



**The regulation (EC) No 1107/2006 on the
rights of disabled persons and persons with
reduced mobility when travelling by air**

A TOOLKIT

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1. Introduction – why a regulation?

The single market for air transport has brought Europeans important benefits, including a wider choice of destinations and carriers and lower fares. It has helped open air transport to most citizens, for whom now it is often indispensable for active participation in economic and social life. However, people with disabilities and persons with reduced mobility have not been able to take part of all these advantages to the same extent as other citizens. Increased competition due to the opening up of the market has all too often meant low quality travel, and even discrimination, to disabled people.

The European Disability Forum regularly receives information by our members about discrimination experienced when travelling – or trying to travel – by air. The reported discrimination relates to everything from denied boarding or booking because you are disabled, no or unsatisfactory assistance, charging for assistance or undignified treatment, to damaged or lost mobility equipment that is not being reimbursed.

The European Disability Forum has been actively lobbying for legislative measures putting an end to this situation since several years. The European Commission has also been clear in their intention to ensure equal opportunities for air travel for disabled people. It first raised this question in 2000 in its Communication on Air Passengers in the European Union.¹ In 2002, the European Commission published a consultation paper regarding the question on whether any legal measures should be taken on Community level or not.² All stakeholders were invited to provide their comments to questions relating to the situation of disabled people travelling by air. It was a strong response to the consultation, and there was a wide consensus that there was a need for community law strengthening the rights of disabled people travelling by air. Two basic principles were agreed: disabled people should not be denied boarding and disabled people should receive assistance without additional charge. The major point of disagreement related to who should be responsible for the assistance provision: airlines, airports or independent service providers.

Both airports and airlines have signed voluntary commitments on assistance to air passengers with reduced mobility.³ However, those commitments have failed to put an end to discrimination of disabled air passengers in Europe. Moreover, the documents do not treat the question on responsibility for the assistance provision.

A first regulation, establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of

¹ COM(2000) 365

² Consultation document from June 2002:

http://europa.eu.int/comm/transport/air/rights/consult_contract_en.htm

³ “Airline Passenger Service Commitment” and “Airport Voluntary Commitment on Passenger Service” presented to the European Civil Aviation Conference on the 10th of May 2001.



flights, was adopted by the European Parliament and the European Council in February 2004.⁴

Basically, this regulation ensures that all passengers who are subject to delays of two hours minimum, shall get meals and refreshments, hotel accommodation when necessary, and shall be allowed to make free phonecalls, or to write e-mails, telex or fax messages. There is an exception to the right to compensation if the delay is caused by 'force majeure'. In cases of overbooking of a flight, leading to denied boarding, the passenger has the right to re-routing or reimbursement and, in addition, compensation if the denied boarding is against the will of the passenger. However, operating air carriers shall give priority to carrying disabled persons and any persons, or certified assistance dogs, accompanying them. In case of cancellation, reimbursement in addition to the other rights is the main rule.⁵

The legislators recognize in this regulation that air operators shall meet the needs of disabled people and their assistants in case of cancellation or long delay or denied boarding due to overbooking. This implies, for example, ensuring that transport and hotel accommodation is accessible.⁶

Although this regulation is valuable for all passengers, including disabled passengers, it was obvious after its adoption that there was still a need to tackle the discrimination faced by disabled air passengers by according them a guarantee to be treated in an equal way as all other passengers.

Because of this, the European Commission came out with a proposal in February 2005, on the rights of persons with reduced mobility travelling by air.⁷ This proposal was applauded by the European Disability Forum, not only because of the urgent need for legislative measures, but also because this was the first proposal for disability-specific legislation at European Union level ever.

2. The EDF lobby campaign

The lobbying campaign was rather short but very intensive. The industry had strong interests and organizations of disabled people had to fight very hard in order to obtain a satisfactory result.

⁴ (EC) No 261/2004, Regulation 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 of flights.

⁵ For more detailed information about your rights according to this regulation, please check: http://ec.europa.eu/transport/air/rules/rights/doc/2005_01_19_apr_poster_en.pdf

⁶ Please see the Articles including the specific rights of disabled people in Annex II

⁷ COM(2005) 47 final, presented on the 16th of February 2005



EDF published a position paper on the proposed regulation where it supported the three fundamental principles of the proposal⁸:

- Disabled passengers **must not be charged directly** for assistance they require;
- Passengers **must not be refused reservation or refused boarding** because they are disabled;
- The system must provide **uninterrupted (seamless) assistance** for disabled air passengers throughout all stages of the journey, from point of arrival at an airport to point of departure.

In its position paper EDF commented on the proposal, argued for re-wording of some Articles and expressed that there is a need for additional rights if equal opportunities for disabled air passengers is to be ensured.

EDF recommended in particular:

- **Rename the regulation:** refer not only to persons with reduced mobility, but also to disabled people (as some disabled people do not necessarily experience reduced mobility, but rather eg. reduced orientation or communication);
- **Harmonise EU rules** in the area of safety requirements – and make these **publicly available**;
- **Reimbursement or rebooking** when a disabled person is denied boarding for security reasons;
- **Accompanying person** to travel **free of charge**;
- **Basic information** about the airport in **accessible formats** at designated points of arrival;
- **All airports** to set **quality standards**;
- **Disability awareness and disability equality training** of all staff;
- **Full compensation** for lost or damaged mobility equipment;
- **Assistance dogs** to be carried in cabin without time limitation;
- **Involvement of disabled people** in the running of the system.

EDF had close contacts with all stakeholders throughout the legislative procedure.

The outcome is basically a real success-story. Most principal demands from EDF were accepted by both co-legislators, the European Parliament and the Council of the European Union. The regulation on the rights of disabled people travelling by air was finally adopted on 5 July 2006.⁹

⁸ EDF response to the proposal for a regulation concerning the rights of persons with reduced mobility travelling by air, Doc EDF 05/06.

⁹ The regulation is attached to this toolkit (Annex I)

You will find the full text of the regulation in all languages on:

http://eur-lex.europa.eu/LexUriServ/site/en/oj/2006/l_204/l_20420060726en00010009.pdf

3. The content of the regulation on the rights of disabled air passengers

The legislation adopted is a *regulation*. This is the strongest legislative act of the European Union. A regulation does not need any implementation measures at Member State level, but is directly applicable as such, in all its elements.

The regulation talks about disabled people and persons with reduced mobility (Article 2 (a)). In the definition it is explained that this means any person with reduced mobility or a sensory impairment, intellectual disability 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.

An airline shall not refuse, on the ground of reduced mobility or disability, to accept the reservation of a person or to embark a person (Article 3).

The idea of the regulation is that you shall have the same possibilities to travel by air as any other person (Article 1 (a)). This includes being provided with an uninterrupted assistance that is adapted to your individual needs – from the point of arrival at the airport with the transport mean you have chosen, to the point of departure of the airport of arrival (Article 7). The assistance should be provided at no additional charge (Article 8) by a person who has undergone disability awareness and disability equality training (Article 11).

As the idea is that you shall experience an equal journey as other passengers, you do not only have the right to be assisted to and from the aircraft, but you also have the right to bring the mobility equipment and assistive devices you need, to get essential information in accessible formats, to travel with your guide dog on board, to move to toilet facilities and so on.¹⁰

Should your mobility equipment or assistive devices be lost or damaged during the trip, you have the right to compensation (Article 12). However, in the regulation it is only stated that such compensation should be provided in accordance with international, Community or national law.

Such legislation does not yet exist at national or European level. There is only a convention at international level, which has a compensation limit. Therefore, European Commission has launched an external study to examine the possibility of enhancing the existing rights of air passengers whose mobility equipment or assistive devices are destroyed, damaged or lost. On basis of this study the Commission will

¹⁰ The specific rights of disabled people travelling by air are specified in Annexes I and II of the regulation.



consider whether any new legislative proposal is necessary in this field, and identify the necessary provisions.¹¹

There is a possibility to deny a disabled person to travel in order to meet applicable safety requirements established by national, Community or International law (Article 4). These safety reasons shall be publicly available in accessible formats. It is also possible to deny a person to travel if the size of the aircraft or its doors makes the embarkation or carriage of a disabled person physically impossible. In case of denied boarding the person in question shall be offered re-imburement or re-routing and the passenger shall immediately be informed of the reasons for the denied boarding.

If you wish to receive assistance from the staff you should pre-notify your needs at least 48 hours before the departure of your flight at any of the points of sale of tickets (Article 7). However, even if you give shorter or no pre-notification, the managing body of the airport shall make all reasonable efforts to provide the assistance anyway, but this cannot be guaranteed. The notification given also covers your return flight.

If a disabled person considers that his or her rights according to the regulation have been infringed, he or she should contact the managing body of the airport, or the airline concerned, depending on where and by whom the discrimination occurred (Article 15).

If the disabled person will not obtain satisfaction in this way he or she can contact any of the enforcement bodies set up by the Member State, and that body is then responsible for ensuring that the complaint will be dealt with.

4. The shortcomings

Although most of the demands of EDF were taken on board by the legislators, there are also several shortcomings with the regulation.

The most serious problem is a loophole within the legislation, which EDF fought hard to take out, but without success. The regulation actually opens up a possibility for air carriers to deny boarding of disabled people for “safety reasons” established by International, European or National law, as briefly mentioned in the previous chapter. The latter possibility seriously weakens the regulation, as this means that different laws might be adopted in different countries, leading to a situation where a disabled person might be accepted to fly out from his or her country, but not back. EDF fears that this possibility to establish national legislation could be used in an arbitrary way as lack of knowledge about disability is the most common reason for denied boarding today. Very often, air carriers claim that a disabled person is a safety risk just because they lack knowledge about what disability really is.

¹¹ For more information on this study, please read chapter 4 of this toolkit.



However, it is important to notice that these safety reasons must be “justified”. In most cases it will be difficult to justify that a disabled person would be a risk for the safety. It is also an improvement of the situation that air carriers cannot base their judgment on their internal policy. This makes the situation more transparent than is the case today.

At European level, a regulation was adopted on 16 January 2007 (the ‘EU-OPS’ regulation) establishing some rules on the carriage of persons with reduced mobility.¹²

The European Civil Aviation Conference, ECAC, is currently drafting an advisory note on procedures for carrying disabled people and passengers with reduced mobility in order to respect safety requirements. This will hopefully ensure a common interpretation of the new EU-OPS regulation throughout the European Union. EDF is actively contributing to this drafting process, and it seems like the final outcome will recommend carriers to be very restrictive in refusing disabled people to travel, and that no general limitation of the number of disabled people travel on the same plane will be applied. Even though this advisory note is not binding for Member States, it will hopefully serve as guidelines when national safety legislation is interpreted. However, the final decision about the carriage of a person is always for the pilot to take.

If the circumstances in a particular case will lead an air carrier to estimate that there is a safety risk in carrying a disabled individual, but that this risk could be avoided if the passenger travels accompanied, then the air carrier can set this as a condition for transporting the passenger. EDF lobbied strongly in order to ensure that the ticket of the assisting person should be offered by the air carrier in such situations; however, unfortunately without success.

Although the regulation states in its Article 12 that a passenger shall be entitled to compensation if his or her mobility equipment or assistive devices are damaged, it does not clarify whether this means unlimited (full) compensation or not. Instead it only states that compensation shall be provided in accordance with International, Community or national legislation. The relevant international legislation that exists today is the Montreal Convention, where a maximum amount of compensation for damaged “luggage” is set. This amount is restricted to 1000 special drawing rights (about 1400 euros), which is far from sufficient, as mobility equipment and assistive devices can cost far more than that to repair or replace.

Another shortcoming with the Montreal Convention is that mobility equipment and assistive devices are under the same rules as ordinary luggage. EDF firmly believes that mobility equipment and assistive devices should not be considered as luggage, as they are indispensable tool for independence.

¹² Regulation (EC) Nr 1899/2006



In addition, several air carriers do not respect the provisions in the Montreal convention. Some air carriers even oblige wheelchair users to sign a “limited release tag” which make you waiver from your rights to compensation in case of damaged, destroyed or lost “luggage”. This kind of practice must, according to EDF, become unlawful. The Article 13 of the regulation also states that no rights under the regulation can be waived.

As the regulation does not deal with the question of compensation in a satisfactory way, the Commission has launched a study in order to see whether there is a need for enforced rights for disabled people having their mobility equipment or assistive devices damaged, as briefly mentioned above.¹³

5. The European Civil Aviation Conference documents

The European Civil Aviation Conference (ECAC)¹⁴ is an intergovernmental organization whose objective is to promote the continued development of a safe, efficient and sustainable European air transport system. In doing this, ECAC seeks to harmonise civil aviation policies and practices amongst its Member States. ECAC is not a legislative body. It works by the developments of standards and best practice to which Member States make voluntary commitments.

ECAC has a working group on Persons with Reduced Mobility. EDF has the status of observers at the meetings of this working group and we contribute actively to the discussions and the development of best practice documents within the working group. Several documents with direct relevance for disabled people have been adopted by ECAC.

Although ECAC only provides guidance without any legal effect, their documentation is extensive and the value of ECAC documents increased through the explicit recognition of ECAC in the regulation on the rights of disabled air passengers (preamble 10 and Article 9). The Commission also stated in its proposal for this regulation that it supports the work of ECAC and its documents on disabled people, notably its comprehensive guide on assistance to disabled people and its code of good conduct.¹⁵ Since the adoption of the regulation, two new documents have been adopted of great value for the disability movement, treating the issue of training. EDF was mandated by ECAC to take the lead in the drafting of those documents, although all major stakeholders were invited to participate in this work. Those documents will

¹³ For more information on compensation, please see chapter 6 of this toolkit.

¹⁴ ECAC covers the widest grouping of Member States of any European organisation dealing with civil aviation. Currently it is composed of 42 Member States.

¹⁵ All ECAC documents of relevance for disabled people can be found on the website: <http://www.ecac-ceac.org/index.php?content=docstype&idtype=38> under *ECAC.CEAC Doc No. 30, Part I*
ECAC Policy Statement in the Field of Civil Aviation



hopefully be respected by airlines and airports when providing disability awareness and disability equality to their personnel.¹⁶

6. The responsibility of EDF for implementation of the regulation

EDF is supporting the work of ECAC in developing detailed guidance on how to ensure a non-discriminatory and harmonious implementation of the regulation in all Member States.

EDF also meets regularly with the European Commission in order to monitor the implementation of the regulation and to provide information on shortcomings in the implementation as reported by the EDF membership.

EDF provides information on shortcomings in current European and International legislation on compensation for damaged mobility equipment and assistive devices to the external consultant, responsible for investigating this matter on behalf of the European Commission, who has launched this study as a follow-up of the adoption of the regulation on disabled air passengers. This study will address in particular the issue of compensation thresholds for damaged or lost equipment and devices. It will check whether any new legislative proposal is necessary in that field. The study, awarded to a consortium of Civic Consulting (lead) and NEA transport, research and training by a call for tender, has started in December 2006. EDF has already been interviewed by the consultants.

EDF will provide further input to this study and encourages all members to support the secretariat in this work, by providing examples or ideas.

The consortium will also contact all national members of EDF and ask for an interview.

EDF encourages all members to facilitate the study by showing the need for legislation, ensuring full compensation for disabled people having their equipment destroyed or damaged. There is also a need for training of airport and air carrier staff on how to deal with mobility equipment and assistive devices.

An additional difficulty seems to be that several airlines ask for disabled people to take an additional insurance if they wish to have a full right to compensation in case of damaged equipment guaranteed. This is discriminatory in itself, but further more, EDF has received several examples showing that insurance companies do not provide such insurances. One EDF member contacted the Belgian Insurance Ombudsman concerning this situation, but were explained that there was nothing he could do, as he cannot force companies to take any risks.

¹⁶ Those two documents are annexed to this toolkit (Annex VI).

It seems that the most logic solution to this problem would be to oblige air carriers through European legislation to take this kind of insurance themselves – at no additional charge for the passenger – in order to ensure that disabled people can be confident in receiving full compensation in case their mobility equipment or assistive devices would be destroyed or damaged by an air carrier.

7. The responsibility of National Disability Councils

As assistance can be provided from the point of arrival at the airport, there is an obligation for airports to **designate set down points** at the airport, where disabled people can announce their arrival. Such points shall be designated in cooperation with representative organizations of disabled people, taking into account local circumstances. Local organisations of disabled people will therefore have an important role to play in this procedure. The points of arrival shall be clearly signed and shall offer basic information about the airport, in accessible formats.

Quality standards for the assistance provided to disabled people shall be set at all airports with more than 150 000 commercial passenger movements per year. These quality standards, and resource requirements for meeting them, shall be set in cooperation with representative organizations of disabled people. As these standards should be adapted to the specific situation at each airport, the local disability organisations will have a responsibility in this process too. Even though airports with less than 150.000 passengers per year do not need to set quality standards, they still need to respect all other provisions of the regulation. The annexes of the regulation, where the obligations of the airlines and the airports are specified, will serve as a set of minimum quality standards in this respect. For airports above this threshold, more detailed quality standards need to be set. ECAC best practice documents can serve as guidelines when drafting those standards.

Cooperation has a stronger meaning than consultation, which was the terminology that was originally used in the draft regulation. Cooperation implies that decisions by the airport shall somehow be made together with the disability movement. Cooperation is much more than just taking note of the point of view of the disability movement. Moreover, it is in the interest of airports to work closely with the disability movement, as airports will be responsible in case they fail to live up to the assistance requirements listed in the regulation.

It also seems crucial that representative organisations of disabled people should be involved in the disability equality and disability awareness training at airports and to monitor the training in order to ensure that it respects the guidelines adopted by the European Civil Aviation Committee.



8. The responsibility of Member States

Each Member State shall designate a body responsible for the enforcement of the regulation. The European Commission has recently written to all Member States to urge them to designate such a body as soon as possible. As long as a Member State has not designated an enforcement body, any complaints under the regulation can be sent to the Permanent Representation to the European Union of the Member State of the complainant.¹⁷

Member States also have to inform disabled people of their rights under the regulation and how to make complaints. It would be useful if national and local disability organisation provide some guidance to Member States on how to best inform their disabled citizens about their rights.

Finally, Member States shall lay down rules on penalties relating to infringements of the regulation and shall take all measures necessary to ensure that those rules are implemented. Those penalties shall be effective, proportionate and dissuasive. The Member States shall notify those provisions to the Commission.

9. Contact persons in each National Disability Council

EDF has sent out a demand for contact persons in each national disability council, responsible for cooperation with their domestic airports in relation to the regulation and for coordinating the supervision of the implementation of the regulation at Member States level. A list of contacts is attached as an annex to this document, but the list is not yet complete as some National Disability Councils still have to appoint a contact person.¹⁸

The preliminary list has already been presented to Airports Council International, in order to help airports to get in touch with the right contact person in each Member State when getting to the stage in the implementation of the regulation when cooperation with representative disability organisations is required.

In relation to the airports, the role of the contact person is to be prepared to facilitate the coordination of the cooperation between national airports and national disability movement. It will in particular be focused on the obligation of cooperation when it comes to the location of designated points of arrival and the setting of quality standards and financing of assistance. In addition, it could be useful to provide airports and airlines with support relating to disability awareness training, and also to promote a generous interpretation of the rights in the regulation.

¹⁷ The list of the appointed enforcement bodies/persons responsible at the EU permanent representations is attached to this toolkit (Annexes III and IV).

¹⁸ Annex V of this toolkit.



It is not expected that the contact person shall undertake all this work him- or herself. Indeed, in most Member States there are several airports, and it seems logic that local disability organisations are in a better position to cooperate with their local airport. However, the contact persons could, in cooperation with their national disability federation, make sure that proper information about the regulation is provided to local organisations and can support airports in finding a representative contact person at local level.

In relation to the national enforcement body, the responsibility of the contact person could be to alert the enforcement body in case infringements of the regulation, or incorrect interpretation, are suspected.

In relation to EDF, the role of the contact person is to report back on the evolution in the respective Member State. What meetings have the national disability federation been invited to? What was the outcome? Are things advancing as they should?

The EDF secretariat will facilitate the exchange of best practice between the national contact persons and support their work with up-dated information about the state of play of the implementation at European level. The EDF secretariat is also happy to answer any questions about the regulation or to support the contact persons in any other way.

10. The timeframe

The regulation will apply with effect from 26 July 2008, except Articles 3 and 4, which shall apply with effect from 26 July 2007.¹⁹

Until then *an airport* is not under a legal obligation to apply the rules of the obligation, but *Members States* are not allowed to take any measures that are contradictory with the spirit of the regulation.

From **26 July 2007** there is a legal obligation for air carriers to accept a reservation from a disabled person and to embark a disabled person. As mentioned above, there are exceptions to this obligation, in order to meet non-discriminatory 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 an air carrier. By this time, air carriers and their agents, must make available information in accessible formats on these safety rules. This information shall be available in at least the same languages as information given to non-disabled passengers. They must also make available any restrictions on mobility equipment due to the size of an aircraft.

¹⁹ Article 3 states that air carriers shall not refuse a disabled person reserve a flight ticket or to embark a plane. Article 4 implies that derogations to this general rule can be made in order to meet non-discriminatory safety requirements.

Air carriers are not under a legal obligation to consult with organisations of disabled people when implementing this Article and it is not specified what formats that are covered by the scope of it. EDF therefore encourages its membership to advise air carriers on this matter in due time in order to ensure that information in Braille, large print, audio formats, easy-to-read etc will be available (on request). EDF will also ensure that the European associations of airlines are aware of the meaning of accessible formats (Association of European Airlines, AEA, and European Regional Airlines, ERA).

The entire regulation will be applied with effect from **26 July 2008**. By this time, the whole system required to ensure non-discrimination must be set up under the responsibility of airports, airlines and Member States. Disability organisations can and should facilitate this implementation:

- Awareness training of staff

Representatives of DPOs could propose airports and airlines to provide general disability- and disability awareness training and could also monitor whether the training provided is sufficient and appropriate.

- Designation of points of arrival and departure

It is important to ensure that these points are fully accessible for all disabled people and that they offer sufficient, although basic, information about the airport.

- Quality standards

There is an obvious risk that the managing bodies of the European airports will contract the provision of assistance to disabled people to the company who offers a low price of the service, rather than a high quality service. It is therefore crucial that the quality standards are as ambitious and clear as possible. An active involvement of representative organisations of disabled people is indispensable in this respect.

Airports can provide assistance themselves or contract out the service provision through a tender procedure or in any other way. It is important that quality standards are set before the contract is signed. EDF therefore encourages its members to begin the cooperation with airports on this point as soon as possible, as airports are already getting prepared for the implementation of the regulation

ANNEX I

**(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,

Having consulted of the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty,

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 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. 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 organised 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 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 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 fulfil 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 licence 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 recognised 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 (1);
- (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 organizations 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 recognised 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 nondiscriminatory 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 150 000 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 organisations representing disabled passengers and passengers with reduced mobility.

2. In the setting of such standards, full account shall be taken of internationally recognised 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.

ANNEX I

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 recognised assistance dogs, when relevant.
- Communication of information needed to take flights in accessible formats.

ANNEX II

Assistance by air carriers

- Carriage of recognised 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 II

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

<<<<<<

Preamble

(19) Operating air carriers should meet the special needs of persons with reduced mobility and any persons accompanying them

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Article 1

Subject

1. This Regulation establishes, under the conditions specified herein, minimum rights for passengers when:

- (a) they are denied boarding against their will;
- (b) their flight is cancelled;
- (c) their flight is delayed.

Article 2

Definitions

For the purposes of this Regulation:

(i) 'person with reduced mobility' means any person whose mobility is reduced when using transport because of any physical disability (sensory or locomotory, permanent or temporary), intellectual impairment, age or any other cause of disability, and whose situation needs special attention and adaptation to the person's needs of the services made available to all passengers;

Article 11

Persons with reduced mobility or special needs

1. Operating air carriers shall give priority to carrying persons with reduced mobility and any persons or certified service dogs accompanying them, as well as unaccompanied children.
2. In cases of denied boarding, cancellation and delays of any length, persons with reduced mobility and any persons accompanying them, as well as unaccompanied children, shall have the right to care in accordance with Article 9 as soon as possible.

Article 14

Obligation to inform passengers of their rights

3. In respect of blind and visually impaired persons, the provisions of this Article shall be applied using appropriate alternative means.



ANNEX III – list of already appointed enforcement bodies

Belgium

Civil Aviation Authority
Federal Public Service Mobility and Transport
CCN – Rue du Progrès 80 – Box 5
B-1030 Brussels
Phone : +32 2 277 43 99
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Czech Republic

Civil Aviation Authority
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Germany

Arbeitsgemeinschaft Deutscher Verkehrsflughäfen,
Gertraudenstr. 20
10178 Berlin
Tel : 030 - -31 01 18-0
Fax : 030 – 31 01 18-90

Slovak Republic

1. Slovenská obchodná inspekcia
Ustredny inspektorát
Contact person : Mrs Viera Basová
Tel : +421 21 5827 2217
E-mail : viera.basova@soi.sk

2. Letecky urad SR



Contact person : Mr Maros Jancula
Tel : +421 2 4857 4000
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3. Ministerstvo dopravy, post a telekomunikacii SR
Obdor civilneho letectva
Contact person: Mrs Radmila Valickova
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ANNEX IV - PERMANENT REPRESENTATIONS TO THE EU

AIR REGULATION – PERSONS RESPONSIBLE To contact in case an enforcement body has not been designed

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Luxembourg

Sam Weissen

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Spain

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ANNEX V – EDF list of contact persons

Updated 16th February 2007
(Incomplete)

National Contacts

Austria:

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Bundessekretariat
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T: +43 (1) 513 15 35-213
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Mag. Britta Wagner
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Secrétaire Général ACIH AAM asbl
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Please copy the following e-mail address into all correspondence:
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Czech National Disability Council chairman
c/o Veronika Půrová
Zahraniční odbor
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Partyzánská 1/7, 170 00 Praha 7
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ECAC Doc 30 - Annex K

GUIDELINES ON GROUND HANDLING FOR PERSONS WITH REDUCED MOBILITY

Introduction

Member States should ensure that the necessary measures are put into place at airports for "seamless" assistance to be provided to PRMs by staff trained and qualified to meet their needs. Particular attention should be given to raising staff awareness of the specific needs of different groups of people with disabilities - physical, sensory (hearing and visual), hidden, or intellectual. The utmost consideration should be given to ensuring that PRMs are treated with respect and dignity and that they are able to maintain their independence, assistance should be available from the designated arrival area at the airport to the point at which the PRM is seated on board the aircraft and vice versa. Appropriate equipment to assist the PRM should be available and provided when necessary. Organisations representing different groups of people with disabilities should be consulted in the development of training programmes, policies and procedures.

1. Minimum standards of services

1.1 Scope of services

The services to which this section applies should include assistance and provisions as outlined in "Annex J. 1.4 Scope" of this Document. The scope of services should also include:

- (a) appropriate assistance in locating facilities, including (but not limited to) toilets, baggage delivery, money exchange, connecting modes of transport, arrival meeting points, telephone or other accessible means of communication;
- (b) appropriate assistance with transporting luggage to and from the designated set down points of the airport.

1.2 Quality of service

1.2. 1 Minimum Service Requirements

The requirements, to be followed by the provider of assistance to PRMs, shall be agreed following consultation with stakeholders including organisations of PRMs, airlines, and the airport authority. This consultation will also determine the designated arrival and set down points for PRMs. These requirements should form the basis of Service Level Agreements (SLA).

1.2.2 Standard Operating Procedures and Protocol

Service providers should have Standard Operating Procedures (SOPs), including normal, contingency and emergency procedures laid down in a Protocol.

1.2. 3. Conditions

In addition to Annex J, special attention should be given to the following:

- (a) Staff at the airport have a responsibility to ask each PRM about the most appropriate way to provide assistance to them (e.g. how do they like to be guided or escorted, what causes them pain or discomfort etc).
- (b) Lifting a passenger with a physical disability from one wheelchair to another and from or into an aircraft chair should always be carried out by two staff members. The transfer should be performed with the greatest consideration for the dignity, safety and comfort of the PRM.

(c) Under no circumstances should staff assisting a person with a physical disability manually carry him/her in order to provide boarding or deplaning assistance. The only exception is where no alternative is available for aircraft with 19 seats or fewer and health and safety and manual handling issues have been fully considered.

(d) The service provider should not leave a passenger with a disability unattended for more than 30 minutes, unless otherwise agreed with that passenger.

1.2.4 Complaints Handling

Service providers must designate staff, who are specially trained and whose responsibility is to investigate and resolve complaints and disagreements.

1.3 Equipment

For optimal assistance the following specifications are recommended. However they are not intended to be exclusive or restrictive or to inhibit the development of new designs:

(a) **Wheelchairs** (preferably of the non-folding type and capable of being selfpropelled) with a rigid seat, high backrest, detachable armrests, adjustable leg-rests, movable footrests and an adequate brake.

(b) **Boarding wheelchairs**, which would be used to transport PRMs to and from their seat in the aircraft. These should be provided with folding armrests, a solid seat and back-support, an adequate braking system and safety belts

(c) **Mini-carts/buggies** (electrically powered carts) to transport PRMs in the airport building where required by the airport layout. Use of these vehicles has to be in accordance with airport authority regulations.

(d) **Accessible vehicle(s)** to transport PRMs between terminals and between a terminal building and remote aircraft stands where other passengers are transported by bus. If the buses provided for other passengers are not accessible to PRMs (wheelchair users), specialised vehicles should be provided which are available on the same basis. Unless they are low floor vehicles on which wheelchair securing is not required, the vehicles must be equipped with a system that securely locks wheelchairs into place and fitted with passenger restraint systems, in accordance with the standards for such a system in the given country. They must also be equipped with a boarding device - ramp or lift - to enable the PRM (wheelchair users) to board and alight from the bus. The vehicles must be designed for the transport of persons.

(e) **Lifting vehicle(s)** capable of taking a PRM/wheelchair user up to the threshold of the aircraft door when the aircraft is on a remote stand. These vehicles should adhere to all existing standards and regulations on safety. Such equipment should only be used for those PRMs who need it. Equipment used for the assistance of PRM passengers should undergo regular safety inspections and maintenance. Maintenance records should be kept up-to-date at all times.

2. Staff training

The training principles listed below are by no means exhaustive. These list only the basic essential principles and should, in time, be supplemented by a detailed training manual. The training must be tailored to the employee's functions. Organisations representing different groups of people with disabilities should be consulted in the development of training programmes.

2.1 Training of staff who deal directly with the travelling public

All airport and airline personnel who deal directly with the travelling public, including security personnel, guards and porters, should be trained to be made aware of and, where appropriate, be able to meet the needs of PRMs.

This training should be focused on disability awareness training, including training on:



- (a) awareness and appropriate responses to passengers with physical, sensory (hearing and visual), hidden or learning disabilities, including how to distinguish between the different abilities of individuals whose mobility, orientation, or communication may be reduced;
 - (b) barriers faced by PRMs, covering attitudinal, environmental/physical and organisational barriers;
 - (c) assistance dogs, including the role and the needs of an assistance dog;
 - (d) dealing with unexpected occurrences;
 - (e) interpersonal skills and methods of communication with deaf and hearing impaired people, visually impaired people, speech impaired people and people with a learning disability;
 - (f) general awareness of ECAC, IATA and EU guidelines and legislation on air passenger rights including ECAC Document 30, Section 5 and its relevant Annexes including this one;
 - (g) how to handle wheelchairs and other mobility aids carefully to avoid damage, (for all staff who are responsible for baggage handling). Staff should receive refresher training at least every two years and attendance at the training should be recorded.
- All new recruits should be given disability-related training when starting work.

2.2 Training of staff assisting PRMs

In addition to the areas of training listed in Section 2.1 above, all staff assisting PRMs at an airport should also be capable of distinguishing between different types of disabilities (and the corresponding IATA code) and should have knowledge of the most appropriate form of assistance for each, including:

- (a) how to help wheelchair users make transfers into and out of a wheelchair;
- (b) skills for providing assistance to PRMs travelling with an assistance dog, including the role and the needs of those dogs;
- (c) techniques for escorting blind and partially-sighted passengers and for the handling and carriage of guide dogs and other assistance dogs;
- (d) an understanding of the types of equipment which can assist PRMs and knowledge of how to handle such equipment;
- (e) the use of the boarding and deplaning assistance equipment used and knowledge of the appropriate boarding and deplaning assistance procedures that safeguard the safety and dignity of PRMs;
- (f) sufficient understanding of the need for reliable and professional assistance. Also awareness of the potential for certain disabled passengers to experience feelings of vulnerability during travel, because of their total dependence on the assistance provided.
- (g) first aid.

On a yearly basis, as an absolute minimum, staff should receive refresher training sessions on assisting PRMs. Attendance at the training sessions should be recorded in each staff member's personnel file.

All new recruits should be given disability-related training when starting work.



ECAC Doc 30 - Annex N

GUIDELINES ON AWARENESS AND DISABILITY EQUALITY FOR ALL AIRPORT AND AIRLINE PERSONNEL DEALING WITH THE TRAVELLING PUBLIC

Introduction

1. Disability awareness and disability equality training for airline and airport personnel is crucial in order to ensure that passengers with disabilities receive the assistance they may need and that they are treated with respect.
2. Personnel who have an understanding of disability and its diversity, and the types of barriers people with disabilities experience in society, will be better able to provide a high quality service that respects the safety, independence and dignity of each passenger.
3. These guidelines are intended to be a source of information to identify best practice for personnel employed in the air passenger transport industry dealing directly with the traveling public. They focus mainly on the attitudinal barriers that disabled people are facing in air travel, and they offer solutions to some of those.
4. These guidelines need to be complemented with general information on ECAC recommendations, IATA guidance and relevant EU legislation in order to acquire comprehensive knowledge on the rights of disabled air passengers and how to best provide assistance to those passengers.
5. Training must cover the full range of disabilities. These guidelines provide information on how best to interact with and provide assistance to people with varying special needs. Training should be provided to all employees dealing with the general public, including refresher training when appropriate. Passenger feedback should be constantly analysed and any necessary improvements fed into training programmes. The most important thing to remember when interacting and assisting disabled passengers and people with reduced mobility is to be respectful - what counts is to provide a high quality customer service, rather than necessarily to follow these guidelines word for word.

General Disability Awareness

6. Disabled people make up approximately 10 % of the population in Europe. Disabled people have the same right to non-discrimination and equal treatment as all other citizens and have the right and need to participate fully in all aspects of life, including air travel.
7. Disabled people are just like everybody else. It is important to remember that a person may have a disability, but the person himself or herself is not the disability. Therefore, the first thing to remember when interacting with a disabled person is to *focus on the person instead of the disability*.
8. Disabled people are a diverse group. They include people with reduced mobility, people who are blind or partially sighted, deaf or hard of hearing, people who have a learning difficulty or people with a mental health problem. There are also many people who have an invisible disability or a chronic illness. Other people have a combination of two or more types of disabilities. It is important to recognize this diversity.
9. When you are communicating with disabled people, it is important to communicate directly with the person, whenever possible, and not via a personal assistant, a sign language interpreter or any other accompanying person or assistant. However, some people may feel intimidated or anxious when you speak directly to them. In those cases, it might feel better for the passenger if you communicate via the accompanying person. It is important to respect a person's privacy when giving assistance. Remember that the specific needs of an individual passenger with a disability are not always visible and may not be covered by a code, such as IATA's classification on disability. When appropriate, you should therefore encourage the disabled passenger to explain about his or her individual needs for assistance

when travelling by air. The majority of disabled people are experts in their own needs and are familiar with this procedure.

Providing assistance to disabled air passengers

10. In order to allow disabled air passengers to enjoy a “seamless” travel experience in the same way as non-disabled passengers, your assistance may be needed. Seamlessness is a concept that aims at providing a comfortable, safe and uninterrupted journey, with the provision of assistance that is adapted to the needs of each individual.

11. Most disabled people, irrespective of their disability, are capable of acting for themselves and/ or travelling on their own. Asking for, or receiving, practical assistance from you means that your action can enable the person to retain his or her independence. Always ask the person if he or she needs the assistance and what kind of assistance he or she actually needs in connection with travelling by air in order to understand their capabilities. Bear in mind that the disabled person might have experienced similar situations before.

12. Remember that information about a person’s disability is personal. Some passengers are also reluctant to explain their needs in detail and this should be respected. Seek feedback from the disabled person to ensure that you are providing appropriate assistance.

13. Think of your assistance to a disabled person as providing professional service, to which the person is entitled, and avoid giving the impression that you are acting out of compassion or that you are doing them a favour. This could for example be done by avoiding giving the person with a disability special treatment apart from what is needed due to the disability.

14. Remember that some people will not be familiar with a particular airport and/or language and might therefore have difficulty in knowing what their needs are at that airport. Your support and information is needed and appreciated in such cases.

15. Remember also that unexpected occurrences – late gate change, delayed flights, emergency evacuations of an aircraft or of an airport etc – are already stressful for the non-disabled passenger, but are often particularly difficult for disabled people. Be prepared to respond to the individual needs of disabled people in these situations.

16. In order to provide assistance corresponding to the needs of the individual passenger, you and the passenger will also benefit from a better understanding of the different barriers that disabled people face.

17. There are different kinds of barriers and these barriers affect people with different types of disabilities in different ways. You will find some examples of barriers for people with specific impairments in the following section. However, this is not an exhaustive list and is given only as a guide to the challenges you may face.

18. Common for all is the *attitudinal barrier*, which is perhaps the most difficult obstacle for disabled people to overcome. A person does not feel equal unless you treat him or her as an equal. Negative attitudes towards disabled people exist everywhere, starting at a very early stage in life.

19. When we meet people who are different from what we are used to, we feel unsure about how to react and think. The attitude we have to life, to ourselves and our surroundings, influences our behaviour. If we are able to change our attitude we are able to change our behaviour.

20. Research studies show that non-verbal communication has a significant impact on how people feel they are being treated. Spoken words are only a part of the experience that the passenger will have when interacting with you.

The diversity of disability

21. As disabled people form a heterogeneous group, the specific assistance needs will vary considerably from one individual to the other. In this section you will however find some basic

information about the needs of people with some common types of impairment. Keep in mind that you are dealing with individuals and that these guidelines may not always be appropriate. Also, health and safety requirements may in a limited number of cases oblige you to avoid giving a certain kind of assistance to an individual.

Wheelchair users

22. Wheelchairs can be manual or electric and have various functions and dimensions. Wheelchair users rely on their chairs, which are often adapted to their individual needs. The wheelchair is the most vital part of the independence and dignity of the user. Therefore it is important to let the person stay in his or her individually adapted chair as long as possible during the journey. As an example, in order to be able to use an accessible toilet before the departure of the flight, many wheelchair users depend on their own chair. Be aware that the vast majority of wheelchair users are unable to use the small toilets which are provided in aircrafts.

Useful hints:

- Look directly at the wheelchair user. For long conversations, kneel down to the height of the wheelchair user or bring a chair in order to allow for a more comfortable conversation.
- Do not lose eye contact when standing up.
- If the height of a check-in or ticket office desk is not adapted to the needs of wheelchair users, think about coming around to their side of the desk.
- Offer to help opening heavy doors or picking up things that might have fallen on the floor. Ask if the person wants help with luggage or to reach anything that is at a non-accessible level.
- Do not lean on or push the wheelchair without asking first.

