

**EXEMPTION FROM SUBSECTION 604.223(4) 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 604.223(4) of the CARs, subject to the following conditions.

The above-mentioned provision of the CARs is reproduced in **Appendix A**.

**PURPOSE**

The purpose of this exemption is to allow Canadian private operators operating under Subpart 4 of Part VI of the CARs to operate aeroplanes configured with fewer than 45 passenger seats without first having carried out a successful demonstration of its emergency evacuation procedures for that model of aeroplane.

**APPLICATION**

This exemption applies to Canadian private operators operating under Subpart 4 of Part VI of the CARs while operating aeroplanes configured with fewer than 45 passenger seats.

This exemption ceases to apply to any Canadian air operator who breaches a condition of the exemption.

**CONDITIONS**

This exemption is subject to the following condition:

1. Private operators shall ensure that a copy of this exemption is carried on board aeroplane models configured to carry fewer than 45 passengers when using this exemption.

**VALIDITY**

This exemption is in effect until the earliest of the following:

- a) September 19, 2029, at 23:59 (EDT);
- b) The date on which an amendment modifying subsection 604.223(4) of the CARs comes into force; or

- c) The date on which this exemption is cancelled in writing by the Minister where she 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 18<sup>th</sup> day of November 2024, on behalf of the Minister of Transport.

*“Original signed by”*

Félix Meunier  
Director General  
Civil Aviation  
Transport Canada

## Appendix A

### Pertinent provisions of the *Canadian Aviation Regulations*

#### Demonstration of Emergency Evacuation Procedures

**604.223 (1)** A private operator who decides to introduce a model of aeroplane into its fleet for the purpose of carrying passengers shall carry out a successful demonstration of its emergency evacuation procedures for that model of aeroplane before operating an aeroplane of that model to carry passengers.

**(1.1)** Despite subsection (1), the demonstration of emergency evacuation procedures is not required if the private operator has

**(a)** carried out a successful demonstration of its emergency evacuation procedures for another model of aeroplane in its fleet;

**(b)** conducted a comparative analysis to ensure that there is no difference in any of the following items between the model of aeroplane for which a successful demonstration has been carried out and the model of aeroplane being introduced:

**(i)** the location of the flight attendants and their emergency evacuation duties and procedures,

**(ii)** the number, location and type of emergency exits, and

**(iii)** the number, location and type of opening mechanisms for the emergency exits;

**(c)** verified that no changes have been made to any of the items listed in subparagraphs (b)(i) to (iii), in respect of the model of aeroplane for which a successful demonstration has been carried out, between the time of the successful demonstration and the time the comparative analysis is conducted; and

**(d)** before operating an aeroplane of the model being introduced to carry passengers, made a record — that it keeps for at least five years after the day on which the record is made — of

**(i)** its decision to use the results of a successful demonstration of its emergency evacuation procedures for another model of aeroplane instead of carrying out a demonstration for the model of aeroplane it has decided to introduce, and

**(ii)** the model of aeroplane for which a successful demonstration has been carried out and the model of aeroplane it has decided to introduce.

**(2)** If a private operator decides to introduce an aeroplane into its fleet and there is a difference in any of the following items between that aeroplane and other aeroplanes of the same model that are already in the fleet, the private operator shall treat the aeroplane as if it were a different model of aeroplane and carry out a successful demonstration of its emergency evacuation procedures for that model before operating the aeroplane to carry passengers:

**(a)** the location of the flight attendants or their emergency evacuation duties or procedures;

(b) the number, location or type of emergency exits; or

(c) the number, location or type of opening mechanisms for the emergency exits.

(3) A private operator who decides to change any of the following items in respect of an aeroplane shall carry out a successful demonstration of its emergency evacuation procedures for the model of that aeroplane, as changed, before operating the aeroplane to carry passengers:

(a) the location of the flight attendants or their emergency evacuation duties or procedures;

(b) the number, location or type of emergency exits; or

(c) the number, location or type of opening mechanisms for the emergency exits.

(4) Subsections (1) to (3) do not apply in respect of a model of aeroplane that is configured to carry fewer than 44 passengers.