



# Advisory Circular

**Subject: Bilingual Briefings at Window Emergency Exits**

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## 1.0 INTRODUCTION

This Advisory Circular (AC) is provided for information and guidance purposes. It may describe an example of an acceptable means, but not the only means of demonstrating compliance with regulations and standards. This AC on its own does not change, create, amend or permit deviations from regulatory requirements nor does it establish minimum standards.

### 1.1 Purpose

The purpose of this AC is to provide guidance on the provision of bilingual announcements to passengers seated at the window emergency exit as required by the *Official Languages Act* and the *Canadian Aviation Regulations*.

### 1.2 Applicability

This document is applicable to all Transport Canada Civil Aviation (TCCA) employees and to air operators operating under Subpart 705 of the *Canadian Aviation Regulations*.

### 1.3 Description of Changes

Not Applicable.

## 2.0 REFERENCES AND REQUIREMENTS

### 2.1 Reference Documents

It is intended that the following reference materials be used in conjunction with this document:

- (a) [Section 26 of the Official Languages Act](#) (OLA);
- (b) [Paragraph 705.40\(1\)\(d\)](#), *Passenger and Cabin Safety Procedures*, [Subsections 705.43\(2\)](#) and (5), *Briefing of Passengers*, and [705.44](#), *Safety Features Card* of the *Canadian Aviation Regulations*;
- (c) [Commercial and Business Aviation Advisory Circular \(CBAAC\) 0181R](#), dated 2006-06-09—*Passenger Seating Requirements*;
- (d) [Commercial and Business Aviation Advisory Circular \(CBAAC\) 0188](#), dated 2001-08-01—*Passenger Safety Briefings*;
- (e) A Safety Study of Evacuations of Large, Passenger-carrying Aircraft, 1995, Report Number SA9501, Transportation Safety Board of Canada

### 2.2 Definitions and Abbreviations

The following definitions and abbreviations are used in this document:

- (a) **AC** means Advisory Circular.
- (b) **CARs** means *Canadian Aviation Regulations*.
- (c) **CASS** means *Commercial Air Services Standards*.
- (d) **CBAAC** means Commercial and Business Aviation Advisory Circular.
- (e) **OLA** means *Official Languages Act*.

## 3.0 BACKGROUND

- (1) Section 26 of the *Official Languages Act* (OLA) provides that each federal institution that has regulatory powers over an industry involved in activities that relate to the health, safety or security of the public must establish, wherever it is reasonable to do so, appropriate regulations to ensure communication with the public is available in both official languages.

- (2) Transport Canada complies with Section 26 of the OLA by requiring Canadian air operators to conduct the standard safety briefing required by [Section 705.43](#) of the *Canadian Aviation Regulations* (CARs) in both official languages on board aircraft used in commercial air services authorized to carry 20 passengers or more.
- (3) In addition, [Section 705.44](#) of the CARs also requires that each person be provided with a safety features card that contains information as outlined in the *Commercial Air Service Standards* (CASS) and that such information be in pictographic form. Any words used must be in both official languages.
- (4) The objective of these regulations is to provide passengers with information at specific periods prior to and during the flight that is pertinent to responding to an in-flight emergency or surviving a crash.
- (5) Time is critical during an emergency, in addition to simply operating the exit; passengers seated at an emergency exit must understand the verbal commands of the crew during the evacuation process. These commands will vary depending on the nature and location of the accident, potential fire, or other danger outside or inside the aircraft. It is therefore critical that passengers at the emergency exits understand when to open specific exits and, perhaps more importantly, when not to open specific exits.
- (6) As flight attendants are often not stationed at window emergency exits, passengers are left to open over-wing exits during evacuations. Subsection 705.43(5) of the CARs requires an air operator to brief passengers seated next to window emergency exits by informing these passengers that the window is an emergency exit and how to operate the exit in case of an evacuation. Currently, this requirement does not specify a language for this individual safety briefing; as a result, the current wording of this briefing permits the use of any language that is mutually understood by both the flight attendant and the passenger, which includes English and/or French.
- (7) [Section 705.40\(1\)\(d\)](#) of the CARs requires air operators to ensure that seats located at emergency exits are not occupied by passengers whose presence in those seats could adversely affect the safety of passengers or crew members during an emergency evacuation. To comply with this, air operators often conduct this window emergency exit briefing orally so that the flight attendant can: (1) assess the passenger's understanding of their responsibilities in an emergency; and (2) verify that the seats in the exit row are not occupied by passengers whose presence in those seats could adversely affect the safety of passengers or crew members during an emergency evacuation. Advisory material is provided by Transport Canada under Commercial and Business Aviation Advisory Circular CBAAC 0181R, *Passenger Seating Requirements*, which outlines the abilities that a passenger should meet to be seated in an emergency exit row, to play an active role in an evacuation by following the verbal commands of the flight attendant(s), and to provide direction to the other passengers, if necessary.
- (8) Air operators establish their own procedures in their company manuals to comply with the aforementioned regulatory requirements and the guidance provided in CBAAC 0181R. Commonly, a passenger is relocated before a flight starts should the flight attendant feel that the individual briefing information has not been clearly understood by the passenger, or if the passenger is not comfortable with or capable of operating the emergency exit. In both cases, the relocation is due to non-compliance with the regulatory requirements of paragraph 705.40(1)(d), and not due to the language used by the person seated in the window emergency exit row.

#### **4.0 CURRENT STATUS**

- (1) Representatives of the Commissioner of Official Languages have requested that window emergency exit briefings be made available in the passenger's preferred language, either English or French, so that Transport Canada fully complies with the intent of Section 26 of the OLA.

- (2) As a result, a review was conducted to ensure all safety implications of requiring the window emergency exit briefing to be available in both official languages were thoroughly assessed.
- (3) The outcome of this review has resulted in a recommendation to amend the CARs to include a requirement for the window emergency exit briefing to be available in both official languages. As a regulatory amendment may take several years to promulgate through the regulatory process, the best method to address this issue in the short term is through guidance published in this AC.

## **5.0 ACTION**

- (1) In order that the safety briefing required by Section 705.43(5) of the CARs meets the intent of Section 26 of the OLA, air operators are recommended to make this briefing available to the travelling public in both of Canada's official languages. Although both should be available on board, the briefing may be conducted in only one official language, that is the language preferred by the passenger seated in the window emergency exit row. The safety briefing information may be provided verbally with or without the use of visual tools to promote understanding of the oral briefing; or by using an alternate medium, such as a written briefing card, a pictographic briefing card, or a hand-held electronic device, etc.
- (2) An air operator that chooses an alternate medium should conduct the following:
  - (a) Develop procedures on how this alternate medium will be applied within its operation to ensure passengers seated in the window emergency exits have received the necessary information. The safety features card, required by Section 705.44 of the CARs, is intended to supplement the oral briefing and should not replace it.
  - (b) Review its compliance with Section 705.40(1)(d) of the CARs. If an air operator was using the oral window exit briefing as a means to interact with passengers to verify that the seats were not occupied by passengers whose presence could adversely affect the safety of others during an emergency evacuation, then the air operator will need to find another means to determine this. Alternate procedures may include specific interaction with these passengers during the boarding process.

## **6.0 CONCLUSION**

- (1) In accordance with paragraph 705.43(5) of the CARs, air operators should make available to passengers seated at the window emergency exit the individual safety briefing in both of Canada's official languages.
- (2) In accordance with paragraph 705.40(1)(d) of the CARs, air operators must continue to relocate the passengers seated in window emergency exit rows when their presence could adversely affect the safety of passengers or crew members during an emergency evacuation because the flight attendant cannot communicate with the passenger or vice-versa.
- (3) A proposal will be made through the Canadian Aviation Regulation Advisory Council (CARAC) regulatory process to revise the current regulatory requirement under 705.43 to include the availability of both Canada's official languages when providing the individual safety briefing for passengers seated in the window emergency exit row.

## 7.0 CONTACT OFFICE

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Suggestions for amendment to this document are invited and should be submitted via the Transport Canada Civil Aviation Issues Reporting System (CAIRS) at the following Internet address:

[www.tc.gc.ca/CAIRS](http://www.tc.gc.ca/CAIRS)

or by e-mail at: [CAIRS\\_NCR@tc.gc.ca](mailto:CAIRS_NCR@tc.gc.ca)

***“Original signed by”***

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(for)***

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