

EXEMPTION FROM SUBSECTION 605.24(2) OF THE *CANADIAN AVIATION REGULATIONS*

Pursuant to subsection 5.9(2) of the *Aeronautics Act*, and after taking into account that the exemption is in the public interest and is not likely to adversely affect aviation safety or security, I hereby exempt **Canadian private operators** operating under Subpart 4 of Part VI of the *Canadian Aviation Regulations* (CARs) from the requirements set out in subsection 605.24(2) of the CARs, subject to the conditions set out below.

The above mentioned provision is reproduced in **Appendix A**.

PURPOSE

The purpose of this exemption is to allow Canadian private operators to continue operations in the environment created by the COVID-19 pandemic.

More specifically, this exemption will allow Canadian private operators operating under Subpart 4 of Part VI of the CARs to operate its aeroplanes when not all flight attendants are occupying a certified flight attendant station equipped with a shoulder harness.

The present exemption grants seven additional months to global exemption NCR-096-2020 issued on August 26, 2020, and expiring on January 31, 2021.

APPLICATION

This exemption applies to Canadian private operators operating under Subpart 4 of Part VI of the CARs for the purpose of operating its aeroplanes when not all flight attendants are occupying a certified flight attendant station equipped with a shoulder harness.

This exemption ceases to apply to the Canadian private operator who breaches a condition of this exemption.

CONDITIONS

This exemption is subject to the following conditions:

1. A private operator who has assigned two or more flight attendants to a flight may operate the aeroplane with one or more flight attendants occupying an available passenger seat if
 - a) each flight attendant occupying an available passenger seat has been displaced to facilitate physical distancing recommendations;

- b) procedures are established and used to ensure that an acceptable level of safety is achieved with the displacement of each flight attendant, in particular for evacuation of passengers, taking into account the procedures established in accordance with paragraph 604.197(1)(i) of the CARs, and any change of procedures; and
 - c) at least one flight attendant occupies a flight attendant seat equipped with a safety belt that includes a shoulder harness at each pair of floor level exits.
2. A flight attendant shall only be displaced from their assigned flight attendant jump seat provided the flight attendant(s) displaced occupies either an adjacent flight attendant seat or passenger seat which is most accessible to the flight attendants assigned exit so as to most effectively perform assigned duties, taking into consideration monuments installed in the aircraft cabin and distance.
 3. The passenger(s) seats assigned to flight attendant(s) shall be placarded “FOR FLIGHT ATTENDANT USE ONLY”
 4. A copy of this exemption shall be carried on board the aeroplane.

VALIDITY

This exemption is in effect from January 31, 2021 until the earliest of the following:

- a) August 31st, 2021 at 23:59 EST; or
- b) The date on which this exemption is cancelled in writing by the Minister where he is of the opinion that it is no longer in the public interest or is likely to adversely affect aviation safety or security.

DATED at Ottawa, Ontario, on this 29th day of January 2021, on behalf of the Minister of Transport.



Nicholas Robinson
Director General
Civil Aviation
Transport Canada

APPENDIX A

Relevant provisions of the *Canadian Aviation Regulations*

Shoulder Harness Requirements

605.24 (1)

[...]

(2) Except as provided in section 705.75, no person shall operate a transport category aeroplane unless each flight attendant seat is equipped with a safety belt that includes a shoulder harness.

[...]