizens. Disabled persons and persons with reduced mobility have the same right as all other citizens to free movement, freedom of choice and non-discrimination. This applies to air travel as to other areas of life.
- (2) Disabled persons and persons with reduced mobility should therefore be accepted for carriage and not refused transport on the grounds of their disability or lack of mobility, except for reasons which are justified on the grounds of safety and prescribed by law. Before accepting reservations from disabled persons or persons with reduced mobility, air carriers, their agents and tour operators should make all reasonable efforts to verify whether there is a reason which is justified on the grounds of safety and which would prevent such persons being accommodated on the flights concerned.
- (3) This Regulation should not affect other rights of passengers established by Community legislation and notably Council Directive 90/314/EEC of 13 June 1990 on package travel, package holidays and package tours [3] and Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to air passengers in the event of denied boarding and of cancellation or long delay of flights [4] . Where the same event would give rise to the same right of reimbursement or rebooking under either of those legislative acts as well as under this Regulation, the person so entitled should be allowed to exercise that right once only, at his or her discretion.
- (4) In order to give disabled persons and persons with reduced mobility opportunities for air travel comparable to those of other citizens, assistance to meet their particular needs should be provided at the airport as well as on board aircraft, by employing the necessary staff and equipment. In the interests of social inclusion, the persons concerned should receive this assistance without additional charge.
- (5) Assistance given at airports situated in the territory of a Member State to which the Treaty applies should, among other things, enable disabled persons and persons with reduced mobility to proceed from a designated point of arrival at an airport to an aircraft and from the aircraft to a designated point of departure from the airport, including embarking and disembarking. These points should be designated at least at the main entrances to terminal buildings, in areas with check-in counters, in train, light rail, metro and bus stations, at taxi ranks and other drop-off points, and in airport car

parks. The assistance should be organized so as to avoid interruption and delay, while ensuring high and equivalent standards throughout the Community and making best use of resources, whatever airport or air carrier is involved.

- (6) To achieve these aims, ensuring high quality assistance at airports should be the responsibility of a central body. As managing bodies of airports play a central role in providing services throughout their airports, they should be given this overall responsibility.
- (7) Managing bodies of airports may provide the assistance to disabled persons and persons with reduced mobility themselves. Alternatively, in view of the positive role played in the past by certain operators and air carriers, managing bodies may contract with third parties for the supply of this assistance, without prejudice to the application of relevant rules of Community law, including those on public procurement.
- (8) Assistance should be financed in such a way as to spread the burden equitably among all passengers using an airport and to avoid disincentives to the carriage of disabled persons and persons with reduced mobility. A charge levied on each air carrier using an airport, proportionate to the number of passengers it carries to or from the airport, appears to be the most effective way of funding.
- (9) With a view to ensuring, in particular, that the charges levied on an air carrier are commensurate with the assistance provided to disabled persons and persons with reduced mobility, and that these charges do not serve to finance activities of the managing body other than those relating to the provision of such assistance, the charges should be adopted and applied in full transparency. Council Directive 96/67/EC of 15 October 1996 on access to the groundhandling market at Community airports [5] and in particular the provisions on separation of accounts, should therefore apply where this does not conflict with this Regulation.
- (10) In organising the provision of assistance to disabled persons and persons with reduced mobility, and the training of their personnel, airports and air carriers should have regard to document 30 of the European Civil Aviation Conference (ECAC), Part I, Section 5 and its associated annexes, in particular the Code of Good Conduct in Ground Handling for Persons with Reduced Mobility as set out in Annex J thereto at the time of adoption of this Regulation.
- (11) In deciding on the design of new airports and terminals, and as part of major refurbishments, managing bodies of airports should, where possible, take into account the needs of disabled persons and persons with reduced mobility. Similarly, air carriers should, where possible, take such needs into account when deciding on the design of new and newly refurbished aircraft.
- (12) Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data [6] should be strictly enforced in order to guarantee respect for the privacy of disabled persons and persons with reduced mobility, and ensure that the information requested serves merely to fulfill the assistance obligations laid down in this Regulation and is not used against passengers seeking the service in question.
- (13) All essential information provided to air passengers should be provided in alternative formats accessible to disabled persons and persons with reduced mobility, and should be in at least the same languages as the information made available to other passengers.
- (14) Where wheelchairs or other mobility equipment or assistive devices are lost or damaged during handling at the airport or during transport on board aircraft, the passenger to whom the equipment belongs should be compensated, in accordance with rules of international, Community and national law.
- (15) Member States should supervise and ensure compliance with this Regulation and designate an appropriate body to carry out enforcement tasks. This supervision does not affect the rights of

disabled persons and persons with reduced mobility to seek legal redress from courts under national law.

