

**THE GOVERNMENT OF THE REPUBLIC OF MACEDONIA****1357.**

According to paragraph 6 Article 86–a of the Aviation Act ("Official Gazette of the Republic of Macedonia", No. 14/2006, 24/2007, 103/2008 and 67/2010), the Government of the Republic of Macedonia, at its Session held on 12.4.2011, enacted the following

**O R D E R****On Civil Aviation Facilitation Measures and Procedures****Article 1**

This Order shall prescribe the civil aviation facilitation measures and procedures.

**Article 2**

- (1) Civil aviation facilitation measures and procedures of the Republic of Macedonia are contained/given in Annex 9 to the ICAO Convention of International Civil Aviation (hereinafter referred to as: the Chicago Convention) attached in Annex 1, and being an integral part of this Order.
- (2) Notwithstanding the provisions of paragraph (1) of this Article, the civil aviation facilitation measures and procedures with respect of disabled persons and persons with reduced mobility are contained in the Regulation (EC) No 1107/2006, concerning the rights of disabled persons and persons with reduced mobility when travelling by air, being transposed in accordance with Annex 1 to the Multilateral Agreement on the Establishment of a European Common Aviation Area ("Official Gazette of the Republic of Macedonia", No. 27/07 and 98/09), and attached in Annex 2, being an integral part of this Order.

**Article 3**

The implementation of Annex 9 to the ICAO Chicago Convention and the Regulation (EC) No 1107/2006 is contained in ECAC Doc 30, Part 1, being accepted and directly applied.

**Article 4**

This Order shall enter into force the next day following the day of its publication in the "Official Gazette of the Republic of Macedonia".

No. 51 – 1652/1  
12 April 2011  
Skopje

Vice President  
of the Government of the  
Republic of Macedonia  
**Zoran Stavreski M.A**

# INTERNATIONAL STANDARDS AND RECOMMENDED PRACTICES

## CHAPTER 1. DEFINITIONS AND GENERAL PRINCIPLES

### A. Definitions

When the following terms are used in the Standards and Recommended Practices on Facilitation, they have the following meanings, for the purposes of this Annex:

**Admission.** The permission granted to a person to enter a State by the public authorities of that State in accordance with its national laws.

**Advance Passenger Information (API) System.** An electronic communications system whereby required data elements are collected and transmitted to border control agencies prior to flight departure or arrival and made available on the primary line at the airport of entry.

**Aircraft equipment.** Articles, including first-aid and survival equipment and commissary supplies, but not spare parts or stores, for use on board an aircraft during flight.

**Aircraft operator.** A person, organization or enterprise engaged in or offering to engage in an aircraft operation.

**Aircraft operators' documents.** Air waybills/consignment notes, passenger tickets and boarding passes, bank and agent settlement plan documents, excess baggage tickets, miscellaneous charges orders (M.C.O.), damage and irregularity reports, baggage and cargo labels, timetables, and weight and balance documents, for use by aircraft operators.

**Airline.** As provided in Article 96 of the Convention, any air transport enterprise offering or operating a scheduled international air service.

**Authorized agent.** A person who represents an aircraft operator and who is authorized by or on behalf of such operator to act on formalities connected with the entry and clearance of the operator's aircraft, crew, passengers, cargo, mail, baggage or stores and includes, where national law permits, a third party authorized to handle cargo on the aircraft.

**Baggage.** Personal property of passengers or crew carried on an aircraft by agreement with the operator.

**Border integrity.** The enforcement, by a State, of its laws and/or regulations concerning the movement of goods and/or persons across its borders.

**Cargo.** Any property carried on an aircraft other than mail, stores and accompanied or mishandled baggage.

**Civil aviation inspector.** A civil aviation inspector is an individual, designated by a Contracting State, who is charged with the inspection of the safety, security or related aspects of air transport operations as directed by the appropriate authority.

*Note.— Examples of civil aviation inspectors include inspectors responsible for airworthiness, flight operations and other safety-related aspects, and security-related aspects, of air transport operations.*

**Clearance of goods.** The accomplishment of the customs formalities necessary to allow goods to enter home use, to be exported or to be placed under another customs procedure.

**Commencement of journey.** The point at which the person began his journey, without taking into account any airport at which he stopped in direct transit, either on a through-flight or a connecting flight, if he did not leave the direct transit area of the airport in question.

**Commissary supplies.** Items, either disposable or intended for multiple use, that are used by the aircraft operator for provision of services during flights, in particular for catering, and for the comfort of passengers.

**Crew member.** A person assigned by an operator to duty on an aircraft during a flight duty period.

**Declarant.** Any person who makes a goods declaration or in whose name such a declaration is made.

**Deportation order.** A written order, issued by the competent authorities of a State and served upon a deportee, directing him to leave that State.

**Deportee.** A person who had legally been admitted to a State by its authorities or who had entered a State illegally, and who at some later time is formally ordered by the competent authorities to leave that State.

**Direct transit area.** A special area established in an international airport, approved by the public authorities concerned and under their direct supervision or control, where passengers can stay during transit or transfer without applying for entry to the State.

**Direct transit arrangements.** Special arrangements approved by the public authorities concerned by which traffic which is pausing briefly in its passage through the Contracting State may remain under their direct control.

**Disembarkation.** The leaving of an aircraft after a landing, except by crew or passengers continuing on the next stage of the same through-flight.

**Disinfection.** The procedure whereby health measures are taken to control or kill infectious agents on a human or animal body, in or on affected parts of aircraft, baggage, cargo, goods or containers, as required, by direct exposure to chemical or physical agents.

**Disinsection.** The procedure whereby health measures are taken to control or kill insects present in aircraft, baggage, cargo, containers, goods and mail.

**Embarkation.** The boarding of an aircraft for the purpose of commencing a flight, except by such crew or passengers as have embarked on a previous stage of the same through-flight.

**eMRTD.** An MRTD (passport, visa or card) that has a contactless integrated circuit embedded in it and the capability of being used for biometric identification of the MRTD holder in accordance with the standards specified in the relevant Part of Doc 9303 — *Machine Readable Travel Documents*.

**Flight crew member.** A licensed crew member charged with duties essential to the operation of an aircraft during a flight duty period.

**Free zone.** A part of the territory of a Contracting State where any goods introduced are generally regarded, insofar as import duties and taxes are concerned, as being outside the customs territory.

**General aviation operation.** An aircraft operation other than a commercial air transport operation or an aerial work operation.

**Ground equipment.** Articles of a specialized nature for use in the maintenance, repair and servicing of an aircraft on the ground, including testing equipment and cargo- and passenger-handling equipment.

**ICAO Public Key Directory (ICAO PKD).** The central database serving as the repository of Document Signer Certificates (C<sub>DS</sub>) (containing Document Signer Public Keys), CSCA Master List (ML<sub>CSCA</sub>), Country Signing CA Link Certificates (LC<sub>CSCA</sub>) and Certificate Revocation Lists issued by Participants, together with a system for their distribution worldwide, maintained by ICAO on behalf of Participants in order to facilitate the validation of data in eMRTDs.

**Immigration control.** Measures adopted by States to control the entry into, transit through and departure from their territories of persons travelling by air.

**Import duties and taxes.** Customs duties and all other duties, taxes or charges, which are collected on or in connection with the importation of goods. Not included are any charges which are limited in amount to the approximate cost of services rendered or collected by the customs on behalf of another national authority.

**Improperly documented person.** A person who travels, or attempts to travel: (a) with an expired travel document or an invalid visa; (b) with a counterfeit, forged or altered travel document or visa; (c) with someone else's travel document or visa; (d) without a travel document; or (e) without a visa, if required.

**Inadmissible person.** A person who is or will be refused admission to a State by its authorities.

**International airport.** Any airport designated by the Contracting State in whose territory it is situated as an airport of entry and departure for international air traffic, where the formalities incident to customs, immigration, public health, animal and plant quarantine and similar procedures are carried out.

**Lading.** The placing of cargo, mail, baggage or stores on board an aircraft to be carried on a flight.

**Mail.** Dispatches of correspondence and other items tendered by and intended for delivery to postal services in accordance with the rules of the Universal Postal Union (UPU).

**Mishandled baggage.** Baggage involuntarily, or inadvertently, separated from passengers or crew.

**Narcotics control.** Measures to control the illicit movement of narcotics and psychotropic substances by air.

**Passenger amenities.** Facilities provided for passengers which are not essential for passenger processing.

**Person with disabilities.** Any person whose mobility is reduced due to a physical incapacity (sensory or locomotor), an intellectual deficiency, age, illness or any other cause of disability when using transport and whose situation needs special attention and the adaptation to the person's needs of the services made available to all passengers.

**Pilot-in-command.** The pilot responsible for the operation and safety of the aircraft during flight time.

**Public authorities.** The agencies or officials of a Contracting State responsible for the application and enforcement of the particular laws and regulations of that State which relate to any aspect of these Standards and Recommended Practices.

**Public health emergency of international concern.** An extraordinary event which is determined, as provided in the *International Health Regulations* (2005) of the World Health Organization: (i) to constitute a public health risk to other States through the international spread of disease and (ii) to potentially require a coordinated international response.

**Public health risk.** A likelihood of an event that may affect adversely the health of human populations, with an emphasis on one which may spread internationally or may present a serious and direct danger.

**Release of goods.** The action by the customs authorities to permit goods undergoing clearance to be placed at the disposal of the persons concerned.

**Relief flights.** Flights operated for humanitarian purposes which carry relief personnel and relief supplies such as food, clothing, shelter, medical and other items during or after an emergency and/or disaster and/or are used to evacuate persons from a place where their life or health is threatened by such emergency and/or disaster to a safe haven in the same State or another State willing to receive such persons.

**Removal of a person.** Action by the public authorities of a State, in accordance with its laws, to direct a person to leave that State.

**Removal order.** A written order served by a State on the operator on whose flight an inadmissible person travelled into that State, directing the operator to remove that person from its territory.

**Risk assessment.** An assessment by a deporting State of a deportee's suitability for escorted or unescorted removal via commercial air services. The assessment should take into account all pertinent factors, including medical, mental and physical fitness for carriage on a commercial flight, willingness or unwillingness to travel, behavioural patterns and any history of violence.

**Risk management.** The systematic application of management procedures and practices which provide border inspection agencies with the necessary information to address movements or consignments which represent a risk.

**Security equipment.** Devices of a specialized nature for use, individually or as part of a system, in the prevention or detection of acts of unlawful interference with civil aviation and its facilities.

**Spare parts.** Articles, including engines and propellers, of a repair or replacement nature for incorporation in an aircraft.

**State of Registry.** The State on whose register the aircraft is entered.

**Stores (Supplies).** a) Stores (supplies) for consumption; and b) Stores (supplies) to be taken away.

**Stores (Supplies) for consumption.** Goods, whether or not sold, intended for consumption by the passengers and the crew on board aircraft, and goods necessary for the operation and maintenance of aircraft, including fuel and lubricants.

**Stores (Supplies) to be taken away.** Goods for sale to the passengers and the crew of aircraft with a view to being landed.

**Temporary admission.** The customs procedure under which certain goods can be brought into a customs territory conditionally relieved totally or partially from payment of import duties and taxes; such goods must be imported for a specific purpose and must be intended for re-exportation within a specified period and without having undergone any change except normal depreciation due to the use made of them.

**Through-flight.** A particular operation of aircraft, identified by the operator by the use throughout of the same symbol, from point of origin via any intermediate points to point of destination.

**Travel document.** A passport or other official document of identity issued by a State or organization, which may be used by the rightful holder for international travel.

**Unaccompanied baggage.** Baggage that is transported as cargo and may or may not be carried on the same aircraft with the person to whom it belongs.

**Unclaimed baggage.** Baggage that arrives at an airport and is not picked up or claimed by a passenger.

**Unidentified baggage.** Baggage at an airport, with or without a baggage tag, which is not picked up by or identified with a passenger.

**Unloading.** The removal of cargo, mail, baggage or stores from an aircraft after a landing.

**Visitor.** Any person who disembarks and enters the territory of a Contracting State other than that in which that person normally resides; remains there lawfully as prescribed by that Contracting State for legitimate non-immigrant purposes, such as touring, recreation, sports, health, family reasons, religious pilgrimages, or business; and does not take up any gainful occupation during his stay in the territory visited.

## B. General Principles

1.1 The Standards and Recommended Practices in this Annex shall apply to all categories of aircraft operation except where a particular provision refers specifically to only one type of operation.

1.2 Contracting States shall take necessary measures to ensure that:

- a) the time required for the accomplishment of border controls in respect of persons and aircraft and for the release/clearance of goods is kept to the minimum;
- b) minimum inconvenience is caused by the application of administrative and control requirements;
- c) exchange of relevant information between Contracting States, operators and airports is fostered and promoted to the greatest extent possible; and
- d) optimal levels of security, and compliance with the law, are attained.

1.3 Contracting States shall use risk management in the application of border control procedures for the release/clearance of goods.

1.4 Contracting States shall develop effective information technology to increase the efficiency and effectiveness of their procedures at airports.

1.5 The provisions of this Annex shall not preclude the application of national legislation with regard to aviation security measures or other necessary controls.



## CHAPTER 2. ENTRY AND DEPARTURE OF AIRCRAFT

### A. General

2.1 Contracting States shall adopt appropriate measures for the clearance of aircraft arriving from or departing to another Contracting State and shall implement them in such a manner as to prevent unnecessary delays.

2.2 In developing procedures aimed at the efficient clearance of entering or departing aircraft, Contracting States shall take into account the application of aviation security and narcotics control measures, where appropriate.

2.3 **Recommended Practice.**— *The appropriate public authorities of Contracting States should enter into Memoranda of Understanding with the airlines providing international services to that State and with the operators of its international airports, setting out guidelines for their mutual cooperation in countering the threat posed by international trafficking in narcotics and psychotropic substances. Such Memoranda of Understanding should be patterned after the applicable models developed by the World Customs Organization for this purpose. In addition, Contracting States are encouraged to conclude Memoranda of Understanding amongst themselves.*

2.4 Contracting States shall not prevent an aircraft from calling at any international airport for public health reasons unless such action is taken in accordance with the *International Health Regulations* (2005) of the World Health Organization.

2.4.1 **Recommended Practice.**— *In cases where, in exceptional circumstances, air transport service suspensions on public health grounds are under consideration, Contracting States should first consult with the World Health Organization and the health authority of the State of occurrence of the disease before taking any decision as to the suspension of air transport services.*

2.5 If, in response to a specific public health risk or a public health emergency of international concern, a Contracting State is considering introduction of health measures in addition to those recommended by WHO, it shall do so in accordance with the *International Health Regulations* (2005), including but not limited to Article 43, which states, in part, that when determining whether to implement the additional health measures States Parties shall base their determinations upon: (a) scientific principles; (b) available scientific evidence of a risk to human health, or where such evidence is insufficient, the available information including from WHO and other relevant intergovernmental organizations and international bodies; and (c) any available specific guidance or advice from WHO.

*Note 1.— Standard 2.5 applies only to those situations where there is an official IHR (2005) Temporary Recommendation (i.e. in the context of a declared public health emergency of international concern), or a Standing Recommendation in effect. These requirements in Article 43 can also apply to other contexts involving additional measures applied to international traffic (including aircraft), such as IHR Articles 23 2), 27 1) and 28.*

*Note 2.— Article 43 of the IHR (2005) also requires that a State that implements additional measures thereunder that significantly interfere with international traffic is required to provide to WHO the public health and scientific rationale for such measures.*

2.5.1 **Recommended Practice.**— *Any State impacted by a measure taken under Standard 2.4, or a suspension as described in Recommended Practice 2.4.1, should, where appropriate, request the State implementing such a measure to consult with it. The purpose of such consultations would be to clarify the scientific information and public health rationale underlying the measure and to find a mutually acceptable solution.*



**B. Documents — requirements and use**

2.6 Contracting States shall not require any documents, other than those provided for in this Chapter, for the entry and departure of aircraft.

2.7 Contracting States shall not require a visa nor shall any visa or other fee be collected in connection with the use of any documentation required for the entry or departure of aircraft.

2.8 **Recommended Practice.**— *Documents for entry and departure of aircraft should be accepted if furnished in Arabic, English, French, Russian or Spanish. Any Contracting State may require an oral or written translation into its own language.*

2.9 Subject to the technological capabilities of the Contracting State, documents for the entry and departure of aircraft shall be accepted when presented:

- a) in electronic form, transmitted to an information system of the public authorities;
- b) in paper form, produced or transmitted electronically; or
- c) in paper form, completed manually following the formats depicted in this Annex.

2.10 When a particular document is transmitted by or on behalf of the aircraft operator and received by the public authorities in electronic form, the Contracting State shall not require the presentation of the same document in paper form.

2.11 A Contracting State requiring a General Declaration shall limit its information requirements to the elements indicated in Appendix 1. The information shall be accepted in either electronic or paper form.

2.12 When a Contracting State requires the General Declaration only for the purposes of attestation, it shall adopt measures by which that attestation requirement may be satisfied by a statement added, either manually or by use of a rubber stamp containing the required text, to one page of the Cargo Manifest. Such attestation shall be signed by the authorized agent or the pilot-in-command.

2.13 Contracting States shall not normally require the presentation of a Passenger Manifest. On those occasions when a Passenger Manifest is required, the information requirements shall be limited to the elements indicated in Appendix 2. The information shall be accepted in either electronic or paper form.

2.14 When a Contracting State requires the presentation of the Cargo Manifest in paper form, it shall accept either:

- a) the form shown in Appendix 3, completed according to the instructions; or
- b) the form shown in Appendix 3, partially completed, with a copy of each air waybill representing the cargo on board the aircraft.

2.15 Contracting States shall not require the presentation of a written declaration of stores remaining on board the aircraft.

2.16 In respect of stores laden on or unladen from the aircraft, the information required in the Stores List shall not exceed:

- a) the information indicated in the heading of the format of the Cargo Manifest;
- b) the number of units of each commodity; and

- c) the nature of each commodity.

2.17 Contracting States shall not require the presentation of a list of accompanied baggage or mishandled baggage laden on or unladen from the aircraft.

2.18 Contracting States shall not require the presentation of a written declaration of the mail other than the form(s) prescribed in the Acts in force of the Universal Postal Union.

2.19 Contracting States shall not require the aircraft operator to deliver to the public authorities more than three copies of any of the above-mentioned documents at the time of entry or departure of the aircraft.

2.20 If the aircraft is not embarking/disembarking passengers or lading/unlading cargo, stores or mail, the relevant document(s) shall not be required, provided an appropriate notation is included in the General Declaration.

### **C. Correction of documents**

2.21 In the event that errors are found in any of the above-mentioned documents, the public authorities concerned shall accord the aircraft operator or authorized agent an opportunity to correct such errors or shall alternatively perform such corrections themselves.

2.22 The aircraft operator or his authorized agent shall not be subjected to penalties if he satisfies the public authorities concerned that any error which was found in such documents was inadvertent and made without fraudulent intent or gross negligence. When considered necessary to discourage a repetition of such errors, a penalty shall be no greater than is necessary for this purpose.

### **D. Disinsection of aircraft**

2.23 Contracting States shall limit any routine requirement for the disinsection of aircraft cabins and flight decks with an aerosol while passengers and crews are on board, to same-aircraft operations originating in, or operating via, territories that they consider to pose a threat to their public health, agriculture or environment.

2.24 Contracting States that require disinsection of aircraft shall periodically review their requirements and modify them, as appropriate, in the light of all available evidence relating to the transmission of insects to their respective territories via aircraft.

2.25 When disinsection is required a Contracting State shall authorize or accept only those methods, whether chemical or non-chemical, and/or insecticides, which are recommended by the World Health Organization and are considered efficacious by the Contracting State.

*Note.— This provision does not preclude the trial and testing of other methods for ultimate approval by the World Health Organization.*

2.26 Contracting States shall ensure that their procedures for disinsection are not injurious to the health of passengers and crew and cause the minimum of discomfort to them.

2.27 Contracting States shall, upon request, provide to aircraft operators appropriate information, in plain language, for air crew and passengers, explaining the pertinent national regulation, the reasons for the requirement, and the safety of properly performed aircraft disinsection.

2.28 When disinsection has been performed in accordance with procedures recommended by the World Health Organization, the Contracting State concerned shall accept a pertinent certification on the General Declaration as provided for in Appendix 1 or, in the case of residual disinsection, the Certificate of Residual Disinsection set forth in Appendix 4.

2.29 When disinsection has been properly performed pursuant to 2.25 and a certificate as indicated in 2.28 is presented or made available to the public authorities in the country of arrival, the authorities shall normally accept that certificate and permit passengers and crew to disembark immediately from the aircraft.

2.30 Contracting States shall ensure that any insecticide or any other substance used for disinsection does not have a deleterious effect on the structure of the aircraft or its operating equipment. Flammable chemical compounds or solutions likely to damage aircraft structure, such as by corrosion, shall not be employed.

#### **E. Disinfection of aircraft**

2.31 Contracting States shall determine the conditions under which aircraft are disinfected. When aircraft disinfection is required, the following provisions shall apply:

- a) the application shall be limited solely to the container or to the compartment of the aircraft in which the traffic was carried;
- b) the disinfection shall be undertaken by procedures that are in accordance with the aircraft manufacturer and any advice from WHO;
- c) the contaminated areas shall be disinfected with compounds possessing suitable germicidal properties appropriate to the suspected infectious agent;
- d) the disinfection shall be carried out expeditiously by cleaners wearing suitable personal protective equipment; and
- e) flammable chemical compounds, solutions or their residues likely to damage aircraft structure, or its systems, such as by corrosion, or chemicals likely to damage the health of passengers or crew, shall not be employed.

*Note.— When aircraft disinfection is required for animal health reasons, only those methods and disinfectants recommended by the International Office of Epizootics should be used.*

2.32 Contracting States shall ensure that where there is contamination of surfaces or equipment of the aircraft by any bodily fluids including excreta, the contaminated areas and used equipment or tools shall be disinfected.

#### **F. Arrangements concerning international general aviation and other non-scheduled flights**

##### **I. General**

2.33 Contracting States shall publish in their respective Aeronautical Information Publications (AIPs) their requirements concerning advance notices and applications for prior authorization of general aviation and other non-scheduled flights.

2.34 Contracting States requiring advance notice of the intended landing of aircraft in their territory, or applications for prior authorization, shall designate a single agency to receive and coordinate the government's response to such notices or applications.

2.35 Contracting States shall indicate in their respective AIPs the mail address and, where available, the AFTN address, the telex number or cable address, fax number, electronic mail address, web page and telephone number of the agency designated as in 2.34.

2.36 In Contracting States notification to the interested border inspection agencies, e.g. customs, immigration or quarantine, of intended arrivals, departures or transit operations shall be the responsibility of the agency designated as in 2.34.

## II. Prior authorization

2.37 Contracting States shall not require that prior authorization or notification be applied for through diplomatic channels unless the flight is diplomatic in nature.

2.38 Contracting States that require aircraft operators to apply for prior authorization shall:

- a) establish procedures whereby such application will be dealt with promptly;
- b) make such permission effective for a specific length of time or number of flights wherever possible; and
- c) impose no fees, dues or charges for the issue of such permission.

2.39 **Recommended Practice.**— *In the case of aircraft engaged in the carriage of passengers, cargo or mail for remuneration or hire, Contracting States should not require more than the following details in applications for prior authorization:*

- a) *name of operator;*
- b) *type of aircraft and registration marks;*
- c) *date and time of arrival at, and departure from, the airport concerned;*
- d) *place or places of embarkation or disembarkation abroad, as the case may be, of passengers and/or freight;*
- e) *purpose of flight and number of passengers and/or nature and amount of freight; and*
- f) *name, address and business of charterer, if any.*

2.39.1 **Recommended Practice.**— *Contracting States should publish in their respective AIPs the minimum amount of time required in advance of the flight for processing the applications for prior authorizations referred to in 2.39.*

2.40 In the case of aircraft either in transit non-stop or stopping for non-traffic purposes, any Contracting State that, for reasons of safety of flight, requires prior authorization shall not require any other information than that contained in a flight plan when application for prior authorization is made.

*Note.*— *Specifications for flight plans are set forth in Annex 2 — Rules of the Air.*

2.41 Contracting States that require prior authorization for flights referred to in 2.40 shall not require applications to be filed more than three working days in advance.

### III. Advance notification of arrival

2.42 In the case of aircraft either in transit non-stop or stopping for non-traffic purposes, the Contracting State concerned shall not require more advance notice of such operations than is required by the air traffic control services and by interested border inspection agencies.

*Note.— This provision is not intended to prevent the application of appropriate narcotics control measures.*

2.43 Contracting States shall accept the information contained in a flight plan as adequate advance notification of arrival, provided that such information is received at least two hours in advance of arrival and that the landing occurs at a previously designated international airport.

### IV. Clearance and sojourn of aircraft

2.44 **Recommended Practice.**— *At international airports where there are international general aviation operations, Contracting States should arrange for an adequate level of border inspection and clearance services for those operations. Contracting States, in cooperation with aircraft operators and airport operators, should establish as a goal a total time period of 60 minutes in aggregate for the completion of all required departure/arrival formalities inclusive of aviation security measures for an aircraft requiring not more than normal processing, calculated from the time of the crew member's presenting the aircraft at the first processing point at the airport.*

*Note.— "Required departure/arrival formalities" to be completed during the 60 minutes should include aviation security measures and, where applicable, the collection of airport charges and other levies, and border control measures.*

2.45 **Recommended Practice.**— *At international airports where international general aviation operations are infrequent, Contracting States should authorize one governmental agency to undertake, on behalf of all border inspection agencies, clearance of aircraft and their loads.*

2.46 An aircraft that is not engaged in scheduled international air services and which is making a flight to or through any designated international airport of a Contracting State and is admitted temporarily free of duty in accordance with Article 24 of the Convention shall be allowed to remain within that State, for a period to be established by that State, without security for customs duty on the aircraft being required.

## **CHAPTER 3. ENTRY AND DEPARTURE OF PERSONS AND THEIR BAGGAGE**

### **A. General**

3.1 In order to facilitate and expedite the clearance of persons entering or departing by air, Contracting States shall adopt border control regulations appropriate to the air transport environment and shall apply them in such a manner as to prevent unnecessary delays.

3.2 In developing procedures aimed at the efficient application of border controls on passengers and crew, Contracting States shall take into account the application of aviation security, border integrity, narcotics control and immigration control measures, where appropriate.

3.3 Contracting States that use integrated circuit (IC) chips or other optional machine readable technologies for the representation of personal data, including biometric data, in their travel documents shall make provision whereby the encoded data may be revealed to the holder of the document upon request.

3.4 Contracting States shall not extend the validity of their machine readable travel documents.

*Note.— Specifications for machine readable travel documents (Doc 9303, Series) do not permit alteration of the expiration date and other data in the machine readable zone.*

### **B. Documents required for travel**

3.5 No documents other than those provided for in this Chapter shall be required by Contracting States for the entry into and departure from their territories of visitors.

3.6 Contracting States shall not require visitors travelling by air, rightfully holding valid passports recognized by the receiving State and holding valid visas, where appropriate, to present any other document of identity.

*Note.— It is not the intent of the above provision to discourage Contracting States from accepting other official documents of identity for travel purposes, such as national identity cards, seafarers' identity documents, alien resident cards and provisional alternative travel identity documents.*

### **C. Security of travel documents**

3.7 Contracting States shall regularly update security features in new versions of their travel documents, to guard against their misuse and to facilitate detection of cases where such documents have been unlawfully altered, replicated or issued.

3.8 Contracting States shall establish controls on the creation and issuance of travel documents in order to safeguard against the theft of their stocks and the misappropriation of newly issued travel documents.

**3.9 Recommended Practice.**— *Contracting States should incorporate biometric data in their machine readable passports, visas and other official travel documents, using one or more optional data storage technologies to supplement the machine readable zone, as specified in Doc 9303, Machine Readable Travel Documents. The required data stored on the integrated circuit chip is the same as that printed on the data page, that is, the data contained in the machine-readable zone plus the digitized photographic image. Fingerprint image(s) and/or iris image(s) are optional biometrics for Contracting States wishing to supplement the facial image with another biometric in the passport. Contracting States incorporating biometric data in their Machine Readable Passports are to store the data in a contactless integrated circuit chip complying with ISO/IEC 14443 and programmed according to the Logical Data Structure as specified by ICAO.*

**3.9.1 Recommended Practice.**— *Contracting States (a) issuing or intending to issue ePassports; and/or (b) implementing at border controls automated checks on ePassports should join the ICAO Public Key Directory (PKD).*

#### **D. Travel documents**

**3.10** Contracting States shall begin issuing only Machine Readable Passports in accordance with the specifications of Doc 9303, Part 1, no later than 1 April 2010.

*Note.*—*This provision does not intend to preclude the issuance of non-machine readable passports or temporary travel documents of limited validity in cases of emergency.*

**3.10.1** For passports issued after 24 November 2005 and which are not machine readable, Contracting States shall ensure the expiration date falls before 24 November 2015.

**3.11 Recommended Practice.**— *When issuing identity documents or visas accepted for travel purposes, Contracting States should issue these in machine readable form, as specified in Doc 9303 (series), Machine Readable Travel Documents.*

**3.12** When issuing passports that are not machine readable, Contracting States shall ensure that the personal identification and document issuance data and the format of the data page conform to the specifications for the “visual zone” set forth in Doc 9303, Part 1, *Machine Readable Passports*. The “machine readable zone” area shall be filled with words such as “this passport is not machine readable” or other data to preclude fraudulent insertion of machine readable characters.

**3.13 Recommended Practice.**— *Contracting States should establish publicly accessible facilities for the receipt of passport applications and/or for the issuance of passports.*

**3.14** Contracting States shall establish transparent application procedures for the issuance, renewal or replacement of passports and shall make information describing their requirements available to prospective applicants upon request.

**3.14.1 Recommended Practice.**— *If any fee is charged for the issue or renewal of a passport, the amount of such fee should not exceed the cost of the operation.*

**3.15** Contracting States shall issue a separate passport to each person, regardless of age.

**3.16 Recommended Practice.**— *When issuing passports for tourism or business travel, Contracting States should normally provide that such passports be valid for a period of at least five years, for an unlimited number of journeys and for travel to all States and territories.*

*Note 1.*— *In consideration of the limited durability of documents and the changing appearance of the passport holder over time, a validity period of not more than ten years is recommended.*

*Note 2.*— *Emergency, diplomatic, official and other special purpose passports could have a shorter validity period.*

### E. Exit visas

3.17 Contracting States shall not require exit visas from their own nationals wishing to tour abroad nor from visitors at the end of their stay.

3.18 **Recommended Practice.**— *Contracting States should not require exit visas from their resident aliens wishing to tour abroad.*

### F. Entry/re-entry visas

3.19 **Recommended Practice.**— *Contracting States should waive or abolish, for a maximum number of States, the requirement for an entry visa for nationals seeking entry as visitors.*

3.20 Contracting States shall not require visas for re-entry from their own nationals.

3.21 **Recommended Practice.**— *Contracting States should not require visas for re-entry from their resident aliens who hold lawful permanent residence permits.*

3.22 Contracting States shall establish simple and transparent application procedures for the issuance of entry visas for prospective visitors and shall ensure that applications for such visas are acted upon as quickly as possible after receipt.

3.23 **Recommended Practice.**— *Visa issuance procedures should not normally require the applicant to make a personal appearance at the issuing office.*

3.24 When issuing entry visas to prospective visitors, Contracting States shall normally provide that such visas be valid for use within a period of at least six months from the date of issue regardless of the number of entries and with the understanding that the duration of each stay may be limited.

3.25 **Recommended Practice.**— *When issuing visas that are not machine readable, Contracting States should ensure that the personal and issuance data in such documents conform to the specifications for the visual zone of the machine readable visa, as set forth in Doc 9303, Part 2 — Machine Readable Visas.*

### G. Embarkation/Disembarkation Cards

3.26 **Recommended Practice.**— *Contracting States should not require either from visitors travelling by air, or from aircraft operators on their behalf, identification information in writing supplementary to that presented in their identity documents. Where the collection of identity information is required, Contracting States should develop systems for the electronic capture of this information from machine readable travel documents or other sources.*

3.27 A Contracting State that requires a written record of personal data from visitors arriving or departing by air shall limit its information requirements to those set forth in Appendix 5 — Embarkation/Disembarkation Card.

3.28 Contracting States, when requiring Embarkation/Disembarkation Cards, shall accept their completion by visitors and shall not require them to be completed or checked by the aircraft operator.

3.29 Contracting States that require the presentation of Embarkation/Disembarkation Cards shall provide them to airline operators or their travel agents, without charge, for distribution to departing passengers prior to embarkation or to arriving passengers during the flight.



## H. International certificates of vaccination or prophylaxis

3.30 In cases where proof of vaccination or prophylaxis is required by national authorities under the *International Health Regulations* (2005), Contracting States shall accept the International Certificate of Vaccination or Prophylaxis prescribed by the World Health Organization in the IHR (2005).

## I. Inspection of travel documents

3.31 Contracting States shall assist aircraft operators in the evaluation of travel documents presented by passengers, in order to deter fraud and abuse.

3.32 **Recommended Practice.**— *Contracting States should consider making arrangements with other Contracting States to permit the positioning of liaison officers at airports in order to assist aircraft operators to establish the validity and authenticity of the travel documents of embarking persons.*

3.33 Aircraft operators shall take necessary precautions at the point of embarkation to ensure that passengers are in possession of the documents prescribed by the States of transit and destination for control purposes as described in this chapter.

## J. Departure procedures

3.34 Contracting States shall not require income-tax clearance certificates from visitors.

3.35 Contracting States shall not hold the aircraft operator liable in the event of the non-payment of income taxes by any passenger.