23. Be aware that the design of the airport infrastructure or the aircraft may prevent wheelchair users from moving around independently. This is the case for example if there are steps in the airport environment or if a ramp is too steep.

People with walking difficulties

24. Many people with walking difficulties use walking aids, like sticks, crutches or zimmer frames, but some will not use any aids at all.

25. Some people with reduced mobility prefer to sit down. Others prefer to stand because of pain when sitting or difficulties to get up from the seated position.

Useful hints:

- Whenever possible, offer a seat.
- Offer help with coats, bags or other belongings.
- Offer to open heavy doors, to pick up items that might have fallen on the floor etc.
- People who have walking aids may find it difficult to use their hands when they stand up.
- Many diseases cause pain that can severely limit mobility. They can make holding and grabbing difficult or impossible. Weakness in limbs makes it difficult to move and maintain balance.
- People with amputated limbs, arthritis etc may have an increased sensitivity to touch and also to pain. The pain may increase in hot or cold conditions. Unskilled assistance may also hurt.

Therefore, always ask prior to doing anything.

- Be aware that many people with walking difficulty will prefer to use a lift, where available, rather than an escalator or steps. Walking long distances at the airport can also be difficult or impossible.

People who are deaf or hard of hearing

26. Some people are deaf. Very many people are hard of hearing. This is an invisible disability.

27. People who have been deaf since birth or childhood often use sign language as their mother tongue. Those people normally rely on visual communication modes. Sometimes their literacy skills may have been affected – it is difficult to learn to write and read a language which you have never heard spoken, and, in addition, is not your mother tongue. Sign language is completely different from a spoken language and has its own grammar, lexicon and idioms. Spoken language is therefore for many deaf people their second or even third language.

28. People who have become deafened at a later stage in life more often use lip or speech reading, written messages or basic signs when communicating. Those people have developed and used the spoken language.

29. People who are hard-of-hearing often use a hearing aid and/or use lip or speech reading. A hearing aid can also be used together with other listening devices such as induction loop and desk loop.

Some people who are deaf or hard of hearing use hearing dogs.

Useful hints:

- The best thing is to ask how an individual prefers to communicate rather than guessing.
- People with a slight hearing loss can often manage without a hearing aid, but they are dependent on certain conditions for communication: good acoustics, no background noise, good lighting and clear speech. However, it may not always be possible to ensure such conditions in an airport environment.
- People who have a severe hearing loss and those who have lost their hearing as adults can benefit from supportive signs and information in written form if such information is available.

Other kinds of visual information might also be useful in some cases.

- You may need to attract the attention of a person who has reduced hearing by lightly touching his or her shoulder or indicating with your hand.
- Do not shout when speaking, but use a normal speaking tone. This is important as it is more difficult to lip-read when a person is shouting, nor does not make the message clearer, just louder. Speak rather slowly, looking at the person, and use other words if the person has difficulties understanding what you mean. Use signs and body movements to make yourself understood.
- Face the light and keep your hands away from your mouth.
- You can also write down shorter messages if this makes the conversation easier.
- Deaf people and people who are hard of hearing need the same range of information as all other passengers.
- Be aware that people who are hard of hearing will have difficulties if important information is only communicated by audible means or if there are no induction loops at the main facilities of the airport. In the same way, a person who is hard-of-hearing will have difficulties following important video information on board, such as safety information, if there is no subtitling and/or sign language interpretation.

People who are blind or partially sighted

30. A person with a visual impairment may be totally blind or partially sighted. They might need guiding and assistance for orientation purposes, including directions to important services. Although people who are partially sighted may have some useful vision, they may still need help to find their way.

31. Many, but not all, people who are blind or partially sighted use a mobility aid, mainly a white cane or guide dog. The mobility aid is also a distinctive symbol that a person is blind or partially sighted. Some partially sighted people use special glasses rather than having a mobility aid.

32. Most blind or partially sighted people need to be guided in airports, from the point of arrival in the airport to their seats on board an aircraft as well as from the aircraft seat to the point of departure from the airport.

33. People who are blind or partially sighted may have problems with orientation, but not with mobility as such. Assistance given to them should be geared to their specific needs, for example a wheelchair would not be appropriate, unless a person specifically asks for one.

Useful hints:

- When addressing a person who is blind or partially sighted, introduce yourself by explaining your position and speak to him or her directly. Say when you are leaving - otherwise he or she could find himself or herself talking to an empty space.
- Always ask a person who is blind or partially sighted if he or she wants help. Some may not need any assistance. Never grab someone and take charge.
- Always ask a person who is blind or partially sighted how he or she would like to be guided. Some people may prefer to take your arm or may feel more comfortable if you take theirs. Some people, in particular those with partial sight, may only need oral guidance.
- A guide dog in harness is a working animal and should never be distracted. Do not feed or tend to a guide dog without first asking the owner if he or she minds. If a person has a guide dog you should approach him or her from the side opposite the dog. Do not take hold of the harness or lead as the person with sight loss needs these to control the dog. Some guide dog owners prefer to walk at your side without holding your arm. In some situations you can also walk in front – the dog will follow you.
- Warn about changes in ground surface and gaps, and explain loud noises which may alarm a person who is blind or partially sighted. If there are steps, let the person know if they go up or down. When approaching a door, say which way it is opening and on which side. Also, say if it is a revolving or a sliding door.
- Never back a person who is blind or partially sighted into a seat. Describe the seat to him or her (e.g. dining chair, low sofa) and place their hand on the back, arm or seat of the chair, whichever seems best. Also tell the person which way the chair is facing.
- When leaving a person who is blind or partially sighted, give some indication as to how long you will be away. If you have to be away for a longer period of time, give information about where assistance can be found during your absence. Schedule changes and other unexpected information must be communicated to him/her as soon as possible.
- When handing something over to a person who is blind or partially sighted (e.g. passport, ticket), specify what it is and place it in the hand – do not simply leave it on the counter or desk.
- Be aware that a person who is partially sighted may find it difficult to get around independently when, e.g. signs are not in large, clear and well contrasted print, lighting is not adequate, or transparent doors not clearly marked with contrasting coloured strips.
- Blind people and people who are partially sighted rely on audio information, information in Braille for those who read it, large print, or websites that are accessible for blind people (for example websites designed in accordance with the WAI guidelines¹). Also, blind people cannot read websites if computers do not have screen reader software installed. Therefore, you should not assume that they are aware of all relevant information if that information was not provided in those formats, and you should be prepared to communicate this information in an accessible way.

Deafblind people

34. If a person has difficulty hearing and seeing he or she can be called deafblind or 'dual sensory impaired'. A person is regarded as deafblind if his or her combined hearing and vision loss causes difficulties with communication, mobility and access to information'. Some deafblind people can be identified by the red and white cane they use to navigate their way around.

35. The different degrees of hearing and vision loss that deafblind people experience mean that their individual needs will vary from person to person. The needs of a deafblind person are also affected by when he or she loses his or her hearing and sight. A person who is born deaf and then loses sight will have different experiences and needs to a person who is blind or partially sighted and then loses his or her hearing. A person who is born totally deaf and blind will have limited communication and may often rely on touch to communicate.

Useful hints:

The hints on communication given in the section on people who are deaf or hard of hearing and on communication with and the guiding of people who are blind or partially sighted are also useful when you are assisting a deafblind person. However, there are also some specific steps you can take when communicating with a deafblind person.

For example:

- Lightly touch the deafblind person's shoulder to attract his or her attention.
- Ask the person how he or she communicates and take time to make sure he or she understands to help lessen possible anxiety.
- If the person communicates using lipreading, speech or sign language you will need to make sure that you are in a good position for them to see you before you start to communicate and that the lighting is on your face.
- If the person prefers to communicate using written messages make sure that they are written in large print with a thick felt tip pen in a colour that contrasts with the paper.
- Some people use a Braille alphabet card which they will hold out to you so that you can place their fingertip on the Braille version of the letters.
- Some people may travel with a support worker, friend or family member who will be able to help you to communicate.

People with impaired speech

36. Many people have speech or language difficulties for various reasons. Do not assume that the person has a learning difficulty, as this is often not the case.

Useful hints:

- Concentrate on the communication and be patient and respectful. If you do not understand completely, tell the person that you do not understand, or repeat what you did understand in order to let the person fill in the gaps.
- Do not fill in the end of the phrases if a person speaks slowly. Let the person take his/her time to speak.
- If the person finds it difficult or tiring to speak, try only to ask questions that need a short answer, preferably just a nod or a shake of the head.
- Be aware that speaking a foreign language can be a barrier for any passenger, but in particular for a person with speech impairment.

People with learning difficulties

37. Remember first and foremost that a person with a learning difficulty has a wide range of skills and abilities which should be respected. Many of these people can live very independent lives and will need help only in some very precise areas of life (for example some can read but have difficulties with numbers, some can count and calculate but have

difficulties reading the time on a clock, etc). Be patient when speaking to a person with a learning difficulty. Explain things easily and slowly and encourage the communication without patronising.

Useful hints:

- When you want to explain something:
 - o Do not assume any previous knowledge of what you are talking about.
 - o Use concrete expressions. Try to avoid metaphors and explain the ones you use.
 - o Use familiar and short words, explain difficult words and avoid professional vocabulary or dialect. Avoid using directional terms, like right-left, east-west. Use words that relate to things you both can see.
 - o Try always to use the same word for the same idea or concept.
 - o Try to avoid negatives, but if you have to use negatives, accompany it with a shaking of your head.
 - o One sentence should not contain more than one idea.
 - o Do not give too much information at once. Try to present only the most important information.
 - o Give instructions in the order a person needs to follow them.
 - o Do not assume that the person is not listening just because you do not get oral or visual feedback. Rather ask if the person understands what you mean.
- When you need to get information or answers from a person with a learning disability:
 - o Ask one question after another,
 - o Give them time to answer,
 - o Be reassuring.
- People with learning difficulties can find it difficult to read notices. So it helps to explain the notice in an accessible way. Important information should also be provided in easy-to-read format, but remember that some people will need an explanation orally.
- Make sure that you have made yourself understood before leaving the passenger. If you are told that you were not understood, it might be because of:
 - o A difficult word: try to explain this word or to use another word that is more easily understood;
 - o Too much information: go through the different parts of the information separately;
 - o Any other reason: try to find out what created the misunderstanding.
- Remember that most people with learning disabilities speak only one language. It might be reasonable to ask for help from a person who speaks the native language of the passenger.
- Be aware that a person with an intellectual disability may not be aware of important information communicated before the journey, if this information was not provided in easy-to-read format. Therefore, be prepared to communicate this information in one of the ways explained above.

Invisible disabilities

38. A high proportion of disabilities are not visible or observable in other ways. However, an invisible disability can have implications for an air passenger to the same extent as a visible disability. You should, therefore, always be open to needs related to disabilities that you can not observe. An open attitude will be an important element in encouraging people with invisible disabilities to tell you about their needs.

39. Bear in mind that it is not always easy for a person to talk about an invisible disability, since people living with such disabilities are often met with doubt or even suspicion. Therefore, a passenger with an invisible disability will in many instances expect you to be discreet e.g. in relation to other passengers or staff members.

40. The widely varying needs of people with invisible disabilities will demand different kinds of assistance. It is important to remember that a passenger with an invisible disability might need to bring specific assistive devices, medication or other material in order to be able to travel.

41. Mental health problems may cause anxiety, restlessness and even panic attacks. Medication may cause drowsiness and slower reaction.

Useful hints:

- People with mental health problems usually appreciate kindness, consideration and encouragement. Calm and reassuring behaviour makes the passenger feel safe. However, over friendly and enthusiastic service may seem aggressive.
- Here again, offer your help, but do not impose it.

Other disabilities

42. It is impossible to cover all types of disabilities in a document like this. In this section some of the most common impairments have been mentioned, but there will of course be many people who experience other kind of disabilities, visible or invisible, that are not mentioned above, but which will also need particular attention in an airport environment. Let the person express their needs if he or she wishes to do so, and do your very best to meet the individual needs.

43. Remember also that older people, with or without disabilities, might need particular consideration.

The role of assistance dogs

44. Guide dogs assist blind and visually impaired people by avoiding obstacles, stopping at kerbs and steps, and negotiating traffic. The harness and U-shaped handle fosters communication between the dog and the blind partner. In this partnership, the human's role is to provide directional commands, while the dog's role is to insure the team's safety even if this requires disobeying a command that the dog judges to be unsafe.

45. Hearing dogs assist deaf and hard of hearing individuals by alerting them to a variety of sounds such as a door knock or doorbell, alarm clock, telephone, baby cry, name call or smoke alarm. Dogs are trained to make physical contact and lead their deaf partners to the source of the sound. Hearing dogs are identified by an orange collar and leash and/or vest.

46. Assistance dogs give support to physically disabled people by retrieving objects that are out of their reach, by pulling wheelchairs, opening and closing doors, turning light switches off and on, barking for alert, finding another person, assisting ambulatory people to walk by providing balance and counterbalance and many other individual tasks that may be needed by a disabled person. Assistance dogs can sometimes be identified by a backpack or harness.

47. Remember that assistance dogs will need particular attention in the case of long delays, cancellations or other exceptional situations. As an example, these dogs might need to drink or be given a run during a delay or at the arrival of a long haul flight.