- (16) It is important that a disabled person or person with reduced mobility who considers that this Regulation has been infringed be able to bring the matter to the attention of the managing body of the airport or to the attention of the air carrier concerned, as the case may be. If the disabled person or person with reduced mobility cannot obtain satisfaction in such way, he or she should be free to make a complaint to the body or bodies designated to that end by the relevant Member State.
- (17) Complaints concerning assistance given at an airport should be addressed to the body or bodies designated for the enforcement of this Regulation by the Member State where the airport is situated. Complaints concerning assistance given by an air carrier should be addressed to the body or bodies designated for the enforcement of this Regulation by the Member State which has issued the operating license to the air carrier.
- (18) Member States should lay down penalties applicable to infringements of this Regulation and ensure that those penalties are applied. The penalties, which could include ordering the payment of compensation to the person concerned, should be effective, proportionate and dissuasive.
- (19) Since the objectives of this Regulation, namely to ensure high and equivalent levels of protection and assistance throughout the Member States and to ensure that economic agents operate under harmonised conditions in a single market, cannot sufficiently be achieved by the Member States and can therefore, by reason of the scale or effects of the action, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.
- (20) This Regulation respects the fundamental rights and observes the principles recognized in particular by the Charter of Fundamental Rights of the European Union.
- (21) Arrangements for greater cooperation over the use of Gibraltar airport were agreed in London on 2 December 1987 by the Kingdom of Spain and the United Kingdom of Great Britain and Northern Ireland in a joint declaration by the Ministers of Foreign Affairs of the two countries. Such arrangements have yet to enter into operation,

HAVE ADOPTED THIS REGULATION:

Article 1

Purpose and scope

1. This Regulation establishes rules for the protection of and provision of assistance to disabled persons and persons with reduced mobility travelling by air, both to protect them against discrimination and to ensure that they receive assistance.
2. The provisions of this Regulation shall apply to disabled persons and persons with reduced mobility, using or intending to use commercial passenger air services on departure from, on transit through, or on arrival at an airport, when the airport is situated in the territory of a Member State to which the Treaty applies.
3. Articles 3, 4 and 10 shall also apply to passengers departing from an airport situated in a third country to an airport situated in the territory of a Member State to which the Treaty applies, if the operating carrier is a Community air carrier.
4. This Regulation shall not affect the rights of passengers established by Directive 90/314/EEC and under Regulation (EC) No 261/2004.

5. In so far as the provisions of this Regulation conflict with those of Directive 96/67/EC, this Regulation shall prevail.
6. Application of this Regulation to Gibraltar airport is understood to be without prejudice to the respective legal positions of the Kingdom of Spain and the United Kingdom of Great Britain and Northern Ireland with regard to the dispute over sovereignty over the territory in which the airport is situated.
7. Application of this Regulation to Gibraltar airport shall be suspended until the arrangements included in the Joint Declaration made by the Foreign Ministers of the Kingdom of Spain and the United Kingdom of Great Britain and Northern Ireland on 2 December 1987 enter into operation. The Governments of Spain and of the United Kingdom shall inform the Council of the date of entry into operation.

Article 2

Definitions

For the purposes of this Regulation the following definitions shall apply:

- (a) "disabled person" or "person with reduced mobility" means any person whose mobility when using transport is reduced due to any physical disability (sensory or locomotor, permanent or temporary), intellectual disability or impairment, or any other cause of disability, or age, and whose situation needs appropriate attention and the adaptation to his or her particular needs of the service made available to all passengers;
- (b) "air carrier" means an air transport undertaking with a valid operating licence;
- (c) "operating air carrier" means an air carrier that performs or intends to perform a flight under a contract with a passenger or on behalf of another person, legal or natural, having a contract with that passenger;
- (d) "Community air carrier" means an air carrier with a valid operating licence granted by a Member State in accordance with Council Regulation (EEC) No 2407/92 of 23 July 1992 on licensing of air carriers [7];
- (e) "tour operator" means, with the exception of an air carrier, an organiser or retailer within the meaning of Article 2(2) and (3) of Directive 90/314/EEC;
- (f) "managing body of the airport" or "managing body" means a body which notably has as its objective under national legislation the administration and management of airport infrastructures, and the coordination and control of the activities of the various operators present in an airport or airport system;
- (g) "airport user" means any natural or legal person responsible for the carriage of passengers by air from or to the airport in question;
- (h) "Airport Users Committee" means a committee of representatives of airport users or organisations representing them;
- (i) "reservation" means the fact that the passenger has a ticket, or other proof, which indicates that the reservation has been accepted and registered by the air carrier or tour operator;
- (j) "airport" means any area of land specially adapted for the landing, taking-off and manoeuvres of aircraft, including ancillary installations which these operations may involve for the requirements of aircraft traffic and services including installations needed to assist commercial air services;
- (k) "airport car park" means a car park, within the airport boundaries or under the direct control of the managing body of an airport, which directly serves the passengers using that airport;

- (l) "commercial passenger air service" means a passenger air transport service operated by an air carrier through a scheduled or non scheduled flight offered to the general public for valuable consideration, whether on its own or as part of a package.

Article 3

Prevention of refusal of carriage

An air carrier or its agent or a tour operator shall not refuse, on the grounds of disability or of reduced mobility:

- (a) to accept a reservation for a flight departing from or arriving at an airport to which this Regulation applies;
- (b) to embark a disabled person or a person with reduced mobility at such an airport, provided that the person concerned has a valid ticket and reservation.

Article 4

Derogations, special conditions and information

1. Notwithstanding the provisions of Article 3, an air carrier or its agent or a tour operator may refuse, on the grounds of disability or of reduced mobility, to accept a reservation from or to embark a disabled person or a person with reduced mobility:
 - (a) in order to meet applicable safety requirements established by international, Community or national law or in order to meet safety requirements established by the authority that issued the air operator's certificate to the air carrier concerned;
 - (b) if the size of the aircraft or its doors makes the embarkation or carriage of that disabled person or person with reduced mobility physically impossible.

In the event of refusal to accept a reservation on the grounds referred to under points (a) or (b) of the first subparagraph, the air carrier, its agent or the tour operator shall make reasonable efforts to propose an acceptable alternative to the person in question.

A disabled person or a person with reduced mobility who has been denied embarkation on the grounds of his or her disability or reduced mobility and any person accompanying this person pursuant to paragraph 2 of this Article shall be offered the right to reimbursement or re-routing as provided for in Article 8 of Regulation (EC) No 261/2004. The right to the option of a return flight or re-routing shall be conditional upon all safety requirements being met.

2. Under the same conditions referred to in paragraph 1, first subparagraph, point (a), an air carrier or its agent or a tour operator may require that a disabled person or person with reduced mobility be accompanied by another person who is capable of providing the assistance required by that person.
3. An air carrier or its agent shall make publicly available, in accessible formats and in at least the same languages as the information made available to other passengers, the safety rules that it applies to the carriage of disabled persons and persons with reduced mobility, as well as any restrictions on their carriage or on that of mobility equipment due to the size of aircraft. A tour operator shall make such safety rules and restrictions available for flights included in package travel, package holidays and package tours which it organises, sells or offers for sale.
4. When an air carrier or its agent or a tour operator exercises a derogation under paragraphs 1 or 2, it shall immediately inform the disabled person or person with reduced mobility of the reasons therefor. On request, an air carrier, its agent or a tour operator shall communicate these reasons in writing to the disabled person or person with reduced mobility, within five working days of the request.

Article 5

Designation of points of arrival and departure

1. In cooperation with airport users, through the Airport Users Committee where one exists, and relevant organisations representing disabled persons and persons with reduced mobility, the managing body of an airport shall, taking account of local conditions, designate points of arrival and departure within the airport boundary or at a point under the direct control of the managing body, both inside and outside terminal buildings, at which disabled persons or persons with reduced mobility can, with ease, announce their arrival at the airport and request assistance.
2. The points of arrival and departure referred to in paragraph 1, shall be clearly signed and shall offer basic information about the airport, in accessible formats.

Article 6

Transmission of information

1. Air carriers, their agents and tour operators shall take all measures necessary for the receipt, at all their points of sale in the territory of the Member States to which the Treaty applies, including sale by telephone and via the Internet, of notifications of the need for assistance made by disabled persons or persons with reduced mobility.
2. When an air carrier or its agent or a tour operator receives a notification of the need for assistance at least 48 hours before the published departure time for the flight, it shall transmit the information concerned at least 36 hours before the published departure time for the flight:
 - (a) to the managing bodies of the airports of departure, arrival and transit, and
 - (b) to the operating air carrier, if a reservation was not made with that carrier, unless the identity of the operating air carrier is not known at the time of notification, in which case the information shall be transmitted as soon as practicable.
3. In all cases other than those mentioned in paragraph 2, the air carrier or its agent or tour operator shall transmit the information as soon as possible.
4. As soon as possible after the departure of the flight, an operating air carrier shall inform the managing body of the airport of destination, if situated in the territory of a Member State to which the Treaty applies, of the number of disabled persons and persons with reduced mobility on that flight requiring assistance specified in Annex I and of the nature of that assistance.

Article 7

Right to assistance at airports

1. When a disabled person or person with reduced mobility arrives at an airport for travel by air, the managing body of the airport shall be responsible for ensuring the provision of the assistance specified in Annex I in such a way that the person is able to take the flight for which he or she holds a reservation, provided that the notification of the person's particular needs for such assistance has been made to the air carrier or its agent or the tour operator concerned at least 48 hours before the published time of departure of the flight. This notification shall also cover a return flight, if the outward flight and the return flight have been contracted with the same air carrier.
2. Where use of a recognized assistance dog is required, this shall be accommodated provided that notification of the same is made to the air carrier or its agent or the tour operator in accordance with applicable national rules covering the carriage of assistance dogs on board aircraft, where such rules exist.

3. If no notification is made in accordance with paragraph 1, the managing body shall make all reasonable efforts to provide the assistance specified in Annex I in such a way that the person concerned is able to take the flight for which he or she holds a reservation.
4. The provisions of paragraph 1 shall apply on condition that:
 - (a) the person presents himself or herself for check-in:
 - (i) at the time stipulated in advance and in writing (including by electronic means) by the air carrier or its agent or the tour operator, or
 - (ii) if no time is stipulated, not later than one hour before the published departure time, or
 - (b) the person arrives at a point within the airport boundary designated in accordance with Article 5:
 - (i) at the time stipulated in advance and in writing (including by electronic means) by the air carrier or its agent or the tour operator, or
 - (ii) if no time is stipulated, not later than two hours before the published departure time.
5. When a disabled person or person with reduced mobility transits through an airport to which this Regulation applies, or is transferred by an air carrier or a tour operator from the flight for which he or she holds a reservation to another flight, the managing body shall be responsible for ensuring the provision of the assistance specified in Annex I in such a way that the person is able to take the flight for which he or she holds a reservation.
6. On the arrival by air of a disabled person or person with reduced mobility at an airport to which this Regulation applies, the managing body of the airport shall be responsible for ensuring the provision of the assistance specified in Annex I in such a way that the person is able to reach his or her point of departure from the airport as referred to in Article 5.
7. The assistance provided shall, as far as possible, be appropriate to the particular needs of the individual passenger.

Article 8

Responsibility for assistance at airports

1. The managing body of an airport shall be responsible for ensuring the provision of the assistance specified in Annex I without additional charge to disabled persons and persons with reduced mobility.
2. The managing body may provide such assistance itself. Alternatively, in keeping with its responsibility, and subject always to compliance with the quality standards referred to in Article 9(1), the managing body may contract with one or more other parties for the supply of the assistance. In cooperation with airport users, through the Airport Users Committee where one exists, the managing body may enter into such a contract or contracts on its own initiative or on request, including from an air carrier, and taking into account the existing services at the airport concerned. In the event that it refuses such a request, the managing body shall provide written justification.
3. The managing body of an airport may, on a non-discriminatory basis, levy a specific charge on airport users for the purpose of funding this assistance.
4. This specific charge shall be reasonable, cost-related, transparent and established by the managing body of the airport in cooperation with airport users, through the Airport Users Committee where one exists or any other appropriate entity. It shall be shared among airport users in proportion to the total number of all passengers that each carries to and from that airport.

5. The managing body of an airport shall separate the accounts of its activities relating to the assistance provided to disabled persons and persons with reduced mobility from the accounts of its other activities, in accordance with current commercial practice.
6. The managing body of an airport shall make available to airport users, through the Airport Users Committee where one exists or any other appropriate entity, as well as to the enforcement body or bodies referred to in Article 14, an audited annual overview of charges received and expenses made in respect of the assistance provided to disabled persons and persons with reduced mobility.

Article 9

Quality standards for assistance

1. With the exception of airports whose annual traffic is less than 150000 commercial passenger movements, the managing body shall set quality standards for the assistance specified in Annex I and determine resource requirements for meeting them, in cooperation with airport users, through the Airport Users Committee where one exists, and organizations representing disabled passengers and passengers with reduced mobility.
2. In the setting of such standards, full account shall be taken of internationally recognized policies and codes of conduct concerning facilitation of the transport of disabled persons or persons with reduced mobility, notably the ECAC Code of Good Conduct in Ground Handling for Persons with Reduced Mobility.
3. The managing body of an airport shall publish its quality standards.
4. An air carrier and the managing body of an airport may agree that, for the passengers whom that air carrier transports to and from the airport, the managing body shall provide assistance of a higher standard than the standards referred to in paragraph 1 or provide services additional to those specified in Annex I.
5. For the purpose of funding either of these, the managing body may levy a charge on the air carrier additional to that referred to in Article 8(3), which shall be transparent, cost-related and established after consultation of the air carrier concerned.

Article 10

Assistance by air carriers

An air carrier shall provide the assistance specified in Annex II without additional charge to a disabled person or person with reduced mobility departing from, arriving at or transiting through an airport to which this Regulation applies provided that the person in question fulfils the conditions set out in Article 7(1), (2) and (4).

Article 11

Training

Air carriers and airport managing bodies shall:

- (a) ensure that all their personnel, including those employed by any sub-contractor, providing direct assistance to disabled persons and persons with reduced mobility have knowledge of how to meet the needs of persons having various disabilities or mobility impairments;
- (b) provide disability-equality and disability-awareness training to all their personnel working at the airport who deal directly with the travelling public;
- (c) ensure that, upon recruitment, all new employees attend disability-related training and that personnel receive refresher training courses when appropriate.

Article 12

Compensation for lost or damaged wheelchairs, other mobility equipment and assistive devices

Where wheelchairs or other mobility equipment or assistive devices are lost or damaged whilst being handled at the airport or transported on board aircraft, the passenger to whom the equipment belongs shall be compensated, in accordance with rules of international, Community and national law.

Article 13

Exclusion of waiver

Obligations towards disabled persons and persons with reduced mobility pursuant to this Regulation shall not be limited or waived.

Article 14

Enforcement body and its tasks

1. Each Member State shall designate a body or bodies responsible for the enforcement of this Regulation as regards flights departing from or arriving at airports situated in its territory. Where appropriate, this body or bodies shall take the measures necessary to ensure that the rights of disabled persons and persons with reduced mobility are respected, including compliance with the quality standards referred to in Article 9(1). The Member States shall inform the Commission of the body or bodies designated.
2. Member States shall, where appropriate, provide that the enforcement body or bodies designated under paragraph 1 shall also ensure the satisfactory implementation of Article 8, including as regards the provisions on charges with a view to avoiding unfair competition. They may also designate a specific body to that effect.

Article 15

Complaint procedure

1. A disabled person or person with reduced mobility who considers that this Regulation has been infringed may bring the matter to the attention of the managing body of the airport or to the attention of the air carrier concerned, as the case may be.
2. If the disabled person or person with reduced mobility cannot obtain satisfaction in such way, complaints may be made to any body or bodies designated under Article 14(1), or to any other competent body designated by a Member State, about an alleged infringement of this Regulation.
3. A body in one Member State which receives a complaint concerning a matter that comes under the responsibility of a designated body of another Member State shall forward the complaint to the body of that other Member State.
4. The Member States shall take measures to inform disabled persons and persons with reduced mobility of their rights under this Regulation and of the possibility of complaint to this designated body or bodies.

Article 16

Penalties

The Member States shall lay down rules on penalties applicable to infringements of this Regulation and shall take all the measures necessary to ensure that those rules are implemented. The penalties provided for must be effective, proportionate and dissuasive. The Member States shall notify those

provisions to the Commission and shall notify it without delay of any subsequent amendment affecting them.

Article 17

Report

The Commission shall report to the European Parliament and the Council by 1 January 2010 at the latest on the operation and the effects of this Regulation. The report shall be accompanied where necessary by legislative proposals implementing in further detail the provisions of this Regulation, or revising it.

Article 18

Entry into force

This Regulation shall enter into force on the 20th day following that of its publication in the Official Journal of the European Union.

It shall apply with effect from 26 July 2008, except Articles 3 and 4, which shall apply with effect from 26 July 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Strasbourg, 5 July 2006.

For the European Parliament

The President

J. Borrell Fontelles

The President

For the Council

P. Lehtomäki

[1] OJ C 24, 31.1.2006, p. 12.

[2] Opinion of the European Parliament of 15 December 2005 (not yet published in the Official Journal), and Council Decision of 9 June 2006.

[3] OJ L 158, 23.6.1990, p. 59.

[4] OJ L 46, 17.2.2004, p. 1.

[5] OJ L 272, 25.10.1996, p. 36. Directive as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

[6] OJ L 281, 23.11.1995, p. 31. Directive as amended by Regulation (EC) No 1882/2003.

[7] OJ L 240, 24.8.1992, p. 1.

ANNEX I to Regulation (EC) No 1107/2006 of the European Parliament

Assistance under the responsibility of the managing bodies of airports

Assistance and arrangements necessary to enable disabled persons and persons with reduced mobility to:

- communicate their arrival at an airport and their request for assistance at the designated points inside and outside terminal buildings mentioned in Article 5,

- move from a designated point to the check-in counter,
- check-in and register baggage,
- proceed from the check-in counter to the aircraft, with completion of emigration, customs and security procedures,
- board the aircraft, with the provision of lifts, wheelchairs or other assistance needed, as appropriate,
- proceed from the aircraft door to their seats,
- store and retrieve baggage on the aircraft,
- proceed from their seats to the aircraft door,
- disembark from the aircraft, with the provision of lifts, wheelchairs or other assistance needed, as appropriate,
- proceed from the aircraft to the baggage hall and retrieve baggage, with completion of immigration and customs procedures,
- proceed from the baggage hall to a designated point,
- reach connecting flights when in transit, with assistance on the air and land sides and within and between terminals as needed,
- move to the toilet facilities if required.

Where a disabled person or person with reduced mobility is assisted by an accompanying person, this person must, if requested, be allowed to provide the necessary assistance in the airport and with embarking and disembarking.

Ground handling of all necessary mobility equipment, including equipment such as electric wheelchairs subject to advance warning of 48 hours and to possible limitations of space on board the aircraft, and subject to the application of relevant legislation concerning dangerous goods.

Temporary replacement of damaged or lost mobility equipment, albeit not necessarily on a like-for-like basis.

Ground handling of recognized assistance dogs, when relevant.

Communication of information needed to take flights in accessible formats.

ANNEX II to Regulation (EC) No 1107/2006 of the European Parliament

Assistance by air carriers

Carriage of recognized assistance dogs in the cabin, subject to national regulations.

In addition to medical equipment, transport of up to two pieces of mobility equipment per disabled person or person with reduced mobility, including electric wheelchairs (subject to advance warning of 48 hours and to possible limitations of space on board the aircraft, and subject to the application of relevant legislation concerning dangerous goods).

Communication of essential information concerning a flight in accessible formats.

The making of 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.

Assistance in moving to toilet facilities if required.

Where a disabled person or person with reduced mobility is assisted by an accompanying person, the air carrier will make all reasonable efforts to give such person a seat next to the disabled person or person with reduced mobility.

Annex 4 - Summary of Legislation

Rights of people with reduced mobility

This Regulation is part of a general plan to reinforce passenger rights on all forms of transport. Persons placed at a disadvantage by reduced mobility, whether caused by disability, age or another factor should have opportunities for air travel comparable to those of other citizens.

ACT

Regulation (EC) No 1107/2006 of the Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air [Official Journal L 204 of 26.7.2006].

SUMMARY

The Regulation on the rights of persons with reduced mobility when using air transport prohibits operators from refusing reservation or boarding to persons because of their disability ^{*}.

There are certain exceptions and derogations, however, particularly for justified safety reasons established by law. An air carrier may refuse to accept a reservation from or to embark a person with reduced mobility or request that a person with reduced mobility who travels must be accompanied by another person in order to meet applicable safety requirements duly established by law or if the size of the aircraft makes it physically impossible to embark the person.

The air carrier must, within five working days of refusing a reservation or embarkation or requiring a person with reduced mobility to be accompanied, write to inform the person concerned of its reasons for so doing.

Persons with reduced mobility are entitled to receive, free of charge, assistance in airports (on departure, arrival and during transit) and on board aircraft (e.g. the transport of wheelchairs and the carriage of guide dogs for the blind).

The managing bodies of airports should provide this assistance and fund the services by levying charges on airlines.

The Member States will be required to lay down penalties for infringements and to set up independent bodies to deal with complaints.

The Commission must report to the European Parliament and the Council by 1 January 2010 at the latest on the operation and the results of the Regulation.

Key terms used in the act

"Disabled person" or "person with reduced mobility" means any person whose mobility when using transport is reduced due to any physical disability (sensory or locomotor, permanent or temporary), intellectual disability or impairment, or any other cause of disability, or age, and whose situation needs appropriate attention and the adaptation to his or her particular needs of the service made available to all passengers.

REFERENCES

Act	Entry into force - Date of expiry	Deadline for transposition in the Member States	Official Journal
Regulation (EC) No 1107/2006 of the European Parliament and of the Council	15.8.2006	-	L 204 of 26.7.2006

RELATED ACTS

Regulation (EC) No [261/2004](#) of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No [295/91](#) [Official Journal L 46 of 17.02.2004].

Proposal of 14 April 2003 for a Regulation of the European Parliament and of the Council on international rail passengers' rights and obligations [[COM\(2004\) 143](#) final - not published in the Official Journal].

Directive [2003/24/EC](#) of the European Parliament and of the Council amending Directive [98/18/EC](#) on safety rules and standards for passenger ships [Official Journal L 123 of 17.05.2003].

White Paper "European transport policy for 2010: time to decide" [[COM\(2001\) 370](#) final - not published in the Official Journal].

Directive [2001/85/EC](#) of the European Parliament and of the Council of 20 November 2001 relating to special provisions for vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver's seat and amending Directives [70/156/EEC](#) and [97/27/EC](#) [Official Journal L 42 of 13.02.2002].

Communication from the Commission to the European Parliament and the Council: "Protection of air passengers in the European Union" [[COM\(2000\) 365](#) final - not published in the Official Journal].

Council Directive [96/67/EC](#) of 15 October 1996 on access to the groundhandling market at Community airports [Official Journal L 272 of 25.10.1996].

Council Directive [90/314/EEC](#) of 13 June 1990 on package travel, package holidays and package tours [Official Journal L 158 of 23.06.1990].

Last updated: 26.04.2005

This summary is for information only and is not designed to interpret or replace the reference document.

Source : <http://europa.eu/scadplus/leg/en/lvb/l24132.htm>

Annex 5 - Manuals

Manual of ECAC Recommendations and Resolutions Relating To Facilitation and Security Matters, ECAC Doc No.30 (8th edition)

International Standards and Recommended Practices-Facilitation, Annex 9 to the Convention on International Civil Aviation ICAO Circular 274-AT/114, Access to Air Transport by Persons with Disabilities.