3.36 **Recommended Practice.**— *Contracting States, in cooperation with aircraft operators and airport management, should establish as a goal a total time period of 60 minutes in aggregate for the completion of required departure formalities for all passengers requiring not more than normal processing, calculated from the time of the passenger's presenting himself at the first processing point at the airport (i.e. airline check-in, security control point or other required control point depending on arrangements at the individual airport).*

*Note.*— “Required departure formalities” to be completed during the recommended 60 minutes would include airline check-in, aviation security measures and, where applicable, the collection of airport charges and other levies, and outbound border control measures, e.g. passport, quarantine or customs controls.

3.37 **Recommended Practice.**— *Contracting States that require inspection by the public authorities of the travel documents of departing passengers should, in cooperation with airport management, use applicable technology and adopt a multi-channel inspection system, or other means of streaming passengers, in order to expedite such inspections.*

3.38 Contracting States shall not normally require the presentation, for border control inspection, of baggage of passengers departing from their territory.

## K. Entry procedures and responsibilities

3.39 **Recommended Practice.**— *Contracting States, with the cooperation of aircraft operators and airport operators, should establish as a goal the clearance within 45 minutes of disembarkation from the aircraft of all passengers requiring not more than the normal inspection, regardless of aircraft size and scheduled arrival time.*

3.40 In order to expedite inspections, Contracting States, with the cooperation of airport operators, shall use applicable technology and adopt a multi-channel immigration inspection system, or other means of streaming passengers, at international airports where the volume of passenger traffic justifies such measures.

3.41 Except in special circumstances, Contracting States shall not require that travel documents or other identity documents be collected from passengers or crew before they arrive at the passport control points.

3.42 The public authorities concerned shall expeditiously accept passengers and crew for examination as to their admissibility into the State.

*Note.— A passenger or crew member is “accepted for examination” when he makes his first appearance at the arrivals control point after disembarkation, to seek entry into the country concerned, at which time the control officer makes a determination whether he should be admitted or not. This does not include the sighting of travel documents, which may be carried out immediately upon disembarkation.*

3.43 The aircraft operator shall be responsible for the custody and care of disembarking passengers and crew members from the time they leave the aircraft until they are accepted for examination as provided in 3.42.

3.44 **Recommended Practice.**— *After such acceptance, the public authorities concerned should be responsible for the custody and care of passengers and crew members until they are admitted or found inadmissible.*

3.45 The responsibility of an aircraft operator for custody and care of passengers and crew members shall terminate from the moment such persons have been admitted into that State.

3.46 The public authorities of each Contracting State shall seize fraudulent, falsified or counterfeit travel documents. The public authorities shall also seize the travel documents of a person impersonating the rightful holder of the travel document. Such documents shall be removed from circulation immediately and returned to the appropriate authorities of the State named as issuer or to the resident Diplomatic Mission of that State.

3.47 Each Contracting State that introduces an Advance Passenger Information (API) system under its national legislation shall adhere to international recognized standards for the transmission of Advance Passenger Information.

*Note 1.— API involves the capture of a passenger’s or crew member’s biographic data and flight details by the aircraft operator prior to departure. This information is electronically transmitted to the border control agencies in the destination or departure country. Thus, passenger and/or crew details are received in advance of the departure or arrival of the flight.*

*Note 2.— The UN/EDIFACT PAXLST message is a standard electronic message developed specifically, as a subset of UN/EDIFACT, to handle passenger manifest (electronic) transmissions. UN/EDIFACT stands for “United Nations rules for Electronic Data Interchange For Administration, Commerce and Transport.” The rules comprise a set of internationally agreed standards, directories and guidelines for the electronic interchange of structured data, and in particular that related to trade in goods and services between independent, computerized information systems. The WCO, IATA and ICAO have jointly agreed on the maximum set of API data that should be incorporated in the PAXLST message to be used for the transmission of such data by aircraft operators to the border control agencies in the destination or departure country. It is to be expected that the UN/EDIFACT standard may be supplemented by modern message techniques, such as international xml standards or web-based applications.*

*Note 3.— Under its current format structure the UN/EDIFACT PAXLST message will not accommodate general aviation usage.*

3.47.1 When specifying the identifying information on passengers to be transmitted, Contracting States shall require only data elements that are available in machine readable form in travel documents conforming to the specifications contained in Doc 9303 (series), *Machine Readable Travel Documents*. All information required shall conform to specifications for UN/EDIFACT PAXLST messages found in the WCO/IATA/ICAO API Guidelines.

3.47.2 When seeking to implement a national Advance Passenger Information (API) programme, Contracting States that are unable to comply fully with the provisions contained in 3.47.1 with respect to data element requirements shall ensure that only those data elements that have been defined for incorporation into the UN/EDIFACT PAXLST message are included in the national programme's requirement or follow the WCO's Data Maintenance Request (DMR) process for any deviation from the standard.

3.47.3 **Recommended Practice.**— *When implementing a new Advance Passenger Information (API) programme, Contracting States that are unable to accept passenger data transmitted in accordance with the UN/EDIFACT PAXLST specifications using the industry standard transmission method as described in 3.47.1 should consult users on the operational and cost impact incurred in modifying the UN/EDIFACT PAXLST message and its contents to the required alternate format.*

3.47.4 **Recommended Practice.**— *Contracting States should seek to minimize the number of times API data is transmitted for a specific flight.*

3.47.5 If a Contracting State requires API data interchange, then it shall seek, to the greatest extent possible, to limit the operational and administrative burdens on aircraft operators, while enhancing passenger facilitation.

3.47.6 **Recommended Practice.**— *Contracting States should refrain from imposing fines and penalties on aircraft operators for any errors caused by a systems failure which may have resulted in the transmission of no, or corrupted, data to the public authorities in accordance with API systems.*

3.47.7 Contracting States requiring that passenger data be transmitted electronically through an Advance Passenger Information system shall not also require a passenger manifest in paper form.

3.48 **Recommended Practice.**— *Contracting States requiring Passenger Name Record (PNR) access should conform their data requirements and their handling of such data to guidelines developed by ICAO.*

3.49 Except in special circumstances, Contracting States shall make arrangements whereby the identity documents of visitors need to be inspected only once at times of entry and departure.

3.50 Contracting States shall not require a written declaration of baggage from passengers and crew, when no dutiable or restricted goods are being carried.

3.51 Contracting States shall adopt the dual-channel system or other selective process for customs and quarantine inspection based on risk management, as appropriate to the conditions and traffic volumes at the airport concerned.

*Note.*— *See Appendix 6, Recommendation of the Customs Co-operation Council (now the World Customs Organization) for a simplified customs control based on the dual-channel system.*

3.52 **Recommended Practice.**— *In cases in which the passport of a visitor has expired prior to the end of the validity period of a visa, the State that has issued the visa should continue to accept the visa until its expiration date when it is presented with the visitor's new passport.*

3.53 Contracting States that issue visas for a limited number of entries shall indicate in an appropriate, clear and non-derogatory way, every instance the visa is used, in order that its holder, any aircraft operator or the public authorities of a State may determine its validity quickly and without the use of any special means.

3.54 After individual presentation by passengers and crew of their passports or other official travel documents, the public officials concerned shall, except in special individual cases, hand back such documents immediately after examination.

3.55 **Recommended Practice.**— *Contracting States should make arrangements whereby a passenger and his baggage, arriving on an international flight making two or more stops at international airports within the territory of the same State, are not required to be cleared through border control formalities at more than one airport of the State concerned.*

**L. Transit procedures and requirements**

3.56 Where airport facilities permit, Contracting States shall make provision by means of direct transit areas or other arrangements, whereby crew, passengers and their baggage, arriving from another State and continuing their journey to a third State on the same flight or another flight from the same airport on the same day may remain temporarily within the airport of arrival without undergoing border control formalities to enter the State of transit.

3.57 Contracting States shall keep to a minimum the number of States whose nationals are required to have direct transit visas when arriving on an international flight and continuing their journey to a third State on the same flight or another flight from the same airport on the same day.

**M. Disposition of baggage separated from its owner**

3.58 Contracting States shall permit aircraft operators to forward mishandled baggage to the location of its owner and shall not hold aircraft operators liable for penalties, fines, import duties and taxes, on the basis that the baggage was mishandled.

3.59 Contracting States shall permit the direct transfer of mishandled baggage between international flights at the same airport, without examination, except for reasons of aviation security or other necessary controls. In cases when direct transfer cannot be effected, Contracting States shall ensure that arrangements are made for the temporary custody of such baggage under secure supervision at an appropriate location.

3.60 Contracting States shall permit aircraft operators to present unidentified, unclaimed or mishandled baggage for clearance at an appropriate destination on behalf of its owners, and to deliver such baggage to its owners.

3.61 Contracting States shall expedite the clearance of unidentified, unclaimed or mishandled baggage, and its return to the aircraft operator for appropriate disposition. Under the conditions laid down by the public authorities, aircraft operators may be permitted to open such baggage if necessary to ascertain its owner.

3.62 The aircraft operator shall be freed from the obligation to safeguard baggage not yet cleared by the public authorities, and from liability for import duties and taxes chargeable on such baggage, when it is taken into charge by customs and is under their sole control.

**N. Identification and entry of crew and other aircraft operators' personnel**

3.63 Contracting States shall establish measures, with the cooperation of aircraft operators and airport operators, to expedite the inspection of crew members and their baggage, as required at departure and upon arrival.

3.64 Contracting States shall facilitate and expedite the process under which aircraft operators based in their territories can apply for Crew Member Certificates (CMCs) for their crew members.

*Note.— The CMC was developed as a card for use for identification purposes by crew members, leaving the crew licences to serve their primary purpose of attesting to the professional qualifications of the flight crew members.*

3.65 If Contracting States issue Crew Member Certificates, then these shall be issued only in the form of machine readable cards in accordance with the specifications of Doc 9303, Part 3.

3.65.1 **Recommended Practice.**— *Contracting States should put in place procedures which will enable any crew member issued with a Crew Member Certificate to examine and review the validity of the data held, and to provide for correction if necessary, at no cost to the crew member.*

3.66 **Recommended Practice.**— *To the extent that aircraft operators issue crew identity cards, Contracting States should require the production of such identity documents in the format shown in Appendix 7, i.e. in the same layout as the visual zone of the machine readable crew member certificate and having the capability to support machine assisted identity confirmation and document security verification.*

3.66.1 **Recommended Practice.**— *Contracting States should ensure that a record of each crew member's certificates and other official identity document issued, suspended or withdrawn, is stored in an electronic database, secure from interference and unauthorized access. All information stored in the electronic database and crew member certificate should be restricted to details which are essential for the purpose of verifying a crew member's identity.*

3.67 CMCs shall be issued only after a background check has been carried out by or on behalf of the relevant public authority. In addition, adequate controls such as a certification of employment status of an applicant prior to issuance, controls on blank card stock, and accountability requirements for issuing personnel, shall be placed on the issuance of CMCs.

3.68 Contracting States shall accept CMCs, issued according to the requirements of Standard 3.65, for visa-free entrance of crew members when arriving in a duty status on an international flight and seeking temporary entry for the period allowed by the receiving State.

3.68.1 **Recommended Practice.**— *Contracting States should waive the visa requirement for crew members when arriving in a duty status on an international flight and seeking temporary entry for the period allowed by the receiving State.*

3.68.2 **Recommended Practice.**— *Contracting States should waive the visa requirement for arriving crew members presenting CMCs, when arriving on another aircraft operator or another mode of transport and seeking temporary entry for the period allowed by the receiving State in order to join their assigned flight in a duty status.*

3.69 Contracting States shall establish measures to provide for the temporary entry without delay into their territories, of technical personnel of foreign aircraft operators operating to or through such territories who are urgently required for the purpose of converting to an airworthy condition any aircraft which is, for technical reasons, unable to continue its journey. Should a State require a guarantee of such persons' subsistence in, and/or return from, such State, this shall be negotiated without delaying their admission.

## O. Civil aviation inspectors

3.70 **Recommended Practice.**— *Contracting States should provide that civil aviation inspectors of another Contracting State, when engaged on inspection duties, be treated in the same manner as crew members when proceeding through departure or arrival formalities.*

3.71 **Recommended Practice.**— *Contracting States should provide their civil aviation inspectors with an identity document, taking Appendix 8 into consideration.*

3.72 **Recommended Practice.**— *Civil aviation inspectors should carry the identity document specified in 3.71, a copy of the inspector's itinerary issued by the State that employs the inspector, and a valid passport.*

3.73 **Recommended Practice.**— *Contracting States should extend the privileges of temporary admission, as described in 3.68 for crew members, to civil aviation inspectors of another Contracting State, provided that they carry the documents listed in 3.72 (e.g. identity document, itinerary and valid passport), and depart after a normal period of rest.*

**P. Emergency assistance/entry visas in cases of *force majeure***

3.74 **Recommended Practice.**— *Contracting States should establish measures for authorizing temporary entry for a passenger or crew member who does not possess the required entry visa prior to arrival, due to diversion or delay of a flight for reasons of force majeure .*

3.75 Contracting States shall establish measures whereby in-transit passengers who are unexpectedly delayed due to a flight cancellation or delay may be allowed to leave the airport for the purpose of taking accommodations.

3.76 **Recommended Practice.**— *In emergency situations resulting from force majeure, Contracting States, aircraft operators and airport operators should give priority assistance to those passengers with medical needs, unaccompanied minors and persons with disabilities who have already commenced their journeys.*

3.77 **Recommended Practice.**— *Contracting States should establish measures to permit the departure from, or the transit through, their territories of passengers holding valid air travel reservations even if their visas have expired due to flight delays resulting from force majeure.*

3.78 **Recommended Practice.**— *Contracting States should establish measures to facilitate the entry of personnel required to be deployed at short notice to assist passengers whose flights have been disrupted as a result of force majeure.*

3.79 **Recommended Practice.**— *In cases of flight delays or diversions resulting from force majeure, Contracting States should establish measures to permit the transit through their territories of passengers holding valid air travel reservations but who do not possess the required entry visas.*



## CHAPTER 4. ENTRY AND DEPARTURE OF CARGO AND OTHER ARTICLES

### A. General

4.1 In order to facilitate and expedite the release and clearance of goods carried by air, Contracting States shall adopt regulations and procedures appropriate to air cargo operations and shall apply them in such a manner as to prevent unnecessary delays.

4.2 **Recommended Practice.**— *With respect to cargo moving by both air and surface transport under an air waybill, Contracting States should apply the same regulations and procedures and in the same manner as they are applied to cargo moving solely by air.*

4.3 When introducing or amending regulations and procedures for the release and clearance of goods carried by air, Contracting States shall consult with aircraft operators and other parties concerned, with the aim of accomplishing the actions set forth in 4.1.

4.4 Contracting States shall develop procedures for the pre-arrival and pre-departure lodgement of an import and export goods declaration to enable expeditious release/clearance of the goods.

4.5 Where the nature of a consignment could attract the attention of different public authorities, e.g. the customs, veterinary or sanitary controllers, Contracting States shall endeavour to delegate authority for release/clearance to customs or one of the other agencies or, where that is not feasible, take all necessary steps to ensure that release/clearance is coordinated and, if possible, carried out simultaneously and with a minimum of delay.

4.6 Contracting States shall not normally require the physical examination of cargo to be imported or exported and shall use risk management to determine which goods shall be examined and the extent of that examination.

4.7 Where practicable, in order to improve efficiency, modern screening or examination techniques shall be used to facilitate the physical examination of goods to be imported or exported.

4.8 **Recommended Practice.**— *In connection with international airports, Contracting States should establish and either develop and operate themselves, or permit other parties to develop and operate, free zones and/or customs warehouses and should publish detailed regulations as to the types of operations which may or may not be performed therein.*

4.9 In all cases where free-zone facilities and/or customs warehouses are not provided in connection with an international airport but have been provided elsewhere in the same general vicinity, Contracting States shall make arrangements so that air transport can utilize these facilities on the same basis as other means of transport.

### B. Information required by the public authorities

4.10 **Recommended Practice.**— *Contracting States should provide for the electronic submission of cargo information prior to the arrival or departure of cargo.*

4.11 Contracting States shall limit their data requirements to only those particulars which are deemed necessary by the public authorities to release or clear imported goods or goods intended for exportation.



4.12 Contracting States shall provide for the collection of statistical data at such times and under such arrangements so that the release of imported goods or those intended for exportation is not delayed thereby.

4.13 Subject to the technological capabilities of the Contracting State, documents for the importation or exportation of goods, including the Cargo Manifest and/or air waybills, shall be accepted when presented in electronic form transmitted to an information system of the public authorities.

4.14 The production and presentation of the Cargo Manifest and the air waybill(s) shall be the responsibility of the aircraft operator or his authorized agent. The production and presentation of the other documents required for the clearance of the goods shall be the responsibility of the declarant.

4.15 Where a Contracting State has requirements for additional documents for import, export or transit formalities, such as commercial invoices, declaration forms, import licences and the like, it shall not make it the obligation of the aircraft operator to ensure that these documentary requirements are met nor shall the operator be held responsible, fined or penalized for inaccuracies or omissions of facts shown on such documents unless he is the declarant himself, is acting on his behalf or has specific legal responsibilities.

4.16 When documents for the importation or exportation of goods are presented in paper form, the format shall be based on the UN layout key, as regards the goods declaration, and on the format of Appendix 3, as regards the Cargo Manifest.

4.17 To promote trade facilitation and the application of security measures, Contracting States shall, for the purpose of standardization and harmonization of electronic data interchange, encourage all parties concerned, whether public or private, to implement compatible systems and to use the appropriate internationally accepted standards and protocols.

4.18 **Recommended Practice.**— *Electronic information systems for the release and clearance of goods should cover their transfer between air and other modes of transport.*

4.19 Contracting States that require supporting documents, such as licences and certificates, for the importation or exportation of certain goods shall publish their requirements and establish convenient procedures for requesting the issue or renewal of such documents.

4.20 **Recommended Practice.**— *Contracting States should, to the greatest extent possible, remove any requirement to manually produce supporting documents and should establish procedures whereby they can be produced by electronic means.*

4.21 Contracting States shall not require consular formalities or consular charges or fees in connection with documents required for the release or clearance of goods.

### C. Release and clearance of export cargo

4.22 Contracting States that require documents for export clearance shall normally limit their requirement to a simplified export declaration.

4.23 Contracting States shall provide for export cargo to be released up to the time of departure of an aircraft.

4.24 Contracting States shall allow goods to be exported, to be presented for clearance at any customs office designated for that purpose. Transfer from that office to the airport from which the goods are to be exported shall be carried out under the procedures laid down in the laws and regulations of the Contracting State concerned. Such procedures shall be as simple as possible.

4.25 Contracting States shall not require evidence of the arrival of exported goods for import, export or transit formalities as a matter of course.

4.26 **Recommended Practice.**— *When the public authorities of a Contracting State require goods to be examined, but those goods have already been loaded on a departing aircraft, the aircraft operator or, where appropriate, the operator's authorized agent, should normally be permitted to provide security to the customs for the return of the goods rather than delay the departure of the aircraft.*

#### **D. Release and clearance of import cargo**

4.27 When scheduling examinations, priority shall be given to the examination of live animals and perishable goods and to other goods which the public authorities accept are urgently required.

4.28 Consignments declared as personal effects and transported as unaccompanied baggage shall be cleared under simplified arrangements.

4.29 Contracting States shall provide for the release or clearance of goods under simplified customs procedures provided that:

- a) the goods are valued at less than a maximum value below which no import duties and taxes will be collected; or
- b) the goods attract import duties and taxes that fall below the amount that the State has established as the minimum for collection; or
- c) the goods are valued at less than specified value limits below which goods may be released or cleared immediately on the basis of a simple declaration and payment of, or the giving of security to the customs for, any applicable import duties and taxes; or
- d) the goods are imported by an authorized person and are goods of a specified type.

4.30 **Recommended Practice.**— *For authorized importers who meet specified criteria, including an appropriate record of compliance with official requirements and a satisfactory system for managing their commercial records, Contracting States should establish special procedures, based on the advance supply of information, which provide for the immediate release of goods on arrival.*

4.31 **Recommended Practice.**— *Goods not afforded the simplified or special procedures referred to in provisions 4.27 to 4.30 should be released or cleared promptly on arrival, subject to compliance with customs and other requirements. Contracting States should establish as a goal the release of all goods that do not need any examination, within three hours of their arrival and the submission of the correct documentation. Public authorities, and aircraft operators and importers or their authorized agents, should coordinate their respective functions to ensure that this goal is met.*

4.32 **Recommended Practice.**— *Contracting States should process requests for the release of part consignments when all information has been submitted and other requirements for such part consignments have been met.*

4.33 Contracting States shall allow goods that have been unladen from an aircraft at an international airport to be transferred to any designated customs office in the State concerned for clearance. The customs procedures covering such transfer shall be as simple as possible.

4.34 When, because of error, emergency or inaccessibility upon arrival, goods are not unladen at their intended destination, Contracting States shall not impose penalties, fines or other similar charges provided:

- a) the aircraft operator or his authorized agent notifies the customs of this fact, within any time limit laid down;
- b) a valid reason, acceptable to the customs authorities, is given for the failure to unload the goods; and
- c) the Cargo Manifest is duly amended.

4.35 When, because of error or handling problems, goods are unladen at an international airport without being listed on the Cargo Manifest, Contracting States shall not impose penalties, fines or other similar charges provided:

- a) the aircraft operator or his authorized agent notifies the customs of this fact, within any time limit laid down;
- b) a valid reason, acceptable to the customs, is given for the non-reporting of the goods;
- c) the manifest is duly amended; and
- d) the goods are placed under the appropriate customs arrangements.

Where applicable, the Contracting State shall, subject to compliance with its requirements, facilitate the forwarding of the goods to their correct destination.

4.36 If goods are consigned to a destination in a Contracting State, but have not been released for home use in that State and subsequently are required to be returned to the point of origin or to be redirected to another destination, the Contracting State shall allow the goods to be re-forwarded without requiring import, export or transit licences if no contravention of the laws and regulations in force is involved.

4.37 A Contracting State shall absolve the aircraft operator or, where appropriate, his authorized agent, from liability for import duties and taxes when the goods are placed in the custody of the public authorities or, with the latter's agreement, transferred into the possession of a third party who has furnished adequate security to the customs.

#### **E. Spare parts, equipment, stores and other material imported or exported by aircraft operators in connection with international services**

4.38 Stores and commissary supplies imported into the territory of a Contracting State for use on board aircraft in international service shall be relieved from import duties and taxes, subject to compliance with the customs regulations of the State.

4.39 **Recommended Practice.**— *Contracting States should not require supporting documentation (such as certificates of origin or consular or specialized invoices) in connection with the importation of stores and commissary supplies.*

4.40 **Recommended Practice.**— *Contracting States should permit, on board aircraft, the sale or use of commissary supplies and stores for consumption without payment of import duties and other taxes in the case where aircraft, engaged in international flights:*

- a) *stop at two or more international airports within the territory of a Contracting State without intermediate landing in the territory of another State; and*
- b) *do not embark any domestic passengers.*

4.41 **Recommended Practice.**— *Subject to compliance with its regulations and requirements, a Contracting State should allow relief from import duties and taxes in respect of ground and security equipment and their component parts, instructional material and training aids imported into its territory, by or on behalf of an aircraft operator of another Contracting State for use by the operator or his authorized agent, within the boundaries of an international airport or at an approved off-airport facility.*

4.42 Contracting States shall grant prompt release or clearance, upon completion of simplified documentary procedures by the aircraft operator or his authorized agent, of aircraft equipment and spare parts that are granted relief from import duties, taxes and other charges under Article 24 of the Chicago Convention.

4.43 Contracting States shall grant prompt release or clearance, upon completion of simplified documentary procedures by the aircraft operator or his authorized agent, of ground and security equipment and their replacement parts, instructional material and training aids imported or exported by an aircraft operator of another Contracting State.

4.44 Contracting States shall allow the loan, between aircraft operators of other Contracting States or their authorized agents, of aircraft equipment, spare parts and ground and security equipment and their replacement parts, which have been imported with conditional relief from import duties and taxes.

4.45 **Recommended Practice.**— *Contracting States should provide for the importation, free of import duties and taxes, of aircraft operators' documents as defined in Chapter 1 of this Annex, to be used in connection with international air services.*

#### F. Containers and pallets

4.46 Subject to compliance with their regulations and requirements, Contracting States shall grant the aircraft operators of other Contracting States temporary admission of containers and pallets — whether or not owned by the aircraft operator of the aircraft on which they arrive — provided they are to be used on an outbound international service or otherwise re-exported.

4.47 **Recommended Practice.**— *Contracting States should require a temporary admission document for containers and pallets only when they consider it essential for the purposes of customs control.*

4.48 **Recommended Practice.**— *Where proof of the re-exportation of containers and pallets is required, the Contracting State should accept the appropriate usage records of the aircraft operator or his authorized agent as evidence thereof.*

4.49 Contracting States shall make arrangements to allow aircraft operators, under supervision of the public authorities concerned, to unload transit cargo arriving in containers and pallets, so that they may sort and reassemble shipments for onward carriage without having to undergo clearance for home use.

4.50 Containers and pallets imported into a Contracting State under the provisions of 4.46 shall be allowed to leave the boundaries of the international airport for the release or clearance of imported loads, or for export lading, under simplified documentation and control arrangements.

4.51 Where circumstances so require, Contracting States shall allow the storage of temporarily admitted containers and pallets at off-airport locations.

4.52 Contracting States shall allow the loan between aircraft operators of containers and pallets admitted under the provisions of 4.46 without payment of import duties and taxes, provided they are to be used only on an outbound international service or otherwise re-exported.

4.53 Contracting States shall allow temporarily admitted containers and pallets to be re-exported through any designated customs office.

4.54 Contracting States shall allow the temporary admission of replacement parts when they are needed for the repair of containers and pallets imported under the provisions of 4.46.

#### **G. Mail documents and procedures**

4.55 Contracting States shall carry out the handling, forwarding and clearance of mail and shall comply with the documentary procedures as prescribed by the Acts in force of the Universal Postal Union.

#### **H. Radioactive material**

4.56 A Contracting State shall facilitate the prompt release of radioactive material being imported by air, particularly material used in medical applications, provided that applicable laws and regulations governing the importation of such material are complied with.

*Note.— The advance notification, either in paper form or electronically, of the transport of radioactive materials would likely facilitate the entry of such material at the State of destination.*

4.57 **Recommended Practice.**— *A Contracting State should avoid imposing customs or other entry/exit regulations or restrictions supplementary to the provisions of Doc 9284, Technical Instructions for the Safe Transport of Dangerous Goods by Air.*

4.58 Where a Contracting State adopts customs or other entry/exit regulations or restrictions that differ from those specified in Doc 9284, *Technical Instructions for the Safe Transport of Dangerous Goods by Air*, it shall notify ICAO promptly of such State variations for publication in the Technical Instructions, in accordance with Chapter 2, 2.5 of Annex 18.

## CHAPTER 5. INADMISSIBLE PERSONS AND DEPORTEES

### A. General

5.1 In order to minimize disruptions to the orderly operations of international civil aviation, Contracting States shall cooperate with one another to promptly resolve any differences arising in the course of implementing the provisions of this Chapter.

5.2 Contracting States shall facilitate the transit of persons being removed from another State pursuant to the provisions of this Chapter, and extend necessary cooperation to the aircraft operator(s) and escort(s) carrying out such removal.

5.2.1 During the period when an inadmissible passenger or a person to be deported is under their custody, the state Officers concerned shall preserve the dignity of such persons and take no action likely to infringe such dignity.

*Note.— These persons should be treated in accordance with the relevant international provisions, including the UN International Covenant on Civil and Political Rights.*

### B. Inadmissible persons

5.3 Contracting States shall without delay notify the aircraft operator, confirming this as soon as possible in writing, when a person is found inadmissible, pursuant to 3.44.

*Note.— Written notification can be either in paper form or in electronic form, such as e-mail.*

5.4 **Recommended Practice.**— *Contracting States, through their public authorities should consult the aircraft operator on the time frame for removal of the person found inadmissible, in order to allow the aircraft operator a reasonable amount of time during which to effect the person's removal via its own services or to make alternative removal arrangements.*

*Note.— Nothing in this provision is to be construed so as to allow the return of a person seeking asylum in the territory of a Contracting State, to a country where his life or freedom would be threatened on account of his race, religion, nationality, membership in a particular social group or political opinion.*

5.5 Contracting States shall ensure that a removal order is issued to the aircraft operator in respect of a person found inadmissible. The removal order shall include, if known, the name, age, gender and citizenship of the person in question.

5.6 Contracting States ordering the removal of an inadmissible person who has lost or destroyed his travel documents shall deliver a covering letter in the format set forth in Appendix 9 (1) in order to give information to the authorities of the State(s) of transit and/or the commencement of journey. The covering letter, the removal order and any relevant information shall be handed over to the aircraft operator or, in the case of escorted persons, the escort, who shall be responsible for delivering them to the public authorities at the State of destination.

5.7 Contracting States ordering the removal of an inadmissible person whose travel documents have been seized pursuant to 3.46 shall deliver a covering letter in the format set forth in Appendix 9 (2) in order to give information to the authorities of the State(s) of transit and/or the commencement of journey. The covering letter together with a photocopy of

the seized travel documents and the removal order shall be handed over to the aircraft operator or, in the case of escorted persons, the escort, who shall be responsible for delivering them to the public authorities at the State of destination.

5.8 Contracting States that have reason to believe that an inadmissible person might offer resistance to his removal shall inform the aircraft operator concerned as far in advance as possible of scheduled departure so that the aircraft operator can take precautions to ensure the security of the flight.

5.9 The aircraft operator shall be responsible for the cost of custody and care of an improperly documented person from the moment that person is found inadmissible and returned to the aircraft operator for removal from the State.

5.9.1 The State shall be responsible for the cost of custody and care of all other categories of inadmissible persons, including persons not admitted due to document problems beyond the expertise of the aircraft operator or for reasons other than improper documents, from the moment these persons are found inadmissible until they are returned to the aircraft operator for removal from the State.

5.10 When a person is found inadmissible and is returned to the aircraft operator for transport away from the territory of the State, the aircraft operator shall not be precluded from recovering from such person any transportation costs involved in his removal.

5.11 The aircraft operator shall remove the inadmissible person to:

- a) the point where he commenced his journey; or
- b) to any place where he is admissible.

5.11.1 **Recommended Practice.**— *Where appropriate, Contracting States should consult with the aircraft operator regarding the most practicable place to which the inadmissible person is to be removed.*

5.12 A Contracting State shall accept for examination a person removed from a State where he was found inadmissible, if this person commenced his journey from its territory. A Contracting State shall not return such a person to the country where he was earlier found inadmissible.

5.13 Contracting States shall accept the covering letter and other papers delivered pursuant to 5.6 or 5.7 as sufficient documentation to carry out the examination of the person referred to in the letter.

5.14 Contracting States shall not fine aircraft operators in the event that arriving and in-transit persons are found to be improperly documented where aircraft operators can demonstrate that they have taken adequate precautions to ensure that these persons had complied with the documentary requirements for entry into the receiving State.

5.15 **Recommended Practice.**— *When aircraft operators have cooperated with the public authorities to the satisfaction of those authorities, for example pursuant to memoranda of understanding reached between the parties concerned, in measures designed to prevent the transportation of inadmissible persons, Contracting States should mitigate the fines and penalties that might otherwise be applicable should such persons be carried to their territory.*

5.16 Contracting States shall not prevent the departure of an operator's aircraft pending a determination of admissibility of any of its arriving passengers.

*Note.*— *An exception to this provision could be made in the case of infrequent flights or if the Contracting State had reason to believe that there might be an irregularly high number of inadmissible persons on a specific flight.*

### C. Deportees

5.17 A Contracting State deporting a person from its territory shall serve him a deportation order. Contracting States shall indicate to the deportee the name of the destination State.

5.18 Contracting States removing deportees from their territories shall assume all obligations, responsibilities and costs associated with the removal.

5.19 Contracting States, when making arrangements with an aircraft operator for the removal of a deportee, shall make available the following information as soon as possible, but in any case not later than 24 hours before the scheduled time of departure of the flight:

- a) a copy of the deportation order, if legislation of the Contracting State allows for it;
- b) a risk assessment by the State and/or any other pertinent information that would help the aircraft operator assess the risk to the security of the flight; and
- c) the names and nationalities of any escorts.

*Note.— In order to ensure coordination of facilitation and security standards, attention is drawn to the applicable provisions of Annex 17, Chapter 4.*

5.20 Contracting States, in making arrangements for the removal of a deportee to a destination State, shall use direct non-stop flights whenever practicable.

5.21 A Contracting State, when presenting a deportee for removal, shall ensure that all official travel documentation required by any transit and/or destination State is provided to the aircraft operator.

5.22 A Contracting State shall admit into its territory its nationals who have been deported from another State.

5.23 A Contracting State shall give special consideration to the admission of a person, deported from another State, who holds evidence of valid and authorized residence within its territory.

5.24 Contracting States, when determining that a deportee must be escorted and the itinerary involves a transit stop in an intermediate State, shall ensure that the escort(s) remain(s) with the deportee to his final destination, unless suitable alternative arrangements are agreed, in advance of arrival, by the authorities and the aircraft operator involved at the transit location.

### D. Procurement of a replacement travel document

5.25 When a replacement travel document must be obtained in order to facilitate removal and acceptance of an inadmissible person at his destination, the State ordering the removal shall provide as much assistance as practicable in obtaining that document.

*Note.— In order to clarify application of this Standard, attention is drawn to Standard 5.13.*

5.26 A Contracting State shall, when requested to provide travel documents to facilitate the return of one of its nationals, respond within a reasonable period of time and not more than 30 days after such a request was made either by issuing a travel document or by satisfying the requesting State that the person concerned is not one of its nationals.



5.27 A Contracting State shall not make the signing by the person concerned of an application for a travel document a prerequisite for the issuance of that document.

5.28 When a Contracting State has determined that a person for whom a travel document has been requested is one of its nationals but cannot issue a passport within 30 days of the request, the State shall issue an emergency travel document that attests to the nationality of the person concerned and that is valid for readmission to that State.

5.29 A Contracting State shall not refuse to issue a travel document to or otherwise thwart the return of one of its nationals by rendering that person stateless.

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## CHAPTER 6. INTERNATIONAL AIRPORTS — FACILITIES AND SERVICES FOR TRAFFIC

### A. General

6.1 Each Contracting State shall ensure that the provisions of Annex 9 continue to be implemented in the event an airport becomes privatized.

6.1.1 **Recommended Practice.**— *Each Contracting State should, in consultation with airport operators, ensure that the design, development and maintenance of facilities at international airports provide efficient and effective flow arrangements.*

6.1.2 Each Contracting State shall ensure that airport and aircraft operators provide for the expeditious processing of passengers, crew, baggage, cargo and mail.

6.1.3 Each Contracting State shall ensure that efficient customs, immigration, quarantine and health border clearance services, as required, are provided at international airports.

6.1.4 Each Contracting State, in consultation with airport operators, shall ensure that facilities and services provided at international airports are, where possible, flexible and capable of expansion to meet traffic growth, an increase in security requirements arising from increased threat, or other changes to support border integrity measures.

*Note.*— *With respect to aviation security requirements, attention is drawn to the relevant specification in Annex 17, Chapter 2.\**

6.2 Each Contracting State shall require that, in the planning of new facilities or major modifications to existing facilities, including cargo facilities, at international airports, the entity or entities responsible for such planning consult with public authorities, aircraft operators and appropriate bodies representing airport users, at the earliest stages of planning, as required.

6.3 **Recommended Practice.**— *Aircraft operators should inform airport operators and relevant government agencies, in commercial confidence, of their service, schedule and fleet plans at the airport, to enable rational planning of facilities and services in relation to the traffic anticipated.*

6.4 **Recommended Practice.**— *Each Contracting State should ensure that where a passenger service charge, airport tax or other similar fee is levied at an international airport, direct collection from passengers is avoided wherever possible.*

6.5 **Recommended Practice.**— *Each Contracting State should, subject to relevant regulations and within the limitations established by the airport operator due to constraints caused by limited space or capacity, permit aircraft operators to choose how, and by whom, their ground handling operations should be carried out.*

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\* The specification reads as follows:

**Recommendation.**— *Each Contracting State should whenever possible arrange for the security controls and procedures to cause a minimum of interference with, or delay to the activities of, civil aviation provided the effectiveness of these controls and procedures is not compromised.*

## B. Airport traffic flow arrangements

### I. Common provisions

6.6 Each Contracting State shall ensure that airport operators provide adequate facilities to permit embarkation and disembarkation of passengers without delay.

6.7 **Recommended Practice.**— *Airport operators, aircraft operators and public authorities should exchange, in a timely manner, all relevant operational information, in order to provide for a smooth and expeditious passenger flow and efficient resource allocation.*

6.8 **Recommended Practice.**— *Contracting States, airport and aircraft operators, where appropriate and after consultation, should implement automated facilities for passenger and baggage processing.*

6.9 **Recommended Practice.**— *Each Contracting State should ensure that signage used at airports is based on Doc 9636, International Signs to Provide Guidance to Persons at Airports and Marine Terminals, published jointly by ICAO and the International Maritime Organization.*

6.9.1 **Recommended Practice.**— *Each Contracting State, in consultation with airport and aircraft operators, should notify travellers, via signage, leaflets, video, audio, Internet websites or other media, of the penalties for breaching regulations with regard to entry and departure and attempting to import or export any banned or restricted item.*

6.10 **Recommended Practice.**— *Each Contracting State should ensure that airport operators or terminal building operators install mechanical people-moving devices, when walking distances and the traffic volume within and across terminal buildings so warrant.*

6.11 **Recommended Practice.**— *Each Contracting State should ensure that an airport or aircraft operator, as appropriate, installs flight information systems capable of providing accurate, adequate and up-to-the-minute information on departures, arrivals, cancellations, delays, and terminal/gate allocations.*

6.12 **Recommended Practice.**— *Each Contracting State should ensure that an airport operator or aircraft operator, as appropriate, maintains a flight information system, and follows the standard layout recommended in Doc 9249, Dynamic Flight-Related Public Information Displays.*

6.13 **Recommended Practice.**— *Each Contracting State should encourage the airport operators or the service provider, as appropriate, to provide car parking facilities for long- and short-term usage by passengers, visitors, crew and staff at international airports.*

### II. Aircraft parking and servicing arrangements

6.14 **Recommended Practice.**— *Each Contracting State should ensure that convenient parking and servicing facilities for aircraft are available, in order to expedite clearance and operations on the apron and to reduce aircraft ground stop time.*

### III. Outbound passengers, crew and baggage

6.15 **Recommended Practice.**— *Each Contracting State should ensure that adequate transportation is provided, by the appropriate service provider, between airport terminal buildings during the hours of airport operation.*

6.16 **Recommended Practice.**— *Each Contracting State should allow airport and aircraft operators to provide off-airport check-in facilities, so long as all necessary security measures and other control requirements are met.*

6.17 **Recommended Practice.**— *Each Contracting State should ensure that security and/or border control personnel use efficient screening and examination techniques in examinations of passengers and their baggage, in order to facilitate aircraft departure.*

*Note.*— *Privacy for the passenger should be assured during any physical searches required. Private rooms are preferable; however portable screens may be used. Physical searches should be conducted by an officer of the same sex as the passenger.*

6.18 **Recommended Practice.**— *Crew-member check-in and operations facilities should be readily accessible and within close proximity of each other.*

6.19 **Recommended Practice.**— *Airport operators and public authorities should provide efficient services for general aviation operators or their agent(s) concerning their operational and administrative requirements.*

6.20 Each Contracting State shall make arrangements for sufficient number of control channels so that clearance, if required, of outbound passengers and crew may be obtained with the least possible delay. Additional channels shall be available, if possible, to which complicated cases may be directed without delaying the main flow of passengers.

#### IV. Inbound passengers, crew and baggage

6.21 Contracting States shall make arrangements for a sufficient number of control channels so that clearance of inbound passengers and crew may be obtained with the least possible delay. Additional channel(s) shall be available if possible to which complicated cases may be directed without delaying the main flow of passengers.

6.22 **Recommended Practice.**— *Each Contracting State should ensure that airport operators provide adequate space in the baggage claim area permitting easy identification and speedy reclaim by each passenger of his checked baggage.*

6.23 **Recommended Practice.**— *Each Contracting State should ensure that, where appropriate, mechanized baggage delivery systems are installed at international airports to facilitate the movement of passenger baggage.*

6.24 The operators responsible for international airports shall ensure that passengers can obtain assistance in the carriage of baggage to enable them to transfer baggage from baggage claim areas to points as close as possible to areas where surface transportation from the airport or between airport terminals is provided.

#### V. Transit and transfer of passengers and crew

6.25 **Recommended Practice.**— *Contracting States should, whenever possible, permit passengers to remain on board the aircraft and authorize embarkation and disembarkation during refuelling, subject to the necessary safety and security measures.*

6.26 **Recommended Practice.**— *Each Contracting State should ensure that airport operators provide sufficient space for handling counters in direct transit areas, in accordance with traffic volumes. The space requirement and operating hours should be agreed between the airport and aircraft operators.*

#### VI. Miscellaneous facilities and services in passenger terminal buildings

6.27 **Recommended Practice.**— *Storage facilities should be provided for baggage left by their owners at international airports for later pick-up subject to security requirements.*

6.28 Each Contracting State shall ensure that airport or aircraft operators, as appropriate, provide facilities where unclaimed, unidentified and mishandled baggage is kept securely until cleared, forwarded, claimed or disposed of in accordance with applicable laws and regulations. Authorized personnel of the aircraft operator or service provider shall have access to the baggage during the hours of airport operation.

6.29 **Recommended Practice.**— *Each Contracting State, in cooperation with airport operators, should ensure that terminal facilities are designed, managed and organized so that the non-travelling public does not interfere with the flow of inbound and outbound passengers.*

6.29.1 **Recommended Practice.**— *Provisions should be made to locate facilities for group/tour operators in public or uncontrolled areas in the arrival and/or departure areas in order to minimize congestion in the terminal buildings.*

6.30 **Recommended Practice.**— *Each Contracting State, in consultation with airport operators, should ensure that retail facilities, while being conveniently located, do not impede passenger flow.*

## VII. Cargo and mail handling and clearance facilities

6.31 **Recommended Practice.**— *Each Contracting State should ensure that airport operators make appropriate provision for clearance of all-cargo aircraft.*

6.32 **Recommended Practice.**— *Each Contracting State, in cooperation with airport operators, should ensure that cargo terminals and their landside access roads are appropriately designed and operated to provide efficient access.*

6.33 **Recommended Practice.**— *Each Contracting State, in cooperation with airport and aircraft operators, should ensure that cargo terminals are designed to facilitate the safe, sanitary, efficient and secure processing and storage of cargo in accordance with applicable laws and regulations.*

6.34 **Recommended Practice.**— *Each Contracting State, in cooperation with airport and aircraft operators, should provide for appropriate facilities for the safe, efficient and secure processing and storage of mail consignments, at those international airports where the volume of mail so warrants and in accordance with applicable laws and regulations.*

### C. Facilities required for implementation of public health, emergency medical relief, and animal and plant quarantine measures

6.35 Each Contracting State, in cooperation with airport operators, shall ensure the maintenance of public health, including human, animal and plant quarantine at international airports.

6.36 **Recommended Practice.**— *Contracting States should ensure that there are, at or near all their major international airports, facilities and services for vaccination or revaccination, and for the delivery of the corresponding certificates.*

6.37 **Recommended Practice.**— *International airports should have available access to appropriate facilities for administration of public health and animal and plant quarantine measures applicable to aircraft, crew, passengers, baggage, cargo, mail and stores.*

6.38 **Recommended Practice.**— *Contracting States should ensure that passengers and crew in transit can remain in premises free from any danger of infection and insect vectors of diseases and, when necessary, facilities should be provided for the transfer of passengers and crew to another terminal or airport nearby without exposure to any health hazard. Similar arrangements and facilities should also be made available in respect of animals.*

6.39 Each Contracting State shall ensure that handling and distribution procedures for consumable products (i.e. food, drink and water supplies) on board aircraft or in the airport are in compliance with the *International Health Regulations* (2005) and relevant guidelines of the World Health Organization, the Food and Agriculture Organization and national airport regulations.

6.40 Each Contracting State, in cooperation with airport and aircraft operators, shall ensure that a safe, sanitary and efficient system is instituted, at international airports, for the removal and disposal of all waste, waste water and other matters dangerous to the health of persons, animals or plants, in compliance with the *International Health Regulations* (2005) and relevant guidelines of the World Health Organization, the Food and Agriculture Organization and national airport regulations.

6.41 Each Contracting State, in cooperation with airport operators, shall ensure that international airports maintain facilities and services for first-aid attendance on site, and that appropriate arrangements are available for expeditious referral of the occasional more serious case to prearranged competent medical attention.

*Note.— Consultation with the World Health Organization on all issues concerning passenger health is advisable.*

#### **D. Facilities required for clearance controls and operation of control services**

6.42 Each Contracting State shall provide sufficient services of the public authorities concerned, without charge, during working hours established by those authorities.

*Note 1.— Under Annex 15 — Aeronautical Information Services, States are obligated to publish the types and hours of clearance services (customs, immigration, health) at their international airports.*

*Note 2.— In addition to services referred to above, Contracting States, airport operators or aircraft operators may wish to offer enhanced services to users (passengers, aircraft operators and other parties that would benefit from the proposed premium service), either on a free or a fee-paid, voluntary basis. Where a fee will be assessed, it should be limited to that necessary to recover the cost for the service provided.*

6.43 **Recommended Practice.**— *Each Contracting State should consider making arrangements with other States to station representatives of the public authorities concerned in its territory in order to pre-examine aircraft, passengers, baggage, crew, and cargo, for customs, immigration, public health and animal and plant quarantine purposes, prior to departure when such action will facilitate clearance upon arrival in those States.*

#### **E. Unruly passengers**

6.44 **Recommended Practice.**— *Each Contracting State should increase passenger awareness of the unacceptability and legal consequences of unruly or disruptive behaviour in aviation facilities and on board aircraft.*

6.45 **Recommended Practice.**— *Each Contracting State should ensure that airport and aircraft operators and public authorities provide training to relevant personnel concerning the identification and management of unruly passengers, including recognition and defusing of escalating situations, and crisis containment.*

*Note.— Guidance material on the legal aspects of unruly/disruptive passengers can be found in Circular 288 — Guidance on the Legal Aspects of Unruly/Disruptive Passengers.*

## F. Passenger amenities

6.46 **Recommended Practice.**— *Each Contracting State should, where traffic justifies, ensure that airport operators provide suitable childcare facilities in passenger terminals, and that they are clearly indicated by signage and are easily accessible.*

6.47 **Recommended Practice.**— *Contracting States restricting the import or export of funds of other States should provide for the issuance to travellers of certificates showing the amounts of such funds in their possession upon entering the State and should permit such travellers, upon surrender of such certificates prior to leaving the State, to take such funds with them. Inscription on the passport or other official document for travel may serve the same purpose.*

6.48 **Recommended Practice.**— *Each Contracting State that restricts the import of its own currency should ensure that facilities are available for passengers to deposit any excess amount at the international airport of entry and, upon departure, to reclaim the deposited amount, at the same point or at any other designated point.*

6.49 **Recommended Practice.**— *Each Contracting State should ensure that an airport operator or service provider(s), as appropriate, provide(s) passengers with information on ground transportation available at the airport.*

6.50 Contracting States shall provide, at such times as to meet the needs of the travelling public, adequate facilities at international airports for the legal exchange of funds of other States through governmental agencies or shall authorize private agencies to do so. These facilities shall be available to arriving and departing passengers.

*Note.— In giving effect to this provision, the use of vending machines at international airports, enabling a departing passenger to obtain foreign currency, at any time of the day or night, has proved to be of valuable assistance and should be considered as a possibility by Contracting States.*

## **CHAPTER 7. LANDING ELSEWHERE THAN AT INTERNATIONAL AIRPORTS**

### **A. General**

7.1 Each Contracting State shall take steps to ensure that all possible assistance is rendered by its public authorities to an aircraft which, for reasons beyond the control of the pilot-in-command, has landed elsewhere than at one of its international airports and, to this end, shall keep control formalities and procedures, in such cases, to a minimum.

7.2 The pilot-in-command or the next senior crew member available shall cause the landing to be reported as soon as practicable to the public authorities concerned.

### **B. Short stopover**

7.3 If it is apparent that the aircraft can resume its flight within a relatively short time of arrival, the following procedure shall apply:

7.3.1 Control measures shall be limited to those that ensure that the aircraft departs with the same load that was on board at the time of arrival. In case the load or part thereof cannot, for operational or other reasons, continue on that flight, the public authorities shall expedite clearance formalities and cooperate in speedy onward transportation for that load to its destination.

7.3.2 The public authorities shall designate, if necessary, an adequate area under their general supervision where passengers and crew can move about during their stopover.

7.3.3 The pilot-in-command shall not be required to apply to more than one government agency for take-off permission (other than for any necessary air traffic control clearance).

### **C. No resumption of flight**

7.4 If it is apparent that the aircraft will be substantially delayed or is unable to continue its flight, the following provisions shall apply:

7.4.1 The pilot-in-command, while awaiting the instructions of the public authorities concerned or if he or his crew is unable to get in touch with them, shall be entitled to take such emergency measures as he deems necessary for the health and safety of passengers and crew and for avoiding or minimizing loss or destruction to the aircraft itself and its load.

7.4.2 Passengers and crew shall be permitted to secure suitable accommodation pending completion of the necessary formalities if such formalities cannot be promptly carried out.

7.4.3 Cargo, stores and unaccompanied baggage, if required to be removed from the aircraft for safety reasons, shall be deposited in a nearby area and remain there pending completion of the necessary formalities.

7.4.4 Mail shall be disposed of as is required pursuant to the Acts in force of the Universal Postal Union.





## CHAPTER 8. OTHER FACILITATION PROVISIONS

### A. Bonds and exemption from requisition or seizure

8.1 **Recommended Practice.**— *If a Contracting State requires bonds of an aircraft operator to cover his liabilities under the customs, immigration, public health, animal and plant quarantine, or similar laws of the State, it should permit the use of a single comprehensive bond whenever possible.*

8.2 **Recommended Practice.**— *The aircraft, ground equipment, security equipment, spare parts and technical supplies of an aircraft operator located in a Contracting State (other than the Contracting State in which such airline is established) for use in the operation of an international air service serving such Contracting State, should be exempt from the laws of such Contracting State authorizing the requisition or seizure of aircraft, equipment, parts or supplies for public use, without prejudice to the right of seizure for breaches of the laws of the Contracting State concerned.*

### B. Facilitation of search, rescue, accident investigation and salvage

8.3 Subject to any conditions imposed by Annex 12 — *Search and Rescue* and Annex 13 — *Aircraft Accident and Incident Investigation*, Contracting States shall make arrangements to ensure entry without delay into their territories on a temporary basis of qualified personnel required for search, rescue, accident investigation, repair or salvage in connection with a lost or damaged aircraft.

8.3.1 In arranging for the entry without delay of the personnel referred to in 8.3, when such a document is necessary, States shall not require any other travel document than a passport (cf. 3.5).

8.3.2 **Recommended Practice.**— *In cases where a Contracting State continues to require entrance visas for the personnel referred to in 8.3, it should, when necessary and on an exceptional basis, issue such visas on arrival or otherwise facilitate their admission when such personnel carry an order of mission from the competent authority in their State.*

8.3.3 **Recommended Practice.**— *Contracting States should ensure that their authorities are adequately informed of the provisions of Annexes 13 and 9 relating to the facilitation of aircraft accident and incident investigations. In this regard, States should recognize the need for the investigators concerned to be able to arrange transport to the site of the accident or incident without delay and, if necessary, help them to this end.*

8.4 Each Contracting State shall facilitate the temporary entry into its territory of all aircraft, tools, spare parts and equipment required in the search, rescue, accident investigation, repair or salvage of the damaged aircraft of another State. These items shall be temporarily admitted free from customs duties and other taxes or charges and the application of regulations of any nature restricting the importation of goods.

*Note.*— *It is understood that this provision does not preclude the application of public health and animal and plant quarantine measures, if required.*

8.5 Each Contracting State shall facilitate the removal from its territory of both the damaged and any assisting aircraft, together with tools, spare parts and equipment that may have been brought in for search, rescue, accident investigation, repair or salvage purposes.

8.6 Damaged aircraft or parts thereof, and any stores or cargo contained therein, together with any aircraft, tools, spare parts or equipment brought in for temporary use in search, rescue, accident investigation, repair or salvage, which are not removed from the territory of the Contracting State within a length of time to be specified by that State, shall be subject to the requirements of the applicable laws of the State concerned.

8.7 If, in connection with an aircraft accident investigation, it becomes necessary to send a part, or parts, of a damaged aircraft to another Contracting State for technical examination or testing, each Contracting State concerned shall ensure that the movement of such part, or parts, is effected without delay. The Contracting States concerned shall likewise facilitate the return of such part, or parts, to the State instituting the accident investigation should the latter State require them in order to complete the investigation.

**C. Relief flights following natural and man-made disasters which seriously endanger human health or the environment, and similar emergency situations where United Nations (UN) assistance is required**

8.8 Contracting States shall facilitate the entry into, departure from and transit through their territories of aircraft engaged in relief flights performed by or on behalf of international organizations recognized by the UN or by or on behalf of States themselves and shall take all possible measures to ensure their safe operation. Such relief flights are those undertaken in response to natural and man-made disasters which seriously endanger human health or the environment, as well as similar emergency situations where UN assistance is required. Such flights shall be commenced as quickly as possible after obtaining agreement with the recipient State.

*Note 1.— According to its Internationally Agreed Glossary of Basic Terms, the United Nations Department of Humanitarian Affairs considers an emergency to be “a sudden and usually unforeseen event that calls for immediate measures to minimize its adverse consequences”, and a disaster to be “a serious disruption of the functioning of society, causing widespread human, material or environmental losses which exceed the ability of the affected society to cope using only its own resources”.*

*Note 2.— With respect to the application of measures to ensure the safe operation of relief flights, attention is drawn to Annex 11 — Air Traffic Services, the Manual Concerning Safety Measures Relating to Military Activities Potentially Hazardous to Civil Aircraft Operations (Doc 9554) and the Manual concerning Interception of Civil Aircraft (Doc 9433).*

8.9 Contracting States shall ensure that personnel and articles arriving on relief flights referred to in 8.8 are cleared without delay.

**D. Marine pollution and safety emergency operations**

8.10 In cases of emergency, Contracting States shall facilitate the entry, transit and departure of aircraft engaged in the combatting or prevention of marine pollution, or other operations necessary to ensure maritime safety, safety of the population or protection of the marine environment.

8.11 In cases of emergency, Contracting States shall, to the greatest extent possible, facilitate the entry, transit and departure of persons, cargo, material and equipment required to deal with the marine pollution and safety operations described in 8.10.

### E. Implementation of international health regulations and related provisions

8.12 Contracting States shall comply with the pertinent provisions of the *International Health Regulations* (2005) of the World Health Organization.

8.13 Contracting States shall take all possible measures to have vaccinators use the Model International Certificate of Vaccination or Prophylaxis, in accordance with Article 36 and Annex 6 of the *International Health Regulations* (2005), in order to assure uniform acceptance.

8.14 Each Contracting State shall make arrangements to enable all aircraft operators and agencies concerned to make available to passengers, sufficiently in advance of departure, information concerning the vaccination requirements of the countries of destination, as well as the Model International Certificate of Vaccination or Prophylaxis conforming to Article 36 and Annex 6 of the *International Health Regulations* (2005).

8.15 The pilot-in-command of an aircraft shall ensure that a suspected communicable disease is reported promptly to air traffic control, in order to facilitate provision for the presence of any special medical personnel and equipment necessary for the management of public health risks on arrival.

*Note 1.— A communicable disease could be suspected and require further evaluation if a person has a fever (temperature 38°C/100°F or greater) that is associated with certain signs or symptoms: e.g. appearing obviously unwell; persistent coughing; impaired breathing; persistent diarrhoea; persistent vomiting; skin rash; bruising or bleeding without previous injury; or, confusion of recent onset.*

*Note 2.— In the event of a case of suspected communicable disease on board an aircraft, the pilot-in-command may need to follow his operator's protocols and procedures, in addition to health-related legal requirements of the countries of departure and/or destination. The latter would normally be found in the Aeronautical Information Publications (AIPs) of the States concerned.*

*Note 3.— Annex 6 — Operation of Aircraft describes the “on board” medical supplies that are required to be carried on aircraft. The Procedures for Air Navigation Services — Air Traffic Management (Doc 4444) (PANS-ATM) detail the procedures to be followed by the pilot-in-command in communication with air traffic control.*

8.15.1 **Recommended Practice.**— *When a public health threat has been identified, and when the public health authorities of a Contracting State require information concerning passengers' and/or crews' travel itineraries or contact information for the purposes of tracing persons who may have been exposed to a communicable disease, that Contracting State should accept the “Public Health Passenger Locator Card” reproduced in Appendix 13 as the sole document for this purpose.*

*Note.— It is suggested that States make available adequate stocks of the Passenger Locator Card, for use at their international airports and for distribution to aircraft operators, for completion by passengers and crew.*

### F. Communicable disease outbreak national aviation plan

8.16 A Contracting State shall establish a national aviation plan in preparation for an outbreak of a communicable disease posing a public health risk or public health emergency of international concern.

*Note 1.— Guidance in developing a national aviation plan may be found on the ICAO website on the Aviation Medicine page.*

*Note 2.— Annex 11 — Air Traffic Services and Annex 14 — Aerodromes, Volume I — Aerodrome Design and Operations require air traffic services and aerodromes to establish contingency planning or aerodrome emergency plans, respectively, for public health emergencies of international concern.*

### G. Establishment of national facilitation programmes

8.17 Each Contracting State shall establish a national air transport facilitation programme based on the facilitation requirements of the Convention and of Annex 9 thereto.

8.18 Each Contracting State shall ensure that the objective of its national air transport facilitation programme shall be to adopt all practicable measures to facilitate the movement of aircraft, crews, passengers, cargo, mail and stores, by removing unnecessary obstacles and delays.

8.18.1 **Recommended Practice.**— *In establishing a national air transport facilitation programme, States should use the guidance material outlined in Appendix 12.*

8.19 Each Contracting State shall establish a National Air Transport Facilitation Committee, and Airport Facilitation Committees as required, or similar coordinating bodies, for the purpose of coordinating facilitation activities between departments, agencies, and other organizations of the State concerned with, or responsible for, various aspects of international civil aviation as well as with airport and aircraft operators.

8.20 **Recommended Practice.**— *Contracting States should endeavour to establish close coordination, adapted to circumstances, between civil aviation security and facilitation programmes. To this end, certain members of Facilitation Committees should also be members of Security Committees.*

8.21 **Recommended Practice.**— *In establishing and operating National Air Transport and Airport Facilitation Committees, States should use the guidance material outlined in Appendices 11 and 12.*

### H. Facilitation of the transport of passengers requiring special assistance

#### I. General

8.22 **Recommended Practice.**— *When travelling, persons with disabilities should be provided with special assistance in order to ensure that they receive services customarily available to the general public. Such assistance includes the offering of information and directions in media that can be understood by travellers with cognitive or sensory disabilities.*

8.23 **Recommended Practice.**— *Contracting States should cooperate with a view to taking the necessary measures to make accessible to persons with disabilities all the elements of the chain of the person's journey, from beginning to end.*

8.24 **Recommended Practice.**— *Contracting States should take the necessary steps with aircraft operators, airports and ground handling operators to establish minimum uniform standards of accessibility with respect to transportation services for persons with disabilities, from arrival at the airport of departure to leaving the airport of destination.*

8.25 **Recommended Practice.**— *Contracting States should take the necessary steps with aircraft operators, airports, ground handling operators and travel agencies to ensure that persons with disabilities are given the information they need, and should take the necessary steps to ensure that airlines, airports, ground handling operators and travel agencies are in a position to give those passengers the assistance necessary for them, depending on their needs, to help them in their travel.*

8.26 **Recommended Practice.**— *Contracting States should take all necessary steps to secure the cooperation of aircraft operators, airports and ground handling operators in order to establish and coordinate training programmes to ensure that trained personnel are available to assist persons with disabilities.*

## II. Access to airports

8.27 Contracting States shall take the necessary steps to ensure that airport facilities and services are adapted to the needs of persons with disabilities.

8.28 **Recommended Practice.**— *Contracting States should ensure that lifting systems or any other appropriate devices are made available in order to facilitate the movement of elderly and disabled passengers between the aircraft and the terminal on both arrival and departure as required where telescopic passageways are not used.*

8.29 **Recommended Practice.**— *Measures should be taken to ensure that the hearing- and vision-impaired are able to obtain flight information.*

8.30 **Recommended Practice.**— *For elderly and disabled persons being set down or picked up at a terminal building, reserved points should be located as close as possible to main entrances. To facilitate movement to the various areas of the airport, access routes should be free of obstacles.*

8.31 **Recommended Practice.**— *Where access to public services is limited, every effort should be made to provide accessible and reasonably priced ground transportation services by adapting current and planned public transit systems or by providing special transport services for people with mobility needs.*

8.32 **Recommended Practice.**— *Adequate parking facilities should be provided for people with mobility needs and appropriate measures taken to facilitate their movement between parking areas and the terminal buildings.*

8.33 **Recommended Practice.**— *Direct transfer from one aircraft to another of passengers, particularly elderly and disabled passengers, should be authorized, where necessary and possible, whenever this is warranted by deadlines in making connecting flights or by other circumstances.*

## III. Access to air services

8.34 Contracting States shall take the necessary steps to ensure that persons with disabilities have adequate access to air services.

8.35 **Recommended Practice.**— *Contracting States should introduce provisions by which aircraft coming newly into service or after major refurbishment should conform to minimum uniform standards of accessibility with respect to equipment on board aircraft which would include movable armrests, on-board wheelchairs, lavatories and suitable lighting and signs.*

8.36 **Recommended Practice.**— *Wheelchairs, special apparatus and equipment required by persons with disabilities should be carried free of charge in the cabin where, in the view of the aircraft operator, space and safety requirements permit or should be designated as priority baggage. Service animals accompanying passengers with disabilities should also be carried free of charge in the cabin, subject to the application of any relevant national or aircraft operator regulations.*

8.36.1 Contracting States that restrict the transport of battery-powered devices, including mobility aids containing spillable batteries, shall notify ICAO promptly of such restrictions so that they can be included in Doc 9284, *Technical Instructions for the Safe Transport of Dangerous Goods by Air* and ensure that aircraft operators make such information publicly available and in accordance with Chapter 2, 2.5 of Annex 18.

8.37 **Recommended Practice.**— *In principle, persons with disabilities should be permitted to determine whether or not they need an escort and to travel without the requirement for a medical clearance. However, advance notice should be mandatory where assistance or lifting is required. Aircraft operators should only be permitted to require passengers with disabilities to obtain a medical clearance in cases of medical condition where it is clear that their safety or well-being or that of other passengers cannot be guaranteed. Furthermore, aircraft operators should only be permitted to require an escort*

*when it is clear that a person with disabilities is not self-reliant and, as such, the safety or well-being of that person or that of another passenger cannot be guaranteed.*

**8.38 Recommended Practice.**— *If the presence of an escort is required, Contracting States should encourage aircraft operators to offer discounts for the carriage of that accompanying person.*

### **I. Assistance to aircraft accident victims and their families**

**8.39** The State of Occurrence of an aircraft accident and adjacent States shall make arrangements to facilitate the entry into their territory on a temporary basis of family members of victims of an aircraft accident.

**8.40** The State of Occurrence and adjacent States shall also make arrangements to facilitate the entry into their territory, on a temporary basis, of authorized representatives of the operator whose aircraft has met with the accident, or of the operator's alliance partner, in order to enable them to provide assistance to survivors and their family members, the family members of the deceased victims of the accident and the relevant authorities in these States.

*Note.*— *Code-sharing and similar alliance agreements sometimes require alliance partners to act as “first responder” on behalf of an affected operator in case the alliance partner can get to the location of the accident quicker than the affected operator.*

**8.41 Recommended Practice.**— *In arranging for the entry of the persons referred to in 8.39, the State of Occurrence and adjacent States should not require any other travel document than a passport, or an emergency travel document issued specifically to such persons, to enable them to travel to these States. In cases where the State of Occurrence of the accident or an adjacent State requires entrance visas for persons referred to in 8.39 and 8.40 above, it should expedite the issuance of such visas.*

**8.42** Contracting States shall make arrangements to issue emergency travel documents, if required, to their nationals who have survived the accident.

**8.43** Contracting States shall extend all necessary assistance, such as arranging transport and clearing customs, in the repatriation of human remains to their countries of origin, on request by family members of the deceased or the operator whose aircraft met with the accident.

## APPENDIX 1. GENERAL DECLARATION

297 mm (or 11 3/4 inches)

**GENERAL DECLARATION**  
**(Outward/Inward)**

Operator .....

Marks of Nationality and Registration..... Flight No. .... Date .....

Departure from ..... (Place) ..... Arrival at ..... (Place) .....

**FLIGHT ROUTING**  
 ("Place" Column always to list origin, every en-route stop and destination)

PLACE	NAMES OF CREW*	NUMBER OF PASSENGERS ON THIS STAGE**
		<i>Departure Place:</i> Embarking ..... Through on same flight .....
		<i>Arrival Place:</i> Disembarking ..... Through on same flight .....

*Declaration of Health*

Name and seat number or function of persons on board with illnesses other than airsickness or the effects of accidents, who may be suffering from a communicable disease (a fever — temperature 38°C/100°F or greater — associated with one or more of the following signs or symptoms, e.g. appearing obviously unwell; persistent coughing; impaired breathing; persistent diarrhoea; persistent vomiting; skin rash; bruising or bleeding without previous injury; or confusion of recent onset, increases the likelihood that the person is suffering a communicable disease) as well as such cases of illness disembarked during a previous stop.....

.....

Details of each disinsecting or sanitary treatment (place, date, time, method) during the flight. If no disinsecting has been carried out during the flight, give details of most recent disinsecting .....

.....

Signed, if required, with time and date \_\_\_\_\_

Crew member concerned

For official use only

I declare that all statements and particulars contained in this General Declaration, and in any supplementary forms required to be presented with this General Declaration, are complete, exact and true to the best of my knowledge and that all through passengers will continue/have continued on the flight.

SIGNATURE \_\_\_\_\_

Authorized Agent or Pilot-in-command

Size of document to be 210 mm × 297 mm (or 8 1/4 × 11 3/4 inches).

\* To be completed when required by the State.

\*\* Not to be completed when passenger manifests are presented and to be completed only when required by the State.

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210 mm (or 8 1/4 inches)





## APPENDIX 2. PASSENGER MANIFEST

[illegible]

Size of document to be 210 mm x 297 mm (or 8 1/4 x 11 3/4 inches).

\* To be completed only when required by the State.

210 mm (or 8 1/4 inches)



## APPENDIX 3. CARGO MANIFEST

[illegible]

Size of document to be 210 mm × 297 mm (or 8 1/4 × 11 3/4 inches).

\* To be completed only when required by the State.

210 mm (or 8 1/4 inches)



## APPENDIX 4. CERTIFICATE OF RESIDUAL DISINSECTION

GOVERNMENT OF .....

### CERTIFICATE OF RESIDUAL DISINSECTION

Interior surfaces, including cargo space, of this aircraft ..... were treated with an approved residual  
(aircraft registration)  
disinsection product on ..... in accordance with the World Health Organization recommendations (WHO Weekly  
(date)  
Epidemiological Record No. 7, 1985, p. 47; No. 12, 1985, p. 90; No. 45, 1985, pp. 345-346; and No. 44, 1987, pp. 335-336)  
and any amendments thereto.

The treatment must be renewed if cleaning or other operations remove a significant amount of the residual disinsection  
product, and in any case within 8 weeks of the above date.

Expiry date: .....

Signed: .....

Designation: .....

Date: .....



## APPENDIX 5. EMBARKATION/DISEMBARKATION CARD

INTERNATIONAL EMBARKATION/DISEMBARKATION CARD		
(Please print in block letters*)		
1. Name: ..... <i>Primary name</i> <i>Secondary name(s)</i>		
2. Date of birth: ..... <i>Year</i> <i>Month</i> <i>Day</i>		
3. Nationality: .....		
4. Travel document: ..... <i>Issuing State</i> <i>Document type</i> <i>Number</i>		
5. Arriving passengers: port of embarkation or Departing passengers: port of disembarkation		
6. (Other data, requested at the option of the State)		
a).....		
b).....		
c).....		

\* Applies to languages using the Latin alphabet.





## **APPENDIX 6. RECOMMENDATION OF THE CUSTOMS CO-OPERATION COUNCIL\***

### **For a Simplified Customs Control, Based on the Dual-Channel System, of Passengers Arriving by Air (8 June 1971)**

“THE CUSTOMS CO-OPERATION COUNCIL,

Having Regard to Recommendation No. B-3 of the Seventh Session of the Facilitation Division of the International Civil Aviation Organization, as adopted by the Council of that Organization in December 1968, relating to the establishment at international airports of dual-channel systems for speedy clearance of inbound baggage;

Having Regard to Recommendation No. 11 adopted by the Second Intermediate Session of the European Civil Aviation Conference in July 1969 on the dual-channel or red/green system;

Desiring to contribute to the efforts to improve the flow of passenger traffic at international airports;

Considering that this aim can be achieved by introducing a simplified procedure, based on the dual-channel system, for the Customs control of passengers and their baggage;

Considering that such a system can be adopted without reducing the effectiveness of the control and that it enables Customs authorities to deal efficiently with an increasing number of passengers without a corresponding increase in the number of Customs staff;

Considering that harmonization of the features of this system, as between the various countries, is essential to its smooth operation;

Recommends that Members introduce, at their major international airports, in close co-operation with the airport operators and other agencies concerned, the dual-channel system outlined below for the clearance inwards of passengers and their baggage:

- 1) The system shall allow the passengers to choose between two types of channels:
  - a) one (green channel) for passengers having with them no goods or only goods which can be admitted free of import duties and taxes and which are not subject to import prohibitions or restrictions; and
  - b) the other (red channel) for other passengers.
- 2) Each channel shall be clearly and distinctively marked so that the choice between them can easily be understood by passengers. The basic distinctive marking shall be:
  - a) for the channel referred to under 1) a), green, in the shape of a regular octagon, and the words “NOTHING TO DECLARE” (“RIEN À DÉCLARER”);

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\* Now known as the World Customs Organization (WCO).

- b) for the channel referred to under 1) b), red, in the shape of a square, and the words “GOODS TO DECLARE” (“MARCHANDISES À DÉCLARER”).

In addition, the channels should be identified by an inscription including the words “CUSTOMS” (“DOUANE”).

- 3) The texts referred to in paragraph 2) shall be in English and/or French and in any other language or languages deemed useful for the airport concerned.
- 4) Passengers must be sufficiently well informed to choose between the channels. For this purpose it is important:
  - a) that passengers be informed about the functioning of the system and about the descriptions and quantities of goods they may have with them when using the green channel. This may be done by means of posters or panels at the airport or by means of leaflets available to the public at the airport or distributed through tourist agencies, airlines and other interested bodies;
  - b) that the route to the channels be clearly signposted.
- 5) The channels shall be located beyond the baggage delivery area so that passengers have all their baggage with them when choosing their channel. Moreover, the channels shall be so arranged that the passenger flow from that area to the exits from the airport is as direct as possible.
- 6) The distance between the baggage delivery area and the entrances to the channels shall be sufficient to allow passengers to decide which channel to choose and to move into that channel without causing congestion.
- 7) In the green channel passengers shall not be subject to any Customs formalities but the Customs may make spot checks; in the red channel passengers shall accomplish the formalities required by the Customs;

Points out that the dual-channel system is not necessarily incompatible with the application of other controls, for example, exchange control, unless the relevant regulations require full control of the passengers and their baggage;

Requests Members who accept this Recommendation to notify to the Secretary General:

- a) their acceptance and the date from which they will apply the Recommendation;
- b) the names of the airports where the dual-channel system is applied.

The Secretary General will transmit this information to the Customs Administrations of Members, to the Secretary General of the International Civil Aviation Organization (ICAO) and to the Director General of the International Air Transport Association (IATA).”

## APPENDIX 7. CREW MEMBER CERTIFICATE (CMC)

Issuing State Competent issuing authority	CREW MEMBER CERTIFICATE		
Photograph of holder of Certificate	<i>Surname/Nom</i>	<i>Given name/ Prénom</i>	
	<i>Sex/ Sexe</i>	<i>Nationality/ Nationalité</i>	<i>Date of Birth/ Date de Naissance</i>
	<i>Employed by/ Employeur</i>	<i>Occupation/ Profession</i>	
	<i>Doc No/N° du Doc</i>	<i>Date of Expiry/ Date d'expiration</i>	
	(Signature of holder)		

**Front of CMC**

Issuing State	
The holder may, at all times, re-enter upon production of this certificate, within the period of validity.	
Issued at/Émis à (Place of issue)	(Signature) Issuing Authority/ Autorité d'émission
Machine Readable Zone (To be left blank when non-machine readable certificate issued)	

**Back of CMC**

*Note.— Detailed specifications for a machine readable crew member certificate can be found in Doc 9303, Part 3 —Machine Readable Official Travel Documents: Volume 1, MRtds with Machine Readable Data Stored in Optical Character Recognition Format.*



## APPENDIX 8. CIVIL AVIATION INSPECTOR CERTIFICATE

Issuing State Competent issuing authority		<b>CIVIL AVIATION INSPECTOR CERTIFICATE</b>	
Photograph of holder of Certificate	<i>Surname/Nom</i>	<i>Given name/Prénom</i>	
	<i>Sex/ Sexe</i>	<i>Nationality/ Nationalité</i>	<i>Date of Birth/ Date de Naissance</i>
	<i>Employed by/ Employeur</i>	<i>Occupation/ Profession</i>	
	CIVIL AVIATION INSPECTOR		
	<i>Doc No/N° du Doc</i>	<i>Date of Expiry/ Date d'expiration</i>	
	(Signature of holder)		

### Front of Certificate

Issuing State	
The holder may, at all times, re-enter upon production of this certificate, within the period of validity.	
Issued at/Émis à (Place of issue)	(Signature) Issuing Authority/ Autorité d'émission
Machine Readable Zone (To be left blank when non-machine readable certificate issued)	

### Back of Certificate

*Note.— Detailed specifications for a machine readable certificate can be found in Doc 9303, Part 3 — Machine Readable Official Travel Documents: Volume 1, MRtds with Machine Readable Data Stored in Optical Character Recognition Format.*



## APPENDIX 9. SUGGESTED FORMATS FOR DOCUMENTS RELATING TO THE RETURN OF INADMISSIBLE PERSONS

### 1. ATTESTING DOCUMENT RELATING TO LOST OR DESTROYED TRAVEL DOCUMENTS (see 5.6)

From: Immigration or other appropriate authority: (Name)  
Airport: (Name)  
State: (Name)  
Telephone:  
Telex:  
Facsimile:

To: Immigration or other appropriate authority: (Name)  
Airport: (Name)  
State: (Name)

The person for whom this document is issued arrived on (date) at (name of) Airport on flight (flight number) from (City and State).

This person, who was found to be inadmissible, has lost or destroyed his travel documents and claims to be/is understood to be (strike out whichever is not applicable and add any appropriate supporting information).

Surname:

Given name(s):

Date of birth:

Place of birth:

Nationality:

Residence:

Photograph

if available

The incoming carrier was instructed to remove the passenger from the territory of this State on flight (flight number) departing on (date) at (time) from (name of) airport.

Pursuant to Annex 9 to the Convention on International Civil Aviation, the last State in which a passenger previously stayed and most recently travelled from is invited to accept him for re-examination when he has been refused admission to another State.

Date:

Name of Official:

Title:

Signature:

Name of immigration or other appropriate authority:

(Warning: This is NOT an Identification Document)



## 2. LETTER RELATING TO FRAUDULENT, FALSIFIED OR COUNTERFEIT TRAVEL DOCUMENTS OR GENUINE DOCUMENTS PRESENTED BY IMPOSTERS (see 5.7)

From: Immigration or appropriate authority: (Name)  
 Airport: (Name)  
 State: (Name)  
 Telephone:  
 Telex:  
 Facsimile:

To: Immigration or appropriate authority: (Name)  
 Airport: (Name)  
 State: (Name)

Enclosed herewith is a photocopy of a fraudulent/falsified/counterfeit passport/identity card/genuine document presented by an imposter.

Document number:

State in whose name this document was issued:

The above-mentioned document was used by a person claiming to be:

Surname:

Given name(s):

Date of birth:

Place of birth:

Nationality:

Residence:

Photograph

if available

This person arrived on (date) at (name of) Airport on flight (flight number) from (City and State).

The holder was refused entry to (name of State) and the incoming carrier has been instructed to remove the passenger from the territory of this State on flight (flight number) departing at (time) and (date) from (name of airport).

The above-mentioned document will be required as evidence in the holder's prosecution and has been impounded. As this document is the property of the State in whose name it was issued, it will be returned, following prosecution, to the appropriate authorities.

According to Annex 9 to the Convention on International Civil Aviation, the last State in which a passenger previously stayed and most recently travelled from is invited to accept him for re-examination when he has been refused admission to another State.

Date:

Name and signature of Official:

Title:

Name of immigration or appropriate authority:

(Warning: This is NOT an Identification Document)

## APPENDIX 10. UNITED NATIONS LAYOUT KEY FOR TRADE DOCUMENTS

Shipper (Exporter)	Date: Reference No. etc.
Consignee	Other address (e.g. buyer, if other than consignee)
Notify or delivery address	Statements as to countries
Statements as to transportation	Terms of delivery and payment
<div style="display: flex; justify-content: space-between;"> <span>Marks and numbers; number and kind of package; description of goods</span> <span>Statistical No.</span> <span>Net quantity</span> <span>Value</span> </div> <div style="text-align: right; margin-top: 20px;"> .....  Gross weight                      Measurement </div>	
<div style="text-align: center; margin-top: 100px;">Free disposal</div> <div style="border: 1px solid black; width: 200px; height: 100px; margin-left: auto; margin-top: 20px; position: relative;"> <div style="position: absolute; top: 5px; right: 5px; font-size: 8px;">Place and date of issue; signature</div> </div>	

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210 mm (or 8 1/4 inches)



## APPENDIX 11. MODEL AIRPORT FACILITATION (FAL) PROGRAMME

### 1. PURPOSE OF AN AIRPORT FAL PROGRAMME

The purpose of an airport FAL programme is to pursue the objectives of Annex 9 at the operational level, to facilitate the completion of border clearance formalities at the airport with respect to aircraft, crews, passengers and cargo.

### 2. SCOPE OF AN AIRPORT FAL PROGRAMME

The airport FAL programme encompasses all of the provisions of Annex 9 concerning border clearance processes at the airport, as well as the planning for and management of those processes. A representative list of tasks to be performed and the Standard(s) or Recommended Practice(s) (SARPs) applicable to each one are provided in the table below.

### 3. ORGANIZATION AND MANAGEMENT

3.1 The recommended vehicle to conduct the facilitation programme at the operational level is the Airport Facilitation Committee. Although such committees should be encouraged by the National FAL Committee and keep it informed of their problems and progress, they are not necessarily supervised by the national body. Their principal concern is day-to-day problem-solving and implementation of Annex 9.

3.2 It is recommended that the airport manager take charge of the committee and convene regular meetings. Membership should consist of the senior officers in charge of their respective inspection agencies at the airport, e.g. customs, immigration, health, quarantine, etc., as well as the station managers of the aircraft operators with international operations at the airport concerned. The participation of all parties is necessary to make the airport FAL programme a success.

<i>Airport FAL programme task</i>	<i>Annex 9 (13th Edition) SARPs</i>
Establish, review and amend, as necessary, procedures for entry and clearance of flights at the airport concerned.	Recommended Practice 6.1.1; Standards 6.1.2 to 6.1.4 and 8.17
Review regularly all parties' performance with respect to meeting the 45-minute goal for processing inbound passengers and the 60-minute goal for processing outbound passengers. Use time studies and queue analysis to determine where adjustments should be made.	Recommended Practices 3.36 and 3.39
Establish modern systems for immigration and customs inspection, using applicable technology. Collaborate in setting up automated passenger clearance systems.	Standards 3.40, 3.51, 4.7, 6.20 and 6.21
Make necessary changes in traffic flows and checkpoints in the airport to cope with rising traffic volumes.	Recommended Practice 6.1.1

<i>Airport FAL programme task</i>	<i>Annex 9 (13th Edition) SARPs</i>
Improve the quality and quantity of signage in the inspection facilities in order to reduce customer confusion.	Recommended Practices 6.9 and 6.12
Review staffing of inspection stations – work shifts, overtime, etc. – and seek adjustments to meet traffic demands.	Recommended Practice 6.3
Provide input on behalf of resident aircraft operators and inspection agencies to the design of new airports or new inspection facilities.	Standards 6.1.4 and 6.2
Monitor and improve delivery of baggage to the customs inspection area.	Recommended Practices 6.8 and 6.22
Coordinate facilitation, narcotics control, aviation security and dangerous goods handling procedures so that the objectives of all four programmes are met.	Standard 8.19
<b>Do not forget cargo!</b> Coordinate the activities and requirements of the various inspection agencies in order to assure prompt clearance and delivery of air cargo shipments. Provide adequate facilities for loading/unloading and for secure storage of cargo while awaiting customs clearance.	Standard 4.27; Recommended Practices 4.30 and 4.31 and 6.31 to 6.34 incl.
Set up and maintain electronic systems for cargo manifesting, customs clearance, and delivery.	Standards 4.5 and 4.17
Customer service: Review regularly all parties' performance with respect to meeting the 3-hour goal for completion of inspection formalities and make adjustments where necessary and feasible.	Recommended Practices 4.30 and 4.31
Review inspection agency staffing of cargo clearance area – work shifts, overtime, etc. – and seek adjustments to meet customer needs.	Standards 6.1.3 and 6.42

## APPENDIX 12. MODEL NATIONAL FAL PROGRAMME

### 1. PURPOSE OF A NATIONAL FAL PROGRAMME

The purpose of a National FAL Programme is to implement the Chicago Convention mandate that Contracting States provide for and facilitate the border-crossing formalities that must be accomplished with respect to aircraft engaged in international operations and their passengers, crews and cargo.

### 2. SCOPE OF A NATIONAL FAL PROGRAMME

The applicable articles of the Chicago Convention and the tasks involved in implementing each one are presented in the table below. Activities aimed at accomplishing these and related tasks in a State constitute the National FAL Programme.<sup>1</sup>

### 3. ORGANIZATION AND MANAGEMENT

3.1 The primary responsibility for the National FAL Programme rests with the Civil Aviation Authority (CAA) and/or the Ministry of Transport. However, success of the programme requires the active participation of other ministries or agencies, such as:

Customs	Immigration
Foreign Affairs	Passport/visa issuing authorities
Agriculture/environment	Public Health
Security and narcotics control	Identification card issuing authorities
Tourism	Quarantine

3.2 In addition, the active participation of airport operators (public or private) and resident international aircraft operators or their representative organizations is essential.

3.3 Other entities which may play an advisory role include the governmental agencies or non-governmental organizations which promote international tourism and trade.

3.4 The recommended vehicle for carrying out the National FAL Programme is the **National FAL Committee**, which is composed of the heads of the government agencies involved and the chief executive officers of the national organizations representing the aircraft operators and airport operators. The chairman should be a top-management official in the CAA or an appropriate authority. In order to sustain a close link between the national FAL committee and the national aviation security committee, appropriate members from the national aviation security committee may also be members of the national FAL committee and vice-versa.

3.5 For the purpose of carrying out the work of the committee, the members may designate one or more middle-management persons in their respective organizations to represent them in meetings at the staff level (working groups). These

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1. A group of smaller States with similar needs and goals may decide to establish a sub-regional FAL programme in the interest of achieving economies of scale.

officials should be given sufficient authority to speak on behalf of their respective organizations and to initiate necessary action in support of the committee's work. The chairman should designate a middle-management official in his department or agency to chair and convene the staff-level meetings.

3.6 The decision to convene meetings of the National FAL Committee or the members' designated representatives, and the frequency and venue of such meetings, are matters of the chairman's discretion. Working arrangements for accomplishment of the various implementing tasks would depend on the nature of the task and the issue at hand.

#### 4. ESTABLISHMENT OF A NATIONAL FAL PROGRAMME

It is advisable that the authority for a National FAL Programme and the membership of the National FAL Committee be established through legislation, regulation, or executive action from an authorized person, in order to ensure the participation of the various agencies and industry groups involved and to make provision for continuity. The Director General of Civil Aviation (DGCA) or appropriate authority should initiate the process to obtain such a mandate through the national political system.

<i>Chicago Convention mandate</i>	<i>Implementing tasks</i>
<b>Article 10 – Landing at customs airport</b> ... every aircraft which enters the territory of a contracting State shall, if the regulations of that State so require, land at an airport designated by that State for the purpose of customs and other examination. On departure from the territory of a contracting State, such aircraft shall depart from a similarly designated customs airport. ...	<ul style="list-style-type: none"> <li>— Establish customs airports and open new ones as appropriate.</li> <li>— Develop procedures by which operators of scheduled and non-scheduled services may request permission to land or depart from customs airports.</li> <li>— Arrange for border inspection services at customs airports.</li> </ul>
<b>Article 13 – Entry and clearance regulations</b> The laws and regulations of a contracting State as to the admission to or departure from its territory of passengers, crew or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew or cargo upon entrance into or departure from, or while within the territory of that State.	<ul style="list-style-type: none"> <li>— Support the interested border control agencies in the establishment and maintenance of effective inspection systems at airports, and in their efforts to rationalize their respective procedures.</li> <li>— Develop programmes for control of security problems such as document fraud, illegal migration and smuggling.</li> <li>— Coordinate preparations for clearing large numbers of international visitors for special events, e.g. international athletics competitions.</li> </ul>
<b>Article 14 – Prevention of spread of disease</b> Each contracting State agrees to take effective measures to prevent the spread by means of air navigation of cholera, typhus (epidemic), smallpox, yellow fever, plague, and such other communicable diseases as the contracting States shall from time to time decide to designate, ...	<ul style="list-style-type: none"> <li>— Establish, review and amend as necessary the national policies regarding prevention of the spread of contagious diseases by air, for example, aircraft disinsection, disinfection, public health-related quarantine programmes, and screening measures to be applied in a health emergency.</li> </ul>

<p><b>Article 22 – Facilitation of formalities</b> Each contracting State agrees to adopt all practicable measures, through the issuance of special regulations or otherwise, to facilitate and expedite navigation by aircraft between the territories of contracting States, and to prevent unnecessary delays to aircraft, crews, passengers and cargo, especially in the administration of the laws relating to immigration, quarantine, customs and clearance.</p>	<ul style="list-style-type: none"> <li>— Establish, review and amend as necessary the national regulations which implement the State's customs, immigration and quarantine laws pertaining to international movements by air.</li> </ul>
<p><b>Article 23 – Customs and immigration procedures</b> Each contracting States undertakes, so far as it may find practicable, to establish customs and immigration procedures affecting international air navigation in accordance with the practices which may be established or recommended from time to time, pursuant to this Convention. ...</p>	<ul style="list-style-type: none"> <li>— Establish and amend as appropriate, customs and immigration procedures carried out at airports, to harmonize them with the Standards and Recommended Practices set forth in Annex 9.</li> <li>— Support and advocate the national issuance of passports and other travel documents in accordance with ICAO specifications in Doc 9303 – <i>Machine Readable Travel Documents</i>.</li> </ul>
<p><b>Article 37 – Adoption of international standards and procedures</b> Each contracting State undertakes to collaborate in securing the highest practicable degree of uniformity in regulations, standards, procedures, and organization in relation to aircraft, personnel, airways and auxiliary services in all matters in which such uniformity will facilitate and improve air navigation. ... (j) Customs and immigration procedures ...</p>	<ul style="list-style-type: none"> <li>— Participate in ICAO development of Annex 9.</li> <li>— Review national procedures periodically in order to ensure harmonization with the provisions of Annex 9.</li> </ul>
<p><b>Article 38 – Departures from international standards and procedures</b> Any State which finds it impracticable to comply in all respects with any such international standard or procedure, or to bring its own regulations or practices into full accord with any international standard or procedure after amendment of the latter, or which deems it necessary to adopt regulations or practices differing in any particular respect from those established by an international standard, shall give immediate notification to the International Civil Aviation Organization of the differences between its own practice and that established in the international standard. ...</p>	<ul style="list-style-type: none"> <li>— Periodically review conformity by all relevant agencies with the provisions of Annex 9 and notify ICAO of differences between national practices and the relevant Standards.</li> </ul>





## APPENDIX 13. PUBLIC HEALTH PASSENGER LOCATOR CARD

PUBLIC HEALTH PASSENGER LOCATOR CARD			
Public Health Passenger Locator Card to be completed when public health authorities suspect the presence of a communicable disease. The information you provide will assist the public health authorities to manage the public health event by enabling them to trace passengers who may have been exposed to communicable disease. The information is intended to be held by the public health authorities in accordance with applicable law and to be used only for public health purposes.			
<b>Flight Information</b>			
<b>1. Airline and Flight Number</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input style="width: 20px; height: 20px; border: 1px solid black;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black;" type="text"/> </div> <div style="width: 45%;"> <input style="width: 20px; height: 20px; border: 1px solid black;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black;" type="text"/> </div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <span>Airline</span> <span>Flight Number</span> </div>	<b>2. Date of arrival</b> <div style="display: flex; justify-content: space-around;"> <div style="width: 20px; height: 20px; border: 1px solid black; text-align: center;">DD</div> <div style="width: 20px; height: 20px; border: 1px solid black; text-align: center;">MM</div> <div style="width: 40px; height: 20px; border: 1px solid black; text-align: center;">YYYY</div> </div>	<b>3. Seat Number where you actually sat on the aircraft</b> <input style="width: 20px; height: 20px; border: 1px solid black;" type="text"/> <input style="width: 20px; height: 20px; border: 1px solid black;" type="text"/>	
<b>Personal Information</b>			
<b>4. Name</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 50%; border: 1px solid black; height: 20px;"></div> <div style="width: 45%; border: 1px solid black; height: 20px;"></div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <span>Family Name</span> <span>Given Name(s)</span> </div>			
<b>Your Current Home Address (including country)</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%; border: 1px solid black; height: 20px;"></div> <div style="width: 30%; border: 1px solid black; height: 20px;"></div> <div style="width: 25%; border: 1px solid black; height: 20px;"></div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <span>Street Name and Number</span> <span>City</span> <span>State/Province</span> </div>			
<div style="display: flex; justify-content: space-between;"> <div style="width: 40%; border: 1px solid black; height: 20px;"></div> <div style="width: 20%; border: 1px solid black; height: 20px;"></div> <div style="width: 35%; border: 1px solid black; height: 20px;"></div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <span>Country</span> <span>ZIP/Postal Code</span> </div>			
<b>Your Contact Phone Number (Residential or Business or Mobile)</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%; border: 1px solid black; height: 20px;"></div> <div style="width: 30%; border: 1px solid black; height: 20px;"></div> <div style="width: 35%; border: 1px solid black; height: 20px;"></div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <span>Country code</span> <span>Area code</span> <span>Phone Number</span> </div>			
<div style="display: flex; justify-content: space-between;"> <div style="width: 40%; border: 1px solid black; height: 20px;"></div> <div style="width: 55%; border: 1px solid black; height: 20px;"></div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <span>Pasport or Travel Document Number</span> <span>Issuing Country/Organization</span> </div>			
<b>Contact Information</b>			
<b>5. Address and phone number where you can be contacted during your stay or, if visiting many places, your mobile phone number and initial address</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%; border: 1px solid black; height: 20px;"></div> <div style="width: 30%; border: 1px solid black; height: 20px;"></div> <div style="width: 25%; border: 1px solid black; height: 20px;"></div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <span>Street Name and Number</span> <span>City</span> <span>State/Province</span> </div>			
<div style="display: flex; justify-content: space-between;"> <div style="width: 40%; border: 1px solid black; height: 20px;"></div> <div style="width: 20%; border: 1px solid black; height: 20px;"></div> <div style="width: 35%; border: 1px solid black; height: 20px;"></div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <span>Country</span> <span>ZIP/Postal Code</span> <span>Telephone Number (including country code) or mobile phone number</span> </div>			
<b>6. Contact information for the person who will best know where you are for the next 31 days, in case of emergency or to provide critical health information to you. Please provide the name of a close personal contact or a work contact. This must NOT be you.</b> <b>a. Name</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 50%; border: 1px solid black; height: 20px;"></div> <div style="width: 45%; border: 1px solid black; height: 20px;"></div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <span>Family Name</span> <span>Given Name(s)</span> </div>			
<b>b. Telephone Number</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 20%; border: 1px solid black; height: 20px;"></div> <div style="width: 20%; border: 1px solid black; height: 20px;"></div> <div style="width: 20%; border: 1px solid black; height: 20px;"></div> <div style="width: 40%; border: 1px solid black; height: 20px;"></div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <span>Country Code</span> <span>Area Code</span> <span>Phone Number</span> <span>E-mail address</span> </div>			
<b>c. Address</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 40%; border: 1px solid black; height: 20px;"></div> <div style="width: 30%; border: 1px solid black; height: 20px;"></div> <div style="width: 25%; border: 1px solid black; height: 20px;"></div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <span>Street Name and Number</span> <span>City</span> <span>State/Province</span> </div>			
<div style="display: flex; justify-content: space-between;"> <div style="width: 40%; border: 1px solid black; height: 20px;"></div> <div style="width: 20%; border: 1px solid black; height: 20px;"></div> <div style="width: 35%; border: 1px solid black; height: 20px;"></div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <span>Country</span> <span>ZIP/Postal Code</span> </div>			
<b>7. Are you traveling with anyone else?</b> <b>YES/NO</b> Circle appropriate response.    If so, with whom?    (name of Individual(s) or Group) <div style="display: flex; justify-content: space-between;"> <div style="width: 45%; border: 1px solid black; height: 20px;"></div> <div style="width: 45%; border: 1px solid black; height: 20px;"></div> </div>			

— END —

## I

(Acts whose publication is obligatory)

**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 <sup>(1)</sup>,

Having consulted of the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty <sup>(2)</sup>,

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 <sup>(3)</sup> 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 <sup>(4)</sup>. 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.

<sup>(1)</sup> OJ C 24, 31.1.2006, p. 12.

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

<sup>(3)</sup> OJ L 158, 23.6.1990, p. 59.

<sup>(4)</sup> OJ L 46, 17.2.2004, p. 1.

- (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 <sup>(1)</sup> 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 <sup>(2)</sup> 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.

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

<sup>(2)</sup> OJ L 281, 23.11.1995, p. 31. Directive as amended by Regulation (EC) No 1882/2003.

- (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<sup>(1)</sup>;
- (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;

<sup>(1)</sup> OJ L 240, 24.8.1992, p. 1.

- (g) 'airport user' means any natural or legal person responsible for the carriage of passengers by air from or to the airport in question;
- (h) 'Airport Users Committee' means a committee of representatives of airport users or organisations representing them;
- (i) 'reservation' means the fact that the passenger has a ticket, or other proof, which indicates that the reservation has been accepted and registered by the air carrier or tour operator;
- (j) 'airport' means any area of land specially adapted for the landing, taking-off and manoeuvres of aircraft, including ancillary installations which these operations may involve for the requirements of aircraft traffic and services including installations needed to assist commercial air services;
- (k) 'airport car park' means a car park, within the airport boundaries or under the direct control of the managing body of an airport, which directly serves the passengers using that airport;
- (l) 'commercial passenger air service' means a passenger air transport service operated by an air carrier through a scheduled or non-scheduled flight offered to the general public for valuable consideration, whether on its own or as part of a package.

#### Article 3

##### Prevention of refusal of carriage

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

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

#### Article 4

##### Derogations, special conditions and information

1. Notwithstanding the provisions of Article 3, an air carrier or its agent or a tour operator may refuse, on the grounds of disability or of reduced mobility, to accept a reservation from or to embark a disabled person or a person with reduced mobility:

- (a) in order to meet applicable safety requirements established by international, Community or national law or in order to meet safety requirements established by the authority that issued the air operator's certificate to the air carrier concerned;

- (b) if the size of the aircraft or its doors makes the embarkation or carriage of that disabled person or person with reduced mobility physically impossible.

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

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

2. Under the same conditions referred to in paragraph 1, first subparagraph, point (a), an air carrier or its agent or a tour operator may require that a disabled person or person with reduced mobility be accompanied by another person who is capable of providing the assistance required by that person.

3. An air carrier or its agent shall make publicly available, in accessible formats and in at least the same languages as the information made available to other passengers, the safety rules that it applies to the carriage of disabled persons and persons with reduced mobility, as well as any restrictions on their carriage or on that of mobility equipment due to the size of aircraft. A tour operator shall make such safety rules and restrictions available for flights included in package travel, package holidays and package tours which it organises, sells or offers for sale.

4. When an air carrier or its agent or a tour operator exercises a derogation under paragraphs 1 or 2, it shall immediately inform the disabled person or person with reduced mobility of the reasons therefor. On request, an air carrier, its agent or a tour operator shall communicate these reasons in writing to the disabled person or person with reduced mobility, within five working days of the request.

#### Article 5

##### Designation of points of arrival and departure

1. In cooperation with airport users, through the Airport Users Committee where one exists, and relevant organisations representing disabled persons and persons with reduced mobility, the managing body of an airport shall, taking account of local conditions, designate points of arrival and departure within the airport boundary or at a point under the direct control of the managing body, both inside and outside terminal



buildings, at which disabled persons or persons with reduced mobility can, with ease, announce their arrival at the airport and request assistance.

2. The points of arrival and departure referred to in paragraph 1, shall be clearly signed and shall offer basic information about the airport, in accessible formats.

#### Article 6

##### Transmission of information

1. Air carriers, their agents and tour operators shall take all measures necessary for the receipt, at all their points of sale in the territory of the Member States to which the Treaty applies, including sale by telephone and via the Internet, of notifications of the need for assistance made by disabled persons or persons with reduced mobility.

2. When an air carrier or its agent or a tour operator receives a notification of the need for assistance at least 48 hours before the published departure time for the flight, it shall transmit the information concerned at least 36 hours before the published departure time for the flight:

- (a) to the managing bodies of the airports of departure, arrival and transit, and
- (b) to the operating air carrier, if a reservation was not made with that carrier, unless the identity of the operating air carrier is not known at the time of notification, in which case the information shall be transmitted as soon as practicable.

3. In all cases other than those mentioned in paragraph 2, the air carrier or its agent or tour operator shall transmit the information as soon as possible.

4. As soon as possible after the departure of the flight, an operating air carrier shall inform the managing body of the airport of destination, if situated in the territory of a Member State to which the Treaty applies, of the number of disabled persons and persons with reduced mobility on that flight requiring assistance specified in Annex I and of the nature of that assistance.

#### Article 7

##### Right to assistance at airports

1. When a disabled person or person with reduced mobility arrives at an airport for travel by air, the managing body of the airport shall be responsible for ensuring the provision of the assistance specified in Annex I in such a way that the person is able to take the flight for which he or she holds a reservation, provided that the notification of the person's particular needs for

such assistance has been made to the air carrier or its agent or the tour operator concerned at least 48 hours before the published time of departure of the flight. This notification shall also cover a return flight, if the outward flight and the return flight have been contracted with the same air carrier.

2. Where use of a 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 non-discriminatory basis, levy a specific charge on airport users for the purpose of funding this assistance.

4. This specific charge shall be reasonable, cost-related, transparent and established by the managing body of the airport in cooperation with airport users, through the Airport Users Committee where one exists or any other appropriate entity. It shall be shared among airport users in proportion to the total number of all passengers that each carries to and from that airport.

5. The managing body of an airport shall separate the accounts of its activities relating to the assistance provided to disabled persons and persons with reduced mobility from the accounts of its other activities, in accordance with current commercial practice.

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

*Article 9***Quality standards for assistance**

1. With the exception of airports whose annual traffic is less than 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.

Done at Strasbourg, 5 July 2006.

*For the European Parliament*  
*The President*  
J. BORRELL FONTELLES

*The President*  
*For the Council*  
P. LEHTOMÄKI

## 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.

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## 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.

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