

PROPOSED REGULATION

OF JCAR

JCAR- PART 211

Passenger with Reduced Mobility (PRM)

Contents

Subject

Section No.

211.1	Applicability .
211. 3	Definitions.
211. 5	Prevention of refusal of carriage.
211. 7	Derogations, special conditions and information.
211. 9	Designation of points of arrival and departure
211. 11	Transmission of information.
211. 13	Right to assistance at airports.
211. 15	Responsibility for assistance at airports.
211. 17	Quality standards for assistance.
211. 19	Assistance by air carriers.
211. 21	Training
211.23	Compensation for lost or damaged wheelchairs, other mobility equipment and assistive devices.
211.25	Reserved.
211.27	Enforcement body
211.29	Complaint procedure
211.31	Penalties
	Appendix A
	Appendix B

PROPOSED REGULATION

OF JCAR

JCAR- PART 211

Passenger with Reduced Mobility (PRM)

211.1 Applicability.

(a) This Part establishes rules for the protection of and provision of assistance to disabled persons and persons with reduced mobility traveling by air, both to protect them against discrimination and to ensure that they receive assistance.

(b) This Part 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 situated in the territory of The Hashemite Kingdom of Jordan.

(c) This Part shall not affect the rights of passengers established by JCAR part 209. In so far as the provisions of this Part conflict with part 209 this Part shall prevail.

211.3 Definitions.

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

"Air Carrier " means an air transport undertaking with a valid operating license;

"Airport" means any area of land specially adapted for the landing, taking-off and maneuvers 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;

'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;

'Airport User' means any natural or legal person responsible for the carriage of passengers by air from or to the airport in question;

"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;

"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.

"Disabled Person" or 'Person with Reduced Mobility' means any person whose mobility when using transport is reduced due to any physical disability (sensory or

PROPOSED REGULATION

OF JCAR

JCAR- PART 211

Passenger with Reduced Mobility (PRM)

locomotors, 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;

“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;

“Tour Operator” is the person who, other than occasionally, organizes air travel packages and sells or offers them for sale, whether directly or through a retailer;

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

211.7 Derogations, special conditions and information.

Notwithstanding the provisions of section 211.5, 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.
- (c) In the event of refusal to accept a reservation on the grounds referred to under points (a) or (b) above, the air carrier, its agent or the tour operator shall make reasonable efforts to propose an acceptable alternative to the person in question.

PROPOSED REGULATION

OF JCAR

JCAR- PART 211

Passenger with Reduced Mobility (PRM)

(d) 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 this section shall be offered the right to reimbursement or re-routing as provided for in the applicable sections of JCAR Part 209. The right to the option of a return flight or re-routing shall be conditional upon all safety requirements being met.

(e) Under the same conditions referred to in section 211.7.d, 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.

(f) 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 organizes, sells or offers for sale.

(g) When an air carrier or its agent or a tour operator exercises a derogation shall immediately inform the disabled person or person with reduced mobility of the reasons therefore. 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.

211.9 Designation of points of arrival and departure.

(a) In cooperation with airport users, and relevant organizations representing disabled persons and persons with reduced mobility, the airport operator 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 airport operator, 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.

(b) The points of arrival and departure referred above, shall be clearly signed and shall offer basic information about the airport, in accessible formats.

PROPOSED REGULATION

OF JCAR

JCAR- PART 211

Passenger with Reduced Mobility (PRM)

211.11 Transmission of information.

(a) Air carriers, their agents and tour operators shall take all measures necessary for the receipt, at all their points of sale, including sale by telephone and via the Internet, of notifications of the need for assistance made by disabled persons or persons with reduced mobility.

(b) 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 to the managing bodies of the airports of departure, arrival and transit, and 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.

(c) In all cases other than those mentioned under section 211.11.b, the air carrier or its agent or tour operator shall transmit the information as soon as possible.

(d) After the departure of the flight, an operating air carrier shall inform the managing body of the airport of destination, of the number of disabled persons and persons with reduced mobility on that flight requiring assistance specified in Appendix A and of the nature of that assistance.

211.13 Right to assistance at airports.

(a) 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 Appendix A 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.

(b) Where use of a recognized assistance dog is required, this shall be accommodated provided that notification of the same is made to the air carrier or its agent or the tour operator in accordance with applicable national rules covering the carriage of assistance dogs on board aircraft, where such rules exist.

PROPOSED REGULATION

OF JCAR

JCAR- PART 211

Passenger with Reduced Mobility (PRM)

(c) If no notification is made, the managing body shall make all reasonable efforts to provide the assistance specified in Appendix A in such a way that the person concerned is able to take the flight for which he or she holds a reservation.

(d) The provisions of section 211.13 shall apply provided that:

(1) 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

(2) The person arrives at a point within the airport boundary designated:

(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.

(e) When a disabled person or person with reduced mobility transits through an airport to which this part 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 airport operator shall be responsible for ensuring the provision of the assistance specified in Appendix A in such a way that the person is able to take the flight for which he or she holds a reservation.

(f) On the arrival by air of a disabled person or person with reduced mobility at an airport to which this Part applies, the managing body of the airport shall be responsible for ensuring the provision of the assistance specified in Appendix A in such a way that the person is able to reach his or her point of departure from the airport as referred in section 211.9.

(g) The assistance provided shall, as far as possible, be appropriate to the particular needs of the individual passenger.

PROPOSED REGULATION

OF JCAR

JCAR- PART 211

Passenger with Reduced Mobility (PRM)

211.15 Responsibility for assistance at airports.

(a) The managing body of an airport shall be responsible for ensuring the provision of the assistance specified in Appendix A without additional charge to disabled persons and persons with reduced mobility.

(b) 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 section 211.17.a, the managing body may contract with one or more other parties for the supply of the assistance, 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.

(c) The managing body of an airport may, on a nondiscriminatory basis, levy a specific charge on airport users for the purpose of funding this assistance. This specific charge shall be reasonable, cost-related and transparent.

(d) 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 international common commercial practice.

(f) The managing body of an airport shall make available to CARC an audited annual overview of charges received and expenses made in respect of the assistance provided to disabled persons and persons with reduced mobility.

211.17 Quality standards for assistance.

(a) The managing body shall set quality standards for the assistance specified in Appendix A and determine resource requirements for meeting them, in cooperation with airport users and organizations representing disabled passengers and passengers with reduced mobility.

(b) In the setting of such standards, full account shall be taken of internationally recognized policies and codes of conduct concerning facilitation of the transport of disabled persons or persons with reduced mobility, notably the IATA Code of Good Conduct in Ground Handling for Persons with Reduced Mobility.

211.19 Assistance by air carriers

An air carrier shall provide the assistance specified in Appendix B without additional charge to a disabled person or person with reduced mobility departing from, arriving at or

PROPOSED REGULATION

OF JCAR

JCAR- PART 211

Passenger with Reduced Mobility (PRM)

transiting through an airport to which this Part applies provided that the person in question fulfils the conditions set out in section 211.13.a, b and d.

211.21 Training

Airport managing bodies and/ or air carriers as applicable 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 traveling public;

(c) Ensure that, upon recruitment, all new employees attend disability-related training and that personnel receive refresher training courses when appropriate.

(d) all training and refresher training records shall be kept at least for twenty four months and shall be accessible to CARC at any time.

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

(a) 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 as applicable.

211.25 Reserved.

211.27 Enforcement body.

(a) CARC is the enforcement body of this Part as regards flights departing from or arriving at airports situated in territory of Jordan. CARC 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 section 211.17 including as regards the provisions on charges with a view to avoiding unfair competition.

PROPOSED REGULATION

OF JCAR

JCAR- PART 211

Passenger with Reduced Mobility (PRM)

211.29 Complaint procedure.

(a) A disabled person or person with reduced mobility who considers that this Part 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.

(b) If the disabled person or person with reduced mobility cannot obtain satisfaction in such way, complaints may be made to CARC or to any other concerned entities, about an alleged infringement of this Part.

(c) CARC shall take measures to inform disabled persons and persons with reduced mobility of their rights under this Part.

211.31 Penalties.

The penalties shall be applicable to infringements of this Part and CARC shall take all the measures necessary to ensure that those rules are implemented. The penalties provided for must be effective, proportionate and dissuasive in accordance with Jordan Civil Aviation Law and its amendments.

Appendix- A

Assistance under the responsibility of the managing body of the airport

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 section 211.9,
- 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,

PROPOSED REGULATION

OF JCAR

JCAR- PART 211

Passenger with Reduced Mobility (PRM)

- Proceed from their seats to the aircraft door,
- Disembark from the aircraft, with the provision of lifts, wheelchairs or other assistance needed, as appropriate,
- Proceed from the aircraft to the baggage hall and retrieve baggage, with completion of immigration and customs procedures,
- Proceed from the baggage hall to a designated point,
- Reach connecting flights when in transit, with assistance on the air and land sides and within and between terminals as needed,
- Move to the toilet facilities if required.
Where a disabled person or person with reduced mobility is assisted by an accompanying person, this person must, if requested, be allowed to provide the necessary assistance in the airport and with embarking and disembarking.
- Ground handling of all necessary mobility equipment, including equipment such as electric wheelchairs subject to advance warning of 48 hours and to possible limitations of space on board the aircraft, and subject to the application of relevant legislation concerning dangerous goods.
- Temporary replacement of damaged or lost mobility equipment, albeit not necessarily on a like-for-like basis.
- Ground handling of recognized assistance dogs, when relevant.
- Communication of information needed to take flights in accessible formats.

PROPOSED REGULATION

OF JCAR

JCAR- PART 211

Passenger with Reduced Mobility (PRM)

Appendix -B
Assistance by air carriers

- Carriage of recognized assistance dogs in the cabin, subject to applicable 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 assembly 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.