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DRAFT
AIR TRANSPORTATION
REGULATIONS

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**DRAFT
AIR TRANSPORTATION
REGULATIONS**

Short title

1. These Regulations may be cited as the *Air Transportation Regulations*

Interpretation

2. In these Regulations and Part II of the Act,

«Act» means the Canada Transportation Act; (Loi)

«air carrier» means any person who operates a domestic service or an international service;
(transporteur aérien)

«air crew» means the flight crew and one or more persons who, under the authority of an air carrier, perform in-flight duties in the passenger cabin of an aircraft of the air carrier; (personnel d'aéronef)

«all-cargo aircraft» means an aircraft that is equipped for the carriage of goods only; (aéronef tout-cargo)

«All-cargo charter» or «ACC» means a one-way or round-trip charter that originates in Canada and is destined for a point in the territory of another country according to the conditions of a charter contract to carry goods, entered into between one or two air carriers and one or more charterers including freight forwarders; (vol affrété tout-cargo ou VAC)

«business office», with respect to an air carrier, includes any place in Canada where the air carrier keeps records respecting the operation of charter flights, including records respecting any advance payments received by the air carrier in connection with a PRC or series of PRCs, and where the air carrier receives goods for transportation or offers passenger tickets for sale.
(bureau)

«Canadian origin charterer» means a person who has entered into an arrangement with an air carrier to provide charter air transportation originating in Canada (affréteur canadien)

«certificated maximum carrying capacity» means

- (a) the maximum number of passengers specified in the Type Approval Data Sheet or the Type Certificate Data Sheet issued or accepted by the competent Canadian authority for the aircraft type and model, or
- (b) in respect of a particular aircraft that has been modified to allow a higher number of passengers, the maximum number of passengers specified in the Supplemental Type Approval or the Supplemental Type Certificate issued or accepted by the competent

Canadian authority; (capacité maximale certifiée)

«charterer» means a person who has entered into a contract with an air carrier in respect of the operation of an international charter (affréteur)

«courier service» means an enterprise engaged in the door-to-door transportation of consignments for overnight or earlier delivery; (service de messageries)

«door-to-door transportation» means the carriage of consignments between points of pick-up and points of delivery determined by the consignor, the consignee or both, including the surface transportation portion; (transport de porte-à-porte)

«fifth freedom» means the privilege, in respect of non-scheduled international air services, granted to an air carrier of one country to put down or to take on, in the territory of another country, traffic coming from or destined for a third country (cinquième liberté)

«flight crew» means one or more persons acting as pilot-in-command, second officer, co-pilot, flight navigator or flight engineer during flight time; (équipage)

«foreign-origin charterer» means a person who has entered into an arrangement with an air carrier to provide charter air transportation originating in a foreign country (affréteur à l'étranger)

«foreign-originating charter» means a charter that originates in a foreign country and that is operated according to the conditions of one or more charter contracts to carry passengers or goods or both. (vol affrété étranger ou VAE)

«freight forwarder» means a charterer that may consolidate goods shipments and that may obtain payment for goods carried at a price per unit; (transitaire)

«goods» means anything that can be transported by air, including animals; (marchandises)

«international charter» means a passenger resalable charter (PRC), a passenger non-resalable charter (PNC) and an all-cargo charter (ACC) (vol affrété international)

«large aircraft» means an aircraft equipped for the carriage of passengers and having a certificated maximum carrying capacity of more than 89 passengers; (gros aéronef)

«MCTOW» means the maximum certificated take-off weight for aircraft as shown in the aircraft flight manual referred to in the aircraft's Certificate of Airworthiness issued by the competent Canadian or foreign authority; (MMHD)

«medium aircraft» means an aircraft equipped for the carriage of passengers and having a certificated maximum carrying capacity of more than 39 but not more than 89 passengers; (aéronef moyen)

«mile» means a statute mile unless a nautical mile is specified; (mille)

«passenger» means a person, other than a member of the air crew, who uses an air carrier's service by boarding the air carrier's aircraft pursuant to a valid contract or arrangement; (passager)

«passenger non-resalable charter» or «PNC» means a one-way or round-trip charter that originates in Canada and is destined for a point in the territory of another country according to the conditions of a charter contract to carry passengers or passengers and goods, entered into between one or two air carriers and one or more charterers, under which the capacity of an aircraft is not resold to the public; (vol affrété de passagers non revendable ou VAPNOR)

«passenger resalable charter» or «PRC» means a one-way or round-trip charter that originates in Canada and is destined for a point in the territory of another country according to the conditions of one or more charter contracts to carry passengers, entered into between one or two air carriers and one or more charterers or a combination of Canadian and foreign origin charterers, under which the passenger seating capacity of an aircraft is chartered for resale to the public; (vol affrété de passagers revendable ou VAR)

«permit» means a document issued or deemed to be issued by the Agency authorizing an air carrier holding a non-scheduled international licence, valid for the proposed flight or series of flights, to operate a charter flight or series of charter flights; (permis)

«round-trip» means a trip whereby transportation is provided from and to the city where travel begins; (aller-retour)

«Secretary» means the Secretary of the Agency; (secrétaire)

«small aircraft» means an aircraft equipped for the carriage of passengers and having a certificated maximum carrying capacity of not more than 39 passengers; (petit aéronef)

«specialty service» means a service whereby work is performed by means of an aircraft and which does not involve the transportation of passengers or goods; (service spécialisé)

«territory» means the land areas under the sovereignty, jurisdiction or trusteeship of a state, as well as territorial waters adjacent thereto, and any reference to a state shall be construed, where applicable, as a reference to the territory of that state and any reference to a geographical area comprising several states shall be construed, where applicable, as a reference to the aggregate of the territories of the states constituting that geographical area; (territoire)

«third party liability» means legal liability of an air carrier, arising from the air carrier's operation, ownership or possession of an aircraft, for

(a) injury to or death of persons other than the air carrier's passengers, air crew or employees, and

(b) damage to property other than property in the air carrier's charge; (responsabilité civile)

«traffic» means passengers or goods that are transported by air; (trafic)

«working day», in respect of the filing of a document with the Agency, at its head office or a regional office, means a day on which offices of the Public Service of Canada are generally open in the province where that head office or regional office is situated. (jour ouvrable)

PART I GENERAL

Air services excluded from the application of Part II of the ACT

3. (1) In addition to the services set out in subsection 56(2) of the Act, Part II of the Act does not apply to the operation of:

- (a) specialty services;
- (b) transportation services for the retrieval of organs for human transplants;
- (c) aircraft demonstration services;
- (d) rocket launching;
- (e) sightseeing services; or
- (f) services operated by a government in Canada to satisfy the requirements of that government including air ambulance services.

(2) An operator of a service referred to in subsection (1) or in subsection 56(2) of the Act who carries on board an aircraft persons who are not part of the air crew but who are required for the conduct of the service is exempt from having to obtain a licence for the transportation of those persons.

(3) Nothing in this section relieves any air carrier from complying with the provisions of any safety or insurance regulations made under the Aeronautics Act.

Classification of Aircraft

4. The following classes of aircraft that may be operated by a Canadian air carrier under a domestic licence, under a scheduled international licence or under a non-scheduled international licence are hereby established:

- (a) small aircraft;
- (b) medium aircraft;
- (c) large aircraft; and
- (d) all-cargo aircraft.

Classification of Air Services

5. (1) The following classes of air services that may be operated under a domestic licence are hereby established:

- (a) domestic service, small aircraft;
- (b) domestic service, medium aircraft;
- (c) domestic service, large aircraft; and
- (d) domestic service, all-cargo aircraft.

(2) The following classes of air services that may be operated under a scheduled international licence are hereby established:

- (a) with respect to services operated by a Canadian air carrier:
 - (i) scheduled international service, small aircraft;
 - (ii) scheduled international service, medium aircraft;
 - (iii) scheduled international service, large aircraft; and
 - (iv) scheduled international service, all-cargo aircraft; and

(b) with respect to services operated by a non-Canadian air carrier, scheduled international service.

(3) The following classes of air services that may be operated under a non-scheduled international licence are hereby established:

- (a) with respect to services operated by a Canadian air carrier:
 - (i) non-scheduled international service, small aircraft;
 - (ii) non-scheduled international service, medium aircraft;
 - (iii) non-scheduled international service, large aircraft; and
 - (iv) non-scheduled international service, all-cargo aircraft; and

(b) with respect to services operated by a non-Canadian air carrier, non-scheduled international service.

Liability Insurance

6. In section 7 and Schedule I, “passenger” means any person, other than a member of the air crew of an aircraft, while in, on or embarking on or disembarking from an air carrier’s aircraft, which is being used to transport passengers pursuant to the air carrier’s licence.

7. (1) No air carrier shall operate a domestic service or an international service unless, for every accident or incident related to the operation of that service, it is a named insured or included as an additional insured on an aircraft accident liability insurance policy, which has been endorsed with the London market aircraft insurance endorsement AVN 57C (Canada) or an equivalent endorsement approved by the Agency and which provides the following insurance coverage:

(a) passenger bodily injury liability insurance covering risks of injury to or death of passengers in an amount that is not less than \$300,000 per passenger; and

(b) third party liability insurance covering risks of injury to or death of persons and property damage in an amount that is not less than:

(i) \$1,000,000, where the MCTOW of the aircraft engaged in the service is not greater than 3,402 kg (7,500 pounds);

(ii) \$2,000,000, where the MCTOW of the aircraft engaged in the service is greater than 3,402 kg (7,500 pounds) but not greater than 8,165 kg (18,000 pounds); and

(iii) where the MCTOW of the aircraft engaged in the service is greater than 8,165 kg (18,000 pounds), \$2,000,000 plus an amount determined by multiplying (a) \$330 by the number of kilograms by which the MCTOW of the aircraft exceeds 8,165 kg, or (b) \$150 by the number of pounds by which the MCTOW of the aircraft exceeds 18,000 pounds.

(2) No air carrier shall procure an aircraft accident liability insurance policy to comply with subsection (1) that contains an exclusion, condition, warranty, term, limitation, endorsement, waiver, or any other provision which may reduce insurance coverage for any accident or incident below the applicable minima determined pursuant to that subsection, unless it is a standard clause adopted by the international aviation insurance industry which limits the insurer's risks of liability pertaining to:

(a) war, hijacking and other perils;

(b) noise and pollution and other perils;

(c) nuclear risks;

(d) bodily injury to or sickness, disease or death of any employee arising out of and in the course of his employment; or

(e) injury to or destruction of property owned, rented, leased or loaned to or occupied or used by the insured air carrier.

(3) An air carrier may obtain an aircraft accident liability insurance policy to comply with subsection (1) that provides combined single limit liability coverage per occurrence where liability risks are covered by a single policy or a combination of primary and excess policies, provided the combined single limit is at least equal to the combined applicable insurance minima determined pursuant to paragraphs (1)(a) and (b).

8. (1) Every applicant for a licence or for an amendment to or renewal of a licence, and every licensee, shall file with the Agency, in respect of the service to be provided or being provided, as the case may be, a valid certificate of insurance in the form set out in Schedule I.

(2) A person referred to in subsection (1) shall ensure that the aircraft accident liability insurance policy which is identified in the certificate of insurance provides passenger and third party liability insurance coverage in accordance with section 7 for all aircraft types or models, which

are specified in its air operator certificate issued by the competent Canadian or foreign authority and which are used to operate air services pursuant to its licences.

Financial Requirements

8.1 (1) In this section, "applicant" means a Canadian who applies for:

(a) a non-scheduled international licence or scheduled international licence that authorizes the operation of an air service using medium aircraft, or for the reinstatement of such a licence that has been suspended for 60 days or longer; or

(b) a non-scheduled international licence or scheduled international licence that authorizes the operation of an air service using large aircraft, or for the reinstatement of such a licence that has been suspended for 60 days or longer; or

(c) a domestic licence that authorizes the operation of an air service using medium aircraft, or for the reinstatement of such a licence that has been suspended for 60 days or longer; or

(d) a domestic licence that authorizes the operation of an air service using large aircraft, or for the reinstatement of such a licence that has been suspended for 60 days or longer.

(2) Except as provided in subsection (3), an applicant shall:

(a) in respect of the air service specified in the application, provide the Agency with a current written statement of the start-up costs that the applicant has incurred in the preceding 12 months, with written estimates of start-up costs that the applicant expects to incur and with written estimates of operating and overhead costs for a 90-day period of operation of the air service, and establish that:

(i) in respect of the start-up costs, the statement is complete and accurate and the estimates are reasonable;

(ii) in respect of the operating and overhead costs, the estimates are reasonable and are based on utilization of the aircraft solely on the specified air service under conditions of optimum demand, which utilization shall be no less than that which is necessary for the air service to be profitable;

(iii) subject to subparagraph (b)(i), the applicant has acquired or can acquire funds in an amount at least equal to the total costs included in the statement and in the estimates;

(iv) the funds are not encumbered and are comprised of liquid assets that have been acquired or that can be acquired by way of a line of credit issued by a financial institution or by way of a similar financial instrument;

(v) the terms and conditions under which those funds have been acquired or can be acquired are such that the funds are available and will remain available to finance the air service;

(vi) subject to paragraph (b), where the applicant is a corporation, at least 50% of the funds required by subparagraph (iii) have been acquired by way of capital stock that has been issued and paid for and that cannot be redeemed for a period of at least one year after the date of the issuance or reinstatement of the licence; and

(vii) subject to paragraph (b), where the applicant is a proprietorship or partnership, at least 50% of the funds required by subparagraph (iii) have been acquired by way of the proprietor's or partners' capital that has been injected into the proprietorship or partnership and that cannot be withdrawn for a period of at least one year after the date of the issuance or reinstatement of the licence;

(b) where the applicant is or has been in operation,

(i) increase the amount of funds required by subparagraph (a)(iii) by the amount of any shareholders', proprietor's or partners' deficit that is disclosed in the applicant's current audited financial statements which are prepared in accordance with generally accepted accounting principles in Canada, and those additional funds shall be acquired by way of capital stock that has been issued and paid for in the case of a corporation, or by way of the proprietor's or partners' invested capital in the case of a proprietorship or partnership, which capital stock or invested capital is to be subject to the condition prescribed in subparagraph (a)(vi) or (vii); and

(ii) decrease the amount of the capital stock that is required by subparagraph (a)(vi) to be issued and paid for in the case of a corporation, or the amount of the proprietor's or partners' capital that is required by subparagraph (a)(vii) to be invested in the case of a proprietorship or partnership, by the amount of any shareholders', proprietor's or partners' equity that is disclosed in the applicant's current audited financial statements which are prepared in accordance with generally accepted accounting principles in Canada; and

(c) file with the Agency, on request, any information that the Agency requires to determine whether the applicant has complied with the requirements of paragraphs (a) and (b).

(3) The financial requirements referred to in subsection (2) do not apply to the following applicants:

(a) an applicant referred to in paragraph (1)(a) that, at the proposed time of the issuance or reinstatement of the licence, operates an air service using medium or large aircraft pursuant to

(i) a non-scheduled international licence or a scheduled international licence; or

(ii) a domestic licence in respect of which the applicant has, within 12 months before the

proposed time of issuance or reinstatement of the licence, complied with subsection (2);

(b) an applicant referred to in paragraph (1)(b) that, at the proposed time of the issuance or reinstatement of the licence, operates an air service using large aircraft pursuant to

(i) a non-scheduled international licence or a scheduled international licence; or

(ii) a domestic licence in respect of which the applicant has, within 12 months before the proposed time of issuance or reinstatement of the licence, complied with subsection (2);

(c) an applicant referred to in paragraph (1)(c) that, at the proposed time of the issuance or reinstatement of the licence, operates an air service

(i) using medium or large aircraft pursuant to a non-scheduled international licence or a scheduled international licence; or

(ii) using large aircraft pursuant to a domestic licence;

(d) an applicant referred to in paragraph (1)(d) that, at the proposed time of the issuance or reinstatement of the licence, operates an air service using large aircraft pursuant to a non-scheduled international licence or a scheduled international licence and;

(e) an applicant for the renewal of a licence referred to in subsection (1).

(4) Where the applicant has met the requirements of subsection (2) and the applicant has applied for a licence that has been issued or reinstated, the applicant shall not redeem the capital stock referred to in subparagraphs (a)(vi) and (b)(i) or withdraw the proprietor's or partners' capital referred to in subparagraphs (a)(vii) and (b)(i) for a period of at least one year beginning on the date of issuance or reinstatement of the licence.

Provision of aircraft with flight crew

8.2 (1) For the purposes of section 60 of the Act and subject to section 8.3, approval of the Agency is required before a person may provide all or part of an aircraft with flight crew to a licensee for the purpose of the licensee providing an air service pursuant to its licence and before the licensee may provide an air service using all or part of an aircraft, with flight crew, provided by another person.

(2) The person who provides an aircraft with flight crew to a licensee and the licensee shall apply to the Agency for the approval referred to in subsection (1) at least 45 days before the first planned flight.

(3) The application shall include the following:

(a) the name of the licensee;

(b) in respect of the proposed air service, a statement that the licensee holds the appropriate

licence authority, category of charter permit or authorization and Canadian aviation document;

(c) the name of the person providing the aircraft with flight crew;

(d) the aircraft type to be provided, its maximum seating and cargo capacity and, where the proposed air service is a charter service, a statement that the number of seats sold will not be greater than the number authorized in the charter program permit or authorization;

(e) the maximum number of seats and the cargo capacity to be provided by the person for use by the licensee, where the proposed service is a scheduled international air service involving the blocking of capacity;

(f) the points to be served;

(g) the period covered by the proposed air service;

(h) the frequency of the proposed air service;

(i) an explanation of why the use by the licensee of all or part of an aircraft with flight crew provided by another person is necessary;

(j) a copy of the signed and dated agreement or arrangement between the licensee and the person pursuant to which the person is to provide all or part of an aircraft with flight crew to the licensee;

(k) In respect of the proposed air service, a copy of the certificate(s) of insurance which evidences the liability insurance coverage referred to in subsection 8.2(4) and, where applicable, a copy of the written agreement referred to in subsection 8.2(7) when not already contained in the agreement or arrangement referred to in paragraph (j);

(l) where the person does not hold an Agency licence in respect of the proposed air service, a copy of the person's applicable Canadian aviation document.

(4) The licensee shall maintain aircraft accident liability insurance coverage for passenger and third party liabilities in respect of a service for which another person provides an aircraft with flight crew, in accordance with the requirements of section 7,

(a) by means of its own aircraft accident liability insurance policy, which is identified in a certificate filed with the Agency pursuant to subsection 8(1); and/or

(b) by being included as an additional insured on the aircraft accident liability insurance policy of the other person.

(5) Where the licensee maintains aircraft accident liability insurance coverage in accordance

with paragraph 4(a), the licensee shall file with the Agency a certificate of insurance or certificate of endorsement, which certifies that the insurer agrees to extend the passenger and third party liability insurance coverage provided under the licensee's policy to air services to be operated on behalf of the licensee by the person pursuant to the agreement or arrangement specified in paragraph 8.2(3)(j).

(6) Where the licensee maintains aircraft accident liability insurance coverage in accordance with paragraph 4(b), the licensee shall file with the Agency a certificate of insurance or certificate of endorsement, which certifies that the person maintains aircraft accident liability insurance coverage in accordance with section 7 and that the following provisions are endorsed to the person's policy:

(a) any liabilities incurred by the person, whether by reason of its own act or default or by reason of responsibilities assumed by the person pursuant to the agreement specified in subsection 7, are covered under the person's policy, subject to the policy limits of liability;

(b) the licensee and its directors, officers, employees, agents, successors and assigns are included as additional insured under the person's policy;

(c) the insurance coverage afforded under the person's policy shall operate in all respects as if a separate policy had been issued covering the person and the licensee, subject to the policy limits of liability;

(d) the insurance coverage afforded to the licensee as additional insured shall be primary and without right of contribution from any other insurance which may be available to the licensee;

(e) the insurance coverage afforded to the licensee as additional insured shall not be invalidated by any act or omission, including misrepresentation and non-disclosure, of any other person or party, which results in a breach of any term, condition or warranty of the person's policy, provided that the licensee has not caused, contributed to or knowingly condoned the said act or omission.

(7) Where the licensee is included as an additional insured on the policy of the person referred to in subsection (4), there must be a written agreement between the licensee and the person to the effect that, for all flights for which the person provides aircraft with flight crew, the person will hold the licensee harmless from, and indemnify the licensee for, all passenger and third party liabilities which arise as a result of passengers or cargo being transported under contract with the licensee, except to the extent that those liabilities arise from the gross negligence or wilful misconduct of the licensee or its directors, officers, employees, agents, successors and assigns.

(8) The licensee and the person who provides the aircraft with flight crew shall notify the Agency in writing forthwith if the liability insurance coverage referred to in subsection (4) and, where applicable, the written agreement referred to in subsection (7) have been cancelled or are intended to be cancelled or have been altered or are intended to be altered in any manner that

results in failure by the licensee or the person to maintain the coverage.

8.3 (1) The approval referred to in section 8.2 is not required if

- (a) the service to be provided is
 - (i) a domestic service, or
 - (ii) an air service between Canada and the United States, where the licensee and the person are either Canadian or citizens of the United States of America
- (b) both the licensee and the person;
 - (i) hold the appropriate licence authorities,
 - (ii) maintain the liability insurance coverage referred to in subsection 8.2(4) and, where applicable, comply with subsection 8.2(7), and
 - (iii) hold the applicable Canadian Aviation Document; and
- (c) the licensee, where applicable, holds the appropriate category of charter permit.

(2) The approval referred to in section 8.2 is not required if:

- (a) the service to be provided is an international service in respect of which a temporary and unforeseen circumstance has transpired that requires the use of all or part of an aircraft with flight crew provided by another person for a period of not more than two weeks; or
- (b) the service to be provided is a foreign-originating charter flight or series of foreign-originating charter flights involving the use of all or part of an aircraft with flight crew; and
- (c) the licensee
 - (i) holds the appropriate licence authority and, where applicable, category of charter permit,
 - (ii) has notified the Agency in accordance with subsection (3) below, and
 - (iii) has received an acknowledgment of the notification.

(3) The notification referred to in subparagraph (2) (c)(ii) shall be given before the proposed flight or flights and shall contain the following:

- (a) a description of the temporary and unforeseen circumstance and an explanation of why the licensee requires the use of all or part of an aircraft with flight crew provided by another person;
- (b) the name of the person providing the aircraft with flight crew;
- (c) where the person providing the aircraft with flight crew holds an Agency licence, a statement that:
 - (i) the liability insurance coverage referred to in subsection 8.2(4) is in effect and, where applicable, the written agreement referred to in subsection 8.2(7) exists;

(ii) the liability insurance coverage is available for inspection by the Agency on request;
and
(iii) the person providing the aircraft with flight crew holds the appropriate Canadian Aviation Document; or

(d) where the person providing the aircraft with flight crew does not hold an Agency licence:
(i) evidence that the liability insurance coverage referred to in subsection 8.2(4) and, where applicable, subsection 8.2(7) is in effect; and,
(ii) a copy of that person's appropriate Canadian aviation document.

(e) the aircraft type to be provided, its maximum seating and cargo capacity and, where the proposed air service is a charter service, a statement that the number of seats sold will not be greater than the number authorized in the charter program permit or authorization;

(f) the points to be served;

(g) the date of each flight; and

(h) where applicable, the charter program permit or charter authorization number.

(4) Notwithstanding subsections 8.3(1) and (2), the Agency may determine that the approval referred to in subsection 8.2(1) is required.

(5) Where the Agency has made a determination under subsection (4), the Agency shall require, by notice in writing, that the licensee and the person obtain such an approval prior to the person providing all or part of an aircraft with flight crew to the licensee for the purpose of providing an air service or air services.

8.4 Where the Agency has granted an approval, or no approval is required pursuant to section 8.3, the licensee is not required to

(a) notwithstanding paragraph 17(a), furnish the services, equipment and facilities that are necessary for the purposes of the provision of the air service; or

(b) comply with section 10.

8.5 (1) Except as provided for in subsection (2), a licensee who has entered into an arrangement with another person to provide an air service using all or part of an aircraft with flight crew provided by that other person, shall so notify the public by disclosing the corporate name of that person and any other name under which the air service is held out to the public and the aircraft type to be used on each flight segment to be operated by that person

(a) in all service schedules, timetables, computer reservation systems and other electronic displays and in any other public advertising that makes reference to the air service; and

- (b) to travellers
 - (i) before reservation,
 - (ii) in all itineraries, and
 - (iii) in a separate written notice, which shall be provided to the traveller no later than on check-in at the airport.

(2) Where a temporary and unforeseen circumstance has transpired within 72 hours of the planned departure time of a flight or the first flight of a series of flights that has forced the use of all or part of an aircraft with flight crew provided by another person, a licensee is not required to comply with the requirements of paragraph (1)(a) and subparagraphs (1)(b)(i) and (1)(b)(ii).

Deemed licence authority

8.6(1) A licence authorizing the operation of an air service using large aircraft shall be deemed to authorize the operation of an air service using small or medium aircraft, as applicable, where the licensee holding that licence proposes to operate an air service under that licence using small or medium aircraft with flight crew provided by another person pursuant to section 8.2 or 8.3.

(2) A licence authorizing the operation of an air service using medium aircraft shall be deemed to authorize the operation of an air service using small aircraft where the licensee holding that licence proposes to operate an air service under that licence using small aircraft with flight crew provided by another person pursuant to section 8.2 or 8.3.

PART II

DOMESTIC AND INTERNATIONAL LICENSING

Operating Names

9. No licensee shall operate an air service or represent itself as operating an air service under a name, including a corporate or trade name, other than that specified in its licence.

Aircraft Livery

10. Every licensee shall display a name specified in its licence on the fuselage of each aircraft operated by it.

11. Section 10 is not intended to restrict advertising on aircraft.

Domestic Licensing

12. An applicant for a domestic licence, or for an amendment to or a renewal of such a licence, shall submit to the Agency documentary evidence to establish that the applicant

- (a) is a Canadian or is exempt from that requirement under section 62 of the Act;
- (b) holds a Canadian aviation document that is valid in respect of the air service to be provided under the licence;
- (c) has the liability insurance coverage required by section 7 in respect of the air service to be provided under the licence and has complied with section 8; and
- (d) where the applicant is required to meet the financial requirements set out in section 8.1, meets those requirements.

13. Every holder of a domestic licence shall, within 30 days after each anniversary date of the licence, file with the Agency a declaration in the form set out in Schedule II.

Reduction or Discontinuance of Domestic Services

14 (1) For the purposes of section 64(1) of the Act, a licensee proposing to discontinue or to reduce the frequency of a domestic service to a point to less than one flight per week, where, as a result of the proposed discontinuance or reduction, there will be only one licensee or no licensee offering at least one flight per week to that point, shall give notice of the proposal

- (a) to the Agency, to the Minister and to the minister responsible for transportation in the province or territory where the area to be affected is located, by sending them a notice in the form set out in Schedule III; and
- (b) to holders of domestic licences operating in the area to be affected by the proposal and to persons resident therein, by publishing notice in the form set out in Schedule III in newspapers with the largest circulation in that area in each official language, the names of which newspapers shall be obtainable from the Agency on request by the licensee.

(2) For the purposes of subsection 64(1.1) of the Act, a licensee proposing to discontinue a year-round non-stop scheduled air service between two points in Canada, where the proposed discontinuance would result in a reduction, as compared to the week before the proposal is to take effect, of at least 50% of the weekly passenger-carrying capacity of all licensees operating year-round non-stop scheduled air services between those two points, shall give notice of the proposal to the persons, and in the manner, referred to in paragraphs (1) (a) and (b) .

(3) The date of the notice referred to in paragraph (1)(b) shall be the same as the date on which the notice appears in the newspaper.

International Licensing

15 (1) An applicant for a scheduled international licence, or for an amendment to or a renewal of such a licence, shall submit to the Agency documentary evidence to establish that the applicant

- (a) is eligible, under section 69 of the Act, to hold a scheduled international licence;
- (b) holds a Canadian aviation document that is valid in respect of the air service to be provided under the licence;
- (c) has the liability insurance coverage required by section 7 in respect of the air service to be provided under the licence and has complied with section 8; and
- (d) where the applicant is required to meet the financial requirements set out in section 8.1, meets those requirements.

(2) An applicant for a non-scheduled international licence, or for an amendment to or a renewal of such a licence, shall submit to the Agency documentary evidence that:

- (a) meets the requirements of paragraphs (1)(b) to (d); and
- (b) establishes that
 - (i) the applicant is a Canadian, or
 - (ii) where the applicant is a non-Canadian, the applicant holds a document issued by the government of the applicant's state or an agent thereof, in respect of the air service to be provided, that is equivalent to the non-scheduled international licence for which the application is being made.

(3) Every holder of a scheduled international or a non-scheduled international licence shall, within 30 days after each anniversary date of the licence, file with the Agency a declaration in the form set out in Schedule II.

International Service Exclusion

16. A non-Canadian air carrier is exempt from the requirement set out in paragraph 57(a) of the Act where the carrier disembarks passengers or goods in Canada as a result of circumstances beyond the carrier's control.

International Licence Conditions

17. Every scheduled international licence and non-scheduled international licence is subject to the following conditions:

- (a) the licensee shall, on reasonable request therefor, provide transportation in accordance with the terms and conditions of the licence and shall furnish such services, equipment and facilities as are necessary for the purposes of that transportation; and
- (b) the licensee shall not make publicly any statement that is false or misleading with respect to the licensee's air service or any service incidental thereto.

18. Subject to sections 102 and 103, every scheduled international licence shall be subject to the condition that the licensee shall operate every flight in accordance with its service schedule.

19. Every non-scheduled international licence is subject to the following conditions:

(a) the licensee, in respect of the operation of a passenger non-resalable charter, shall not charter an aircraft to a person who obtains payment for passengers carried at a price per unit; and

(b) the licensee shall permit the Agency to inspect the records maintained by the licensee in respect of any advance payments received by the licensee in connection with a PRC.

PART III

International Charters

Division I

General

20. For purposes of this Part, large aircraft means an aircraft with a maximum certificated take-off weight greater than 35,000 pounds (15,900 kg).

20.1 Where the Agency has entered into an agreement with Statistics Canada for the sharing of information collected under the Statistics Act and a carrier submits information as required under Sections 39, 44 and 54 of this Part to Statistics Canada, the information is considered to be submitted to the Agency.

Licence and Permit Requirements

21. No person shall operate an international charter flight or series of charter flights unless

(1) the person holds a licence to operate a non-scheduled international service that is valid for charters between Canada and the applicable foreign country;

(2) where required pursuant to these Regulations, the person holds the applicable category of permit as referred to in section 22; and

(3) the operation of the charter flight or series of charter flights

(a) is in accordance with:

(i) the Act and these Regulations,

(ii) any terms and conditions of the licence pursuant to which the charter flight or series of charter flights is operated,

(iii) where applicable, any terms and conditions of the charter program permit,

- (iv) where applicable, the terms and conditions of a charter contract, and
 - (v) any applicable international agreement, convention or arrangement respecting civil aviation to which Canada is a party;
- (b) is consistent with Canada's national and international transportation policies and Canada's other policies that affect, directly or indirectly, air transportation; and
- (c) on balance, best serve the needs of travellers, shippers and air carriers.

Categories of Permits

22. The following are the categories of permits pursuant to which an international charter flight or series of charter flights may be operated:

- (a) in respect of Passenger Resalable Charters:
 - (i) a program permit for a PRC flight or series of PRC flights issued pursuant to section 35;
 - (ii) a small carrier program permit that is deemed to have been issued pursuant to section 37; or
 - (iii) a charter authorization issued pursuant to section 38.
- (b) in respect of Passenger Non-resalable Charters:
 - (i) an acknowledgement of receipt that is referred to in paragraph 43(b);
 - (ii) an approval granted pursuant to section 48;
 - (iii) a small carrier program permit that is deemed to have been issued pursuant to section 50.
- (c) in respect of All-cargo Charters:
 - (i) an acknowledgement of receipt that is referred to in paragraph 53(b);
 - (ii) an approval granted pursuant to section 58;
 - (iii) a small carrier program permit that is deemed to have been issued pursuant to section 60.

Powers of the Agency

23.(1) Where the Agency determines that the operation of an international charter flight or series of charter flights is contrary to subsection 21(3), the Agency may

- (a) deny an application for, or cancel any category of permit, referred to in section 22, in whole or in part;
- (b) before issuing or cancelling any category of permit, require an air carrier to take measures to ensure that the operation of the charter flight or series of charter flights will comply with the conditions ; or

(c) require an air carrier to comply with any requirement that the Agency imposes to ensure compliance with these Regulations.

(2) The Agency may require, by notice in writing, an air carrier to obtain the approval of the Agency prior to the operation of any international charter flight or series of flights where the provisions of this Part do not otherwise require the air carrier to obtain prior approval.

24. Where the Agency determines that the country of the air carrier's nationality does not grant reciprocity to Canadian air carriers, the Agency may

(a) deny an application for, or cancel any category of permit, referred to in section 22, in whole or in part;

(b) specify any terms or conditions for the operation of an international charter flight or series of charter flights ; or

(c) require, by notice in writing, an air carrier to obtain the approval of the Agency prior to the operation of any international charter flight or series of flights where the provisions of this Part do not otherwise require the air carrier to obtain prior approval.

25. An air carrier shall, on the request of the Agency, submit forthwith any evidence that the Agency requires to verify that the requirements of this Part have been complied with.

Sale and advertisement of charter transportation

26.(1) No air carrier shall

(a) in respect of an international charter flight or series of flights, sell any seat or any part of the space dedicated to passengers on the charter flight or series of charter flights directly to the public.

(b) pay commission to a person for selling transportation on a PRC flight or series of PRC flights directly to the public .

(2) Notwithstanding subsection 1, the air carrier may participate with the charterer in the advertisement of a PRC flight or series of PRC flights.

Air carrier's own traffic

27. An air carrier may, on a non-revenue basis, utilize unused space for the carriage of the air carrier's own goods and personnel and the goods and personnel of another air carrier on an international charter flight or series of charter flights if the air carrier has the prior concurrence of the charterer.

Records

28. An air carrier shall retain and, immediately on the request of the Agency, provide the Agency with its records respecting the operation of an international charter flight or series of international charter flights, including records respecting any advance payments received, passenger manifests and flight coupons or information equivalent to that found in flight coupons.

Division II

PASSENGER RESALABLE CHARTERS

Carriage of goods

29. Where a part of the bellyhold of an aircraft is not required for use pursuant to a contract for a PRC flight or series of PRC flights, an air carrier may charter that part of the bellyhold for the carriage of goods if the goods are carried;

(a) pursuant to another charter contract that is in respect of only that part of the bellyhold of the aircraft; and

(b) between the points served for the purpose of embarking or disembarking passengers.

Operation by two Air Carriers

30. Where a PRC flight or series of PRC flights is to be operated by two air carriers, both air carriers shall notify the Agency before the date of the PRC flight or series of PRC flights of the arrangements of their joint operation.

Co-mingling Provision

31. No air carrier shall operate a PRC flight or a series of PRC flights unless the entire passenger seating capacity of the aircraft is chartered by one or more charterers or a combination of charterers and foreign-origin charterers for resale to the public pursuant to a charter contract.

32. Where there is an arrangement between an air carrier and a foreign-origin charterer to combine a foreign-origin charter with a PRC flight, the terms and conditions applicable to the foreign-origin charter shall be governed by the provisions of Part IV.

Flexible Return

33. A passenger transported on an outbound portion of a PRC flight under one charter contract may be returned to the passenger's point of origin on the same charter contract or on any other charter

contract.

Program Permits

34. (1) Except as provided for in section 38, an air carrier that proposes to operate a PRC flight or series of PRC flights with large aircraft shall apply in writing to the Agency for a program permit to operate the PRC flight or series of PRC flights as soon as the charter contract is signed or amended by the air carrier and the charterer, or as soon as possible thereafter.

(2) An application under subsection (1) shall be made not less than 15 days and not more than one year before the date of the PRC flight or, in the case of a series of PRC flights, the date of the first of those charter flights, and shall include

(a) a copy of every signed and dated charter contract and all amendments thereto relating to the PRC flight or series of PRC flights;

(b) a financial guarantee respecting the PRC flight or series of PRC flights that complies with subparagraph (3) and that is issued by a Canadian financial institution in a form provided by the Agency;

(c) a signed and witnessed statement by each charterer, in a form provided by the Agency, that certifies that the charterer is in possession of :

- (i) where the financial guarantee is a letter of credit, the original of the letter of credit and of all the amendments thereto respecting the PRC flight or series of PRC flights; or
- (ii) in any other case, a copy of the financial guarantee and of all amendments thereto respecting the PRC flight or series of PRC flights.

(3) Every financial guarantee shall specify:

(a) that any amount to which a charterer is entitled, under the charter contract, for a PRC flight that is not performed, be fully and promptly refunded by the Canadian financial institution that issued the financial guarantee;

(b) that any amount refunded in accordance with paragraph (a) be deposited in a trust account in the name and for the benefit of the charterer;

(c) that any money withdrawn from the trust account be used only for the payment of replacement air transportation or refunds to the proposed users of the PRC flight, either directly or through the appropriate travel agent or provincial authority;

(d) that the financial guarantee may not be terminated or amended, without at least 45 days notice being given to the Agency by one of the parties to the financial guarantee; and

(e) the name of the province under the laws of which the financial guarantee is to be

governed and construed.

(4) The financial guarantee shall fully protect any advance payment in respect of the PRC flight or series of PRC flights from the time the advance payment is received by the air carrier.

(5) Notwithstanding paragraph (3)(d), a financial guarantee may be terminated or amended on less than 45 days notice if

(a) the air carrier files an agreement signed by the parties to the financial guarantee, in a form provided by the Agency, that terminates or amends the financial guarantee on less than 45 days notice; and

(b) the termination or amendment does not result in advance payments received by the air carrier no longer being fully protected.

(6) An air carrier shall include in every contract in respect of a PRC flight or series of PRC flights, the following information:

(a) the aircraft type and passenger seating capacity for each charter flight;

(b) the maximum number of seats allocated for passengers originating in Canada on each charter flight;

(c) every airport of enplanement or point of departure and every airport of deplanement or point of destination of each charter flight;

(d) the dates and times of arrival and departure at every point of each charter flight;

(e) the routing of each charter flight, including technical stops, if any;

(f) the name of each charterer and, where the PRC flight or series of PRC flights is to be operated with large aircraft, the valid and subsisting licence or registration number with expiry date of every charterer under any law of a province that requires travel agents or wholesalers to be licensed or registered;

(g) the total charter price to be paid by each charterer to the air carrier;

(h) the dates on which the payments of the total charter price referred to in paragraph (g) are to be made, on the page of the charter contract that bears the signatures of both the air carrier and the charterer; and

(i) where the PRC flight or series of PRC flights is to be operated with large aircraft, on the page of the charter contract that bears the signatures of both the air carrier and the charterer, that no advance payments will be received by the air carrier prior to the charterer having in its possession the original of a letter of credit and of any amendment thereto or, in the case

of any other financial guarantee, a copy of the financial guarantee and of any amendment thereto and signed documentation, in a form provided by the Agency, that establishes the advance payments received by the air carrier for each PRC flight or series of PRC flights are protected.

(7) Where the PRC flight or series of PRC flights is to be operated with large aircraft, the dates of payments specified in paragraph (6)(h) shall be at least seven days before the date of each charter and shall be in accordance with the air carrier's tariff in effect on the date that the charter contract is signed.

35. The Agency shall issue a program permit to an air carrier to operate a PRC flight or series of PRC flights with large aircraft where the air carrier has met the requirements set out in section 34 and subsection 21(3).

36. (1) Subject to section 38, no air carrier shall operate a PRC flight or series of PRC flights with large aircraft unless the air carrier

(a) obtains a program permit;

(b) subject to subsection (2), notifies the Agency in writing of any amendment to the charter contract after issuance of the program permit by submitting to the Agency a copy of the amended contract at least three working days before the amendment takes effect and obtains an amended program permit from the Agency;

(c) at least 30 days before the cancellation or termination of the financial guarantee, files with the Agency a copy of a new or renewed financial guarantee;

(d) files forthwith with the Agency every amendment to the financial guarantee; and

(e) notifies the Agency in writing of the cancellation of any charter flight set out in the charter contract and specifies the number of the program permit issued.

(2) An air carrier is not required to obtain an amended program permit where

(a) the air carrier notifies the Agency of the amendment to the charter contract prior to the departure of the charter flight and the amendment:

(i) relates to the aircraft type used and results in a decrease in or in no change to the Canadian originating passenger seating capacity or

(ii) relates to the date of the charter flight, if it will be operated not more than three days before or after the date originally approved; or

(b) the amendment to the charter contract relates to an increase in the Canadian originating passenger seating capacity due to a change in the aircraft type used or otherwise and the air carrier submits to the Agency a copy of the amended charter contract at least three working days before the amendment takes effect.

Small Aircraft

37. An air carrier that proposes to operate a PRC flight or series of PRC flights, other than a fifth freedom charter, with aircraft having an MCTOW of 35,000 pounds (15,900 kg) or less is deemed to have been issued a small carrier charter permit by the Agency for that purpose if the air carrier meets all applicable requirements of the Act and these Regulations other than those that are solely in respect of an air carrier that proposes to operate a PRC flight or series of PRC flights with large aircraft.

Charter Authorizations

38. (1) On the request of an air carrier, the Agency shall issue to the air carrier a charter authorization that is valid for a period of up to one year, for the operation of a PRC flight or series of PRC flights with large aircraft without the requirement to obtain a program permit if the air carrier

(a) holds a financial guarantee that meets the requirements of subsections 34(3) and (4) and files a copy thereof with the Agency;

(b) files with the Agency a signed and witnessed statement by each charterer, in a form provided by the Agency, that certifies that the charterer is in possession of :

(i) where the financial guarantee is a letter of credit, the original of the letter of credit and of all amendments thereto respecting the PRC flight or series of PRC flights; or

(ii) in any other case, a copy of both the financial guarantee and all amendments thereto respecting the PRC flight or series of PRC flights; and

(c) files with the Agency proof that a system has been instituted in Canada to enable the air carrier, during the period of validity of the charter authorization, to ensure that:

(i) the level of protection specified in the financial guarantee is such that all advance payments are fully protected at all times;

(ii) all provisions of the financial guarantee are fully complied with;

(d) meets all other applicable requirements of these Regulations

(2) The system referred to in paragraph (1)(c) shall not be modified in any way during the period of validity of the charter authorization without the prior written approval of the Agency, which approval shall be given if the criteria specified in that paragraph continue to be met.

(3) During the period of validity of the charter authorization

(a) the air carrier shall include in every charter contract, which is in force during that period, the provisions required by subsections 34(6) and (7);

(b) the air carrier shall, in respect of a charter contract referred to in paragraph (a), specify on the page of the charter contract that bears the signature of the air carrier and the charterer that

a charter authorization has been issued by the Agency and the period of the validity thereof;

(c) the air carrier shall provide each charterer with:

(i) where the financial guarantee is a letter of credit, the original of both the letter of credit and all amendments thereto respecting the PRC flight or series of PRC flights, or

(ii) in any other case, a copy of the financial guarantee and of all amendments thereto respecting the PRC flight or series of PRC flights in addition to signed documentation, in a form provided by the Agency, that establishes the advance payments received by the air carrier for each charter or series of charters are protected;

(d) the provisions of subsection 34(7) and paragraphs 36(1)(c) and (d) shall apply;

(e) the air carrier shall file with the Agency a copy of all financial guarantees, other than the financial guarantees referred to in paragraph (1)(a), subsection 34(7) and paragraphs 36(1)(c) and (d), prior to any advance payments being received from the charterer; and

(f) the air carrier shall, on filing with the Agency a copy of a financial guarantee pursuant to paragraph (e), subsection 34(7) and paragraphs 36(1)(c) and (d), file evidence with the Agency that:

(i) the charterer has been provided with the financial guarantee in accordance with paragraph (c), and

(ii) the level of protection specified in the financial guarantee is such that all advance payments are fully protected at all times.

Post Facto Reporting

39. The air carrier shall submit to the Agency, on request, a report respecting a PRC flight or series of PRC flights that were operated with large aircraft pursuant to a charter authorization that sets out

(a) the aircraft type and number of available seats for each charter flight;

(b) every airport of enplanement or point of departure and every airport of deplanement or point of destination of each charter flight;

(c) the dates of departure and arrival of each charter flight; and

(d) for each charter, the number of Canadian-originating passengers and the number of foreign-originating passengers.

40. The air carrier shall file with the Agency, on request, such additional information as the Agency requires to determine whether the air carrier has complied with section 38.

41. Where the Agency determines that the air carrier has not complied or no longer complies with section 38 or a request made under section 39 or 40, the Agency may

(a) in addition to cancelling the charter authorization, require that the air carrier obtain a program permit for each PRC flight or series of PRC flights in accordance with section 34; and

(b) where it determines that any of the requirements set out in section 21 would otherwise be contravened, refuse to issue to the air carrier any other charter authorization requested pursuant to this Division for a period not exceeding 12 months after the date of the cancellation.

Division III

PASSENGER NON-RESALABLE CHARTERS

Operational Restrictions

42. No air carrier shall operate a PNC flight or series of PNC flights, unless

(a) the cost of transportation of passengers is paid by not more than three charterers without any contribution, direct or indirect, from any other person;

(b) no charge or other financial obligation is imposed on any passenger as a condition of transportation or otherwise in connection with the transportation; and

(c) the entire passenger seating capacity of the aircraft is chartered by not more than three charterers.

Notification Requirements

43. Subject to section 45, no air carrier shall operate a PNC flight or series of PNC flights to a foreign country (other than the United States of America) using large aircraft unless

(a) prior to the planned date and time of the proposed PNC flight or series of PNC flights the air carrier has notified the Agency of the following:

(i) the aircraft type and number of available seats for each charter flight;

(ii) every airport of enplanement or point of departure and every airport of deplanement or point of destination of each charter flight;

(iii) the dates of departure and arrival of each charter flight;

(iv) the number of passengers or the number of passengers and the nature of cargo transported, as applicable, on each charter flight; and;

(v) the name of each charterer;

(b) an acknowledgement of receipt of the notification has been communicated to the air carrier.

Post Facto Reporting

44. Subject to section 45, no air carrier shall operate a PNC flight or series of PNC flights to the United States of America using large aircraft unless the air carrier submits to the Agency within 30 days after the end of each month, a report which sets out, for each PNC flight or series of PNC flights operated during the previous month, the following:

- (a) the aircraft type and number of available seats;
- (b) every airport of enplanement or point of departure and every airport of deplanement or point of destination;
- (c) the dates of departure and arrival; and
- (d) the number of passengers or the number of passengers and the nature of cargo transported, as applicable.

Requirement for Approval

45. Every air carrier who proposes to operate a PNC flight or series of PNC flights on a fifth freedom basis, regardless of aircraft size, shall apply in writing to the Agency, in accordance with section 47, for an approval to operate the PNC flight or series of PNC flights as soon as the charter contract is signed but not later than 7 days before the date of the charter flight or, in the case of a series of charters, the date of the first of those charter flights.

46. The Agency, by notice in writing, may require an air carrier who proposes to operate a PNC flight or series of PNC flights to obtain prior approval of the Agency, for a specific period, where the Agency determines that:

- (a) an air carrier has contravened the provisions of section 42, 43, or 44; or
- (b) it is necessary in order for the air carrier to meet the conditions set out in section 22.

47. An application for an approval referred to in section 45 or 46 shall be filed with the Agency as soon as the charter contract is signed but no later than seven days before the date of the charter flight or, in the case of a series of charters, the date of the first of those charter flights and shall contain the following information:

- (a) a copy of the contract which includes :
 - (i) the aircraft type and number of available seats for each charter flight;
 - (ii) every airport of enplanement or point of departure and every airport of deplanement or point of destination of each charter flight;
 - (iii) the dates of departure and arrival of each charter flight; and
 - (iv) the name of each charterer;
- (b) an explanation of why an approval should be granted in respect of the operation proposed

under section 45.

Agency Approval

48. The Agency may approve a PNC flight or series of PNC flights referred to in section 45 or 46 where the Agency determines that such an approval is not contrary to any of the conditions set out in section 22.

49. No air carrier shall operate a PNC flight or series of PNC flights unless an approval of the Agency has been granted pursuant to section 48.

Small Aircraft

50. An air carrier that proposes to operate a PNC flight or series of PNC flights, other than a fifth freedom charter, with aircraft having an MCTOW of 35,000 pounds (15,900 kg) or less is deemed to have been issued a small carrier charter permit by the Agency for that purpose if the air carrier meets all applicable requirements of the Act and these regulations other than those that are solely in respect of an air carrier that proposes to operate a PNC flight or series of PNC flights using large aircraft.

Division IV

ALL-CARGO CHARTERS

Operational Restrictions

51. No air carrier shall operate an ACC flight or a series of ACC flights, unless the entire capacity of the aircraft is chartered by one or more charterers.

52. No air carrier, other than a Canadian charter licensee, shall serve more than one point in the territory of Canada on a single flight when operating an ACC flight or series of ACC flights for a courier service using large aircraft.

Notification Requirements

53. Subject to section 55, no air carrier shall operate an ACC flight or series of ACC flights from Canada to a foreign country (other than the United States of America) using large aircraft unless

- (a) prior to the planned date and time of the proposed ACC flight or series of ACC flights the air carrier has notified the Agency of the following:
 - (i) the aircraft type and payload capacity for each charter flight;
 - (ii) every airport of enplanement or point of departure and every airport of deplanement or point of destination of each charter flight, including each airport proposed to be used by the air carrier;

- (iii) the dates of departure and arrival of each charter flight;
- (iv) the nature of the cargo transported on each charter flight; and;
- (v) the name of each charterer;

(b) an acknowledgement of receipt of the notification has been communicated to the air carrier.

Post Facto Reporting

54. Subject to section 55, no air carrier shall operate an ACC flight or series of ACC flights from Canada to the United States of America using large aircraft unless the air carrier submits to the Agency within 30 days after the end of each month, a report which sets out, for each ACC flight or series of ACC flights operated during the previous month, the following:

- (a) the aircraft type and payload capacity of the aircraft, which capacity may be expressed in the number of tons or tonnes available for revenue goods;
- (b) every airport of enplanement or point of departure and every airport of deplanement or point of destination;
- (c) the dates of departure and arrival; and
- (d) the total weight of courier goods, being goods carried for door-to-door transport, where the charter flight only transports such goods; or
- (e) the total weight of the cargo transported, where the charter flight transports cargo that is not exclusively courier goods.

Requirement for Approval

55. Every air carrier who proposes to operate an ACC flight or series of ACC flights on a fifth freedom basis, regardless of aircraft size, shall apply in writing to the Agency, in accordance with section 57, for an approval to operate the ACC flight or series of ACC flights as soon as the charter contract is signed but not later than 7 days before the date of the charter flight or, in the case of a series of charters, the date of the first of those charter flights.

56. The Agency, by notice in writing, may require an air carrier who proposes to operate an ACC flight or series of ACC flights to obtain the prior approval of the Agency, for a specific period, where the Agency determines that:

- (a) an air carrier has contravened the provisions of section 51, 53, or 54; or
- (b) it is necessary in order for the air carrier to meet the conditions set out in section 22.

57. An application for an approval referred to in section 55 or 56 shall be filed with the Agency as

soon as the charter contract is signed but no later than seven days before the date of the charter flight or, in the case of a series of charters, the date of the first of those charter flights and shall contain the following information:

- (a) a copy of the charter contract which includes:
 - (i) the aircraft type and payload capacity for each charter flight;
 - (ii) every airport of enplanement or point of departure and every airport of deplanement or point of destination of each charter flight, including each airport proposed to be used by the air carrier;
 - (iii) the dates of departure of each charter flight;
 - (iv) the nature of the cargo transported on each charter flight; and
 - (v) the name, address and telephone and facsimile numbers of each charterer;

- (b) an explanation of why an approval should be granted in respect of the operation proposed under section 55.

Agency Approval

58. The Agency may approve an ACC flight or series of ACC flights referred to in section 55 or 56 where the Agency determines that such an approval is not contrary to any of the conditions set out in section 22.

59. No air carrier shall operate an ACC flight or series of ACC flights unless an approval of the Agency has been granted pursuant to section 58.

Small Aircraft

60. An air carrier that proposes to operate an ACC flight or series of ACC flights, other than a fifth freedom charter, with aircraft having an MCTOW of 35,000 pounds (15,900 kg) or less is deemed to have been issued a small carrier charter permit by the Agency for that purpose if the air carrier meets all applicable requirements of the Act and these regulations other than those that are solely in respect of an air carrier that proposes to operate an ACC flight or series of ACC flights using large aircraft.

PART IV

CHARTER FLIGHTS ORIGINATING IN A FOREIGN COUNTRY

61. A foreign-originating charter flight or series of foreign-originating charter flights that is destined for Canada shall be operated in accordance with the rules and regulations of the country of origin, and be subject to sections 21, 23, 24, 25 and 62 to 68.

Licence/Foreign authorization requirements

62. No air carrier shall operate a foreign-originating charter flight or series of foreign-originating charter flights unless

(a) the air carrier holds a non-scheduled international licence that is valid for the proposed flight or series of flights;

(b) the air carrier has received permission from the aeronautical authorities of the country of origin for the proposed flight or series of flights.

Notification requirements

63. (1) Where the foreign-originating charter flight or series of foreign-originating charter flights is to be operated with large aircraft, the air carrier notifies the Agency

(a) prior to the planned date and time of arrival in Canada of the flight or series of flights, in the case of a foreign-originating charter flight or series of foreign-originating charter flights proposed to be operated pursuant to the air carrier's non-scheduled international licence valid for that type of charter; or

(b) at least 7 days before the planned date of arrival in Canada of the flight or series of flights, in all other cases, including fifth freedom charter flights.

(2) The air carrier includes in the notice

(a) a statement that the air carrier has received the permission referred to in paragraph (b);

(b) the type of charter as specified under the rules and regulations of the country of origin;

(c) the name of the charterer;

(d) all points of origin and destination of the charter flight, including the Canadian airports proposed to be used;

(e) the planned dates and local times of arrival and departure; and

(f) the type of the aircraft proposed to be used, and

(i) its seating capacity;

(ii) the nature and quantity of the goods to be transported; or

(iii) where both passengers and goods are to be carried on the same aircraft, the information required by subparagraphs (i) and (ii); and

(3) No air carrier shall operate a foreign-originating charter flight or series of foreign-originating charter flights unless the notification referred to in subsection (1) has been acknowledged.

Requirement for approval

64. Where the Agency determines that the operation of a foreign-originating charter or a series of foreign-originating charters is contrary to any of the conditions and requirements set out in section 21 or 62, the Agency may require, by notice in writing, an air carrier to obtain the approval of the Agency prior to the operation of the charter flight or series of flights, where the Agency determines that to do so is necessary to ensure compliance with those conditions and requirements.

Agency Approval

65. The Agency may approve a foreign-originating charter flight or series of foreign-originating charter flights referred to in section 64 where the Agency determines that such an approval is not contrary to any of the conditions set out in section 21.

66. No air carrier shall operate a foreign-originating charter flight or series of foreign-originating charter flights unless an approval of the Agency has been granted pursuant to section 65.

Operational restrictions

67. No air carrier, other than a Canadian charter licensee, shall combine points in the territory of Canada on a single flight when operating a foreign-originating flight or series of foreign-originating flights for a courier service with large aircraft.

Carriage of goods on passenger charters

68. No air carrier operating an ongoing or a return portion of a foreign-originating passenger charter flight shall take goods on board at any point in Canada except in accordance with section 29.

Passenger Lists and Flight Coupons

69. An air carrier that operates a foreign-originating charter flight or series of foreign-originating charter flights shall

- (a) on the arrival of the flight in Canada, submit to the Agency, on request, a passenger list showing the last names and the initials of all passengers transported on the charter; and
- (b) permit the examination by the Agency or its authorized representative of the flight coupons surrendered by passengers or equivalent information contained in another format.

Provision of foreign rules and regulations

70. A non-Canadian air carrier holding a valid non-scheduled international licence shall, on the Agency's written direction, forthwith file with the Agency a copy of those rules and regulations of the country of origin that govern the authorization and operation of foreign-originating charters and shall provide the Agency with amendments to those rules and regulations on the promulgation or

publication thereof.

Provision of aircraft with flight crew

71. No person shall provide all or part of an aircraft with flight crew to a licensee and no licensee shall use all or part of an aircraft with flight crew provided by another person in respect of a foreign-originating charter flight or series of foreign-originating charter flights unless the requirements set out in paragraph 8.3 (2)(c), subsection 8.3 (3) and, if required, subsections 8.3(4) and 8.3(5) are satisfied.

PART V

Tariffs

72. In this Part.

«Price» means any fare, rate or charge including discounts, frequent flyer plans or other benefits affecting the cost of air transportation for the carriage of passengers and their baggage and/or cargo, excluding mail, or for the charter of aircraft, including the conditions governing the availability of such fare, rate or charge but excluding general terms and conditions of carriage which are broadly applicable to all air transportation and are not directly related to the fare, rate or charge.

«Joint tariff» means a tariff published by or on behalf of two or more air carriers.

«Joint price» means a single price for air transportation using the combined services of two or more carriers.

«International tariff» means a tariff applicable to air transportation between points in Canada and points in any other country.

Division I General

73. (1) Except as provided in section 67 of the Act and section 74 of this Part, before commencing an air service an air carrier, or an agent appointed by power of attorney to act on the air carrier's behalf, shall:

- (a) in respect of a domestic air service, establish a tariff(s) containing the information required by section 75; and
- (b) in respect of an international air service, file with the Agency a tariff(s) containing the information required by this Part.
- (c) in respect of a non-scheduled international service, for charter flights originating in

Canada, file with the Agency a tariff(s) containing the information required by this Part.

(2) Where tariffs in respect of international air transportation are not required to be filed with the Agency, the air carrier shall:

(a) establish and maintain a tariff applicable to its services, which tariff shall be subject to the remaining provisions of this Part; and

(b) provide to the Agency immediate information on or access to historical, existing or proposed tariffs on request.

Exceptions

74. (1) The holder of a licence that serves the transportation needs of the bona fide guests, employees and workers of a lodge operation, including the transportation of luggage, materials and supplies of those guests, employees or workers, is excluded, in respect of the service of those needs, from the requirements of section 67 of the Act in respect of domestic service and paragraph 73 (1)(b).

(2) The holder of a licence in respect of a non-scheduled international air service is excluded from the requirements of subsection 73(1)(b) in respect of prices for the charter of its aircraft.

(3) Where an air transport agreement between Canada and any other country excludes the filing of tariffs for international air transportation, an air carrier that operates a scheduled international air service in accordance with that agreement, is excluded from the requirements of paragraph 73 (1)(b) to the extent that tariff filing is excluded pursuant to that agreement.

Contents of Tariffs

75. Every air carrier shall establish a tariff(s) which shall include the following information:

(a) the name of the issuing air carrier and the name, title and full address of the officer or agent issuing the tariff;

(b) the tariff number, and the title that describes the tariff contents;

(c) the dates of issuance, coming into effect and, if it is to expire on a specific date, the date of expiry of the tariff;

(d) a description of the points or areas from and to which or between which the tariff applies;

(e) in the case of a joint tariff, a list of all participating air carriers;

(f) a table of contents showing the exact location where information under general headings

is to be found;

(g) where applicable, an index of all goods for which commodity prices are specified, with reference to each item or page of the tariff in which any of the goods are shown;

(h) an index of points from, to or between which prices apply, showing the province or territory in which the points are located;

(i) a list of the airports, aerodromes or other facilities used with respect to each point shown in the tariff;

(j) information respecting any prepayment requirements and restrictions and information respecting non-acceptance and non-delivery of goods;

(k) a full explanation of all abbreviations, notes, reference marks, symbols and technical terms used in the tariff and, where a reference mark or symbol is used on a page, an explanation of it on that page or a reference thereon to the page on which the explanation is given;

(l) the terms and conditions governing the tariff, generally, stated in such a way that it is clear as to how the terms and conditions apply to the prices named in the tariff;

(m) prices and terms and conditions applicable to free and reduced rate transportation, if offered by the air carrier;

(n) the general terms and conditions of carriage, clearly stating the air carrier's obligations in respect of at least the following matters, namely:

(i) the carriage of persons with disabilities;

(ii) acceptance of children;

(iii) compensation for denial of boarding as a result of overbooking;

(iv) passenger re-routing;

(v) failure to operate the service or failure to operate on schedule;

(vi) refunds for services purchased but not used, whether in whole or in part, either as a result of the client's unwillingness or inability to continue or the air carrier's inability to provide the service for any reason;

(vii) ticket reservation, cancellation, confirmation, validity and loss;

- (viii) refusal to transport passengers or goods;
 - (ix) method of calculation of charges not specifically set out in the tariff;
 - (x) limits of liability respecting passengers and goods;
 - (xi) exclusions from liability respecting passengers and goods; and
 - (xii) procedures to be followed, and time limitations, respecting claims;
- (o) the prices, shown in Canadian currency, together with the names of the points from, to or between which the prices apply, arranged in a simple and systematic manner with, in the case of commodity prices, goods clearly identified;
 - (p) the routings related to the prices unless reference is made in the tariff to another tariff in which the routings appear; and
 - (q) the official descriptive title of each type of passenger fare, together with any name or abbreviation thereof.

Interest

76. Where the Agency, by order, directs an air carrier to refund specified amounts to persons that have been overcharged by the air carrier for prices in respect of its air service pursuant to paragraph 66(1)(c) of the Act, the amount of the refunds shall bear interest from the date of payment of the prices by those persons to the air carrier to the date of the Agency's order at the rate of interest charged by the bank of Canada on short-term loans to financial institutions plus one and one-half percent.

Division II International Tariffs

77. (1) By accepting a tariff or any amendment thereto the Agency does not approve any of the provisions therein unless the tariff has been filed pursuant to an order of the Agency.

(2) No air carrier shall advertise, offer or charge any price , or apply any term or condition of carriage

- (a) where the price or term or condition has been rejected pursuant to section 88; or
- (b) where the price or term or condition has been disallowed or suspended by the Agency, or
- (c) prior to the effective date of the applicable tariff, unless there is a notation in an advertisement, a solicitation, an electronic display such as a computer reservation system,

or a travel document that clearly states that the sale of the transportation at the applicable tariff is subject to government approval.

(3) For the purposes of paragraph (2)(c), "government approval" means that the tariff is not disallowed or suspended by the Agency.

(4) Where a tariff is established containing a date of publication and an effective date and is consistent with these Regulations and any orders of the Agency, the prices and terms and conditions of carriage set out in that tariff shall, unless they are replaced by a new tariff, or are rejected, disallowed or suspended by the Agency, take effect on the date stated in the tariff, and the air carrier shall on and after that date charge the prices and apply the terms and conditions of carriage specified in that tariff.

(5) No air carrier or agent thereof shall offer, grant, give, solicit, accept or receive any rebate, concession or privilege in respect of the transportation of any persons or goods by the air carrier whereby such persons or goods are or would be, by any device whatever, transported at a price that differs from that named in the tariffs then in force or under terms and conditions of carriage other than those set out in such tariffs.

78. (1) All terms and conditions of carriage and prices, including those in respect of free and reduced rate transportation, that are established by an air carrier shall be reasonable and shall, under substantially similar circumstances and conditions and with respect to all traffic of the same description, be applied equally to all that traffic.

(2) No air carrier shall, in respect of prices or the terms and conditions of carriage,

(a) unduly discriminate against any person or other air carrier;

(b) give any undue or unreasonable preference or advantage to or in favour of any person or other air carrier in any respect whatever; or

(c) subject any person or other air carrier or any description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatever.

79. All air carriers having joint prices shall establish reasonable divisions thereof between participating air carriers and shall inform the Agency, on request, of the portion of the price in any joint tariff filed that it or any other carrier is to receive or has received.

Powers of The Agency

80.(1) The Agency may determine whether traffic is to be, is or has been carried under substantially similar circumstances and conditions and whether, in any case, there is or has been undue discrimination or undue or unreasonable preference or advantage, or prejudice or disadvantage, within the meaning of this section, or whether in any case the air carrier has complied with the provisions of this division.

(2) The Agency may:

- (a) determine and fix equitable divisions of joint prices between participating air carriers or the portion of the joint prices to be received by an air carrier;
- (b) decide that any proposed joint price is reasonable notwithstanding that an amount less than the amount that an air carrier would otherwise be entitled to charge may be allotted to that air carrier out of that joint price;
- (c) suspend any tariff or portion of a tariff that appears not to conform with subsections 77(3) and 77(4) or section 78 or 79, or disallow any tariff or portion of a tariff that does not conform with any of those provisions; and
- (d) establish and substitute another tariff or portion thereof for any tariff or portion thereof disallowed under paragraph (c).

(3) Where a licensee fails to apply the prices or terms and conditions of carriage applicable to the international service it offers that were set out in its tariffs, the Agency may

- (a) direct the licensee to take corrective measures that the Agency considers appropriate; and
- (b) direct the licensee to pay compensation for any expense incurred by a person adversely affected by the licensee's failure to apply the fares, rates, charges, terms or conditions of carriage applicable to the service it offers that were set out in its tariffs.

Publication of Tariffs

81. (1) Every air carrier operating a scheduled international air service shall publish its prices:

- (a) in the case of passenger transportation, at a fare per person;
- (b) in the case of goods transportation, at a rate per kilogram, or other specified unit.

(2) Every air carrier operating a non-scheduled international service on a charter basis shall publish all its prices for those services at a rate applicable to the entire capacity of the aircraft.

(3) Every air carrier shall, immediately on issuing and, subject to section 74, on filing a tariff with the Agency and thereafter while the tariff remains in effect, keep available for public inspection at each of its business offices a true copy of every tariff in which the air carrier participates that applies to the international services to or from the point where the business office is situated.

(4) Every air carrier shall, in a prominent location in each of its business offices, post a notice

directing attention to the place where its tariffs are kept; and indicating the business hours during which the tariffs may be inspected by members of the public.

(5) Every air carrier shall, for a period of three years after the date of cancellation of a tariff participated in by the carrier, keep a copy of that tariff at the principal place of business in Canada of the carrier or at the place of business in Canada of the carrier's agent.

Travel Documents

82. On request, an air carrier shall

- (a) permit a representative authorized by the Agency to examine flight coupons or travel documents containing information equivalent to that found in flight coupons but in another format, surrendered by passengers; or
- (b) file with the Agency or provide to a representative of the Agency for filing, surrendered travel documents or flight coupons, legible photocopies thereof, or information equivalent to that found in flight coupons but in another format.

Currency

83. All prices shall be expressed in Canadian currency and may also be expressed in other currencies.

Filing and Format of Tariffs

84. (1) Every tariff and filing advice sent to the Agency shall be addressed to the Secretary, Canadian Transportation Agency, Ottawa, Canada, K1A 0N9, Attention: Tariffs Division.

(2) Where a tariff or amendment to a tariff is filed with the Agency by an agent, that agent shall be appointed by power of attorney to act on the air carrier's behalf in accordance with section 93.

(3) Tariffs may be filed with the Agency in any medium provided that, where a medium other than paper is used, the Agency and the air carrier or its agent, have signed an agreement for the processing, storage, maintenance, security and custody of the data base.

(4) Every tariff or amendment to a tariff that is on paper shall be filed with the Agency together with a filing advice.

(5) The filing advice shall be in the form set out in Schedule IV and shall contain a description of the tariff filed therewith, including,

- (a) in the case of a tariff that is filed with the Agency by an air carrier operating a scheduled

international service and that contains prices, or terms and conditions, required to be agreed on with another air carrier, a statement that all those prices or terms and conditions have been so agreed on; and

(b) in the case of a tariff that is filed with the Agency by an air carrier operating a scheduled international service and that contains prices or terms and conditions that are required to be filed in another country, a statement that all those prices or terms and conditions have been filed with the appropriate aeronautical authorities of the country to which the service is provided.

(6) Tariffs shall be maintained in a uniform and consistent manner and shall be numbered consecutively with the prefix "CTA(A)" and every issuing air carrier or agent of the carrier shall number tariffs in the carrier's or agent's own series.

(7) Changes in prices or terms and conditions in a tariff shall be indicated by the use of reference marks or symbols which are used for no other purpose.

(8) Where a tariff is affected in whole or in part, by terms and conditions published in another tariff, it shall contain a reference to such other tariff by title and, where appropriate, by CTA(A) number.

(9) Every tariff or portion thereof published pursuant to an order of the Agency shall make reference therein to the number and date of the order.

Joint Tariffs

85. (1) Every joint tariff or amendment to a joint tariff shall be filed by one of the air carriers, serving Canada, that is a party thereto or by an agent of that air carrier appointed by power of attorney to act on the air carrier's behalf in accordance with section 93.

(2) Where an air carrier serving Canada files a joint tariff pursuant to subsection (1), that air carrier shall be known as the issuing carrier.

(3) No air carrier that issues a power of attorney to another air carrier or any other agent to publish and file tariffs shall include in the carrier's own tariff prices that duplicate or conflict with prices published under such power of attorney.

(4) Where a tariff containing prices is subject to terms and conditions in a separate tariff, all air carriers that participate in the tariff containing prices shall participate in that separate tariff.

Period of Notice

86. (1) Every tariff or amendment to a tariff shall be filed with the Agency at least 30 days before the tariff or amendment comes into force, except:

(a) where a different period is specified in an international agreement, convention or arrangement respecting civil aviation to which Canada is a party; or

(b) by order of the Agency.

(c) Where the Agency rescinds an order of suspension or disallowance, a tariff or portion thereof putting into effect the tariff provision suspended or disallowed, and cancelling any provision restored in consequence of that order, may be filed by the issuing air carrier or its agent to become effective not less than one working day after the date of filing but not earlier than the originally proposed effective date of the suspended or disallowed provision.

(2) The period prescribed by subsection (1) shall not commence until a tariff or amendment is received by the Agency, and the mailing thereof does not constitute receipt by the Agency.

Amendments to Tariffs

87. (1) Tariffs shall be amended by the filing of revised or additional pages, by supplement to the tariff or by the issuance of an entire new tariff.

(2) Changes in prices or terms and conditions in a tariff shall be indicated by the use of reference marks or symbols which are used for no other purpose.

(3) Every tariff or portion thereof published pursuant to an order of the Agency shall make reference therein to the number and date of the order.

Rejection

88. A document or any portion thereof that purports to be a tariff that does not comply with subsection 73(1)(b) shall be rejected and has no force or effect.

Suspension and Disallowance

89.(1) Where any provision of a tariff is suspended or disallowed by the Agency, the issuing air carrier or its agent shall immediately file with the Agency an appropriate tariff, to become effective not less than one working day after the date of filing, that restores the provision replaced by the suspended or disallowed provision.

(2) A tariff or any portion thereof issued in substitution for a disallowed tariff or portion thereof shall make reference to the disallowed tariff or portion.

(3) Where any tariff or portion thereof of an air carrier operating a scheduled international service or operating a non-scheduled international service that is operated at a price per unit of traffic, that contains through prices applicable to the transportation of traffic between a point in Canada and a point in the territory of another country, is disallowed by the competent authorities of the other country, the issuing air carrier or agent shall immediately notify the Secretary of the disallowance

and the Agency may then also mark that tariff or portion as disallowed, and so advise the issuing air carrier or agent.

(4) Where any provision of a tariff is suspended or disallowed by direction of the competent authorities of a foreign state, or the suspension or disallowance has been rescinded or the cancellation of the suspended or disallowed provision has been directed by those authorities, the issuing air carrier or agent may comply with their decision in accordance with such regulations of the competent authorities as may be pertinent.

Cancellation of Tariffs

90.(1) The cancellation of a tariff cancels all supplements thereto in effect at the time of the cancellation.

(2) When a tariff has been cancelled, it shall not be reinstated otherwise than by publication in accordance with these Regulations.

(3) A tariff shall be cancelled only by a supplement thereto, or by another tariff of the issuing carrier or agent

(4) No tariff shall be cancelled by a supplement to another tariff.

(5) Where an air carrier's tariff is replaced by an agent's tariff, the carrier's tariff shall be cancelled by a supplement thereto that makes reference to the CTA(A) number of the agent's tariff.

(6) Where a tariff is replaced by two or more tariffs, the cancellation of that tariff shall be effected by a supplement that shows, with respect to the specific material to be cancelled, full CTA(A) reference to each of the tariffs in which the material will be found and the new tariffs shall make reference to the cancelled tariff.

(7) Where a portion of a tariff is to be transferred to another tariff, a specific cancellation of that portion shall be made by the publication of a supplement, a revised page or a new tariff showing full CTA(A) reference to the tariff in which the material will be set out in the future and, in the new tariff, a reference to the tariff in which the material was formerly published.

(8) Where a new tariff partially replaces another tariff that is in effect, the new tariff shall specifically state the portions of the other tariff that are replaced, and the inconsistent portions of the other tariff shall be amended forthwith in accordance with these Regulations.

Routing Guides

91.(1) Where necessary to distinguish between prices, or in joint tariffs in all cases, tariffs shall clearly show the routing in respect of which the prices contained therein apply.

(2) Routings as required by subsection (1) above may be published in the tariff containing the prices in respect of which they apply or, if reference thereto is made by CTA(A) number, in a separate tariff.

(3) A routing guide, when published, shall be filed with the Agency under a CTA(A) number by the issuing air carrier or agent.

(4) A routing guide shall indicate on the title page that

(a) the routings provided in the guide may be used only in connection with prices contained in tariffs which make reference to the routing guide, by CTA(A) number; and

(b) the use of the guide in connection with any tariff is restricted to such air carriers and such application of the guide as are indicated in that tariff.

Concurrences

92.(1) An air carrier participating in a joint tariff issued by another air carrier or agent shall notify the Agency of its concurrence in a joint tariff by filing:

(a) where a specific tariff of an issuing air carrier or agent is concurred in, a certificate of specific concurrence prepared in the form set out in Schedule V;

(b) where a concurrence is to be limited in scope, a certificate of limited concurrence prepared in the form set out in Schedule VI; or

(c) where all tariffs of an issuing carrier or agent are to be concurred in, a certificate of general concurrence prepared in the form set out in Schedule VII.

(2) Except as otherwise provided in these Regulations, every tariff concurred in by a specific, limited or general concurrence shall make reference to the appropriate serial number and prefix against the name of the concurring air carrier in the tariff.

(3) Every tariff published pursuant to a limited or a specific concurrence shall conform to the terms thereof indicated in the form set out in Schedule V or VI.

(4) A certificate of concurrence filed with the Agency may be revoked by filing a new certificate of concurrence in its place or by sending a notice of revocation to the Agency.

(5) The revocation of a certificate of concurrence shall take effect not less than 60 days after the Agency receives notice of the revocation.

(6) Every notice of revocation of a certificate of concurrence shall be prepared in the form set out in Schedule VIII and filed with the Agency.

(7) Where a certificate of concurrence is revoked and the notice of revocation is not disallowed by the Agency, an amendment of every tariff affected by the revocation shall be filed with the Agency in accordance with section 86 no later than the effective date of the revocation.

(8) Where a tariff is not amended in accordance with subsection (7),

(a) the prices in the tariff remain applicable and the carrier that revoked its concurrence is thereafter entitled to receive its local price;

(b) where the tariff is published by an air carrier, that air carrier will be held liable to the carrier that revoked the concurrence for the difference between the price in the unamended tariff and that which would have existed had the tariff been amended in accordance with the revocation of concurrence; and

(c) where the tariff was published by an agent, the other air carriers whose combined routings form the joint route will be held responsible for such difference in prices.

(9) Where a tariff of an air carrier or agent not subject to the jurisdiction of the Agency is filed with the Agency and a non-concurring air carrier participates therein, the said tariff shall be effective and the prices, terms and conditions therein applicable, unless the non-concurring air carrier has applied for and received an order from the Agency disallowing the tariff.

(10) Where two or more agents each file the same joint tariff, no mailing of a copy of a certificate of concurrence to each group of air carriers for whom each agent acts as attorney is required.

Powers of Attorney

93. (1) Before an air carrier publishes tariffs through an agent, the carrier shall file with the Agency a power of attorney in the form set out in Schedule IX.

(2) Where an air carrier publishes tariffs through another air carrier or a corporation that is not an air carrier, the issuing carrier shall first file with the Agency a power of attorney in the form set out in Schedule X.

(3) Where two or more air carriers appoint the same agent, separate powers of attorney are required from those air carriers.

(4) Powers of attorney issued to two or more air carriers or other agents shall not result in the publication of duplicate or conflicting tariffs.

(5) A power of attorney may be cancelled by the substitution therefor of a new power of attorney expressly cancelling the power of attorney in force or by notice of revocation in the form set out in Schedule XI.

(6) A new power of attorney or notice of revocation shall be filed with the Agency at least 60 days

before it becomes effective.

(7) A substitution or revocation that cancels a power of attorney and to which an agent has not given effect by modification of the tariff affected thereby shall not be taken into account by the Agency unless the air carrier has applied to and received from the Agency an order disallowing that tariff.

(8) Every agent's tariff shall show the name of the air carrier for whom the agent acts, together with the serial number of the power of attorney authorizing the agent to publish and file tariffs for that carrier.

(9) Every agent's tariff applicable jointly between or from points that air carriers are authorized to serve shall be filed by each agent in that agent's own CTA(A) series unless all the air carriers appoint the same agent.

Adoption of Tariffs

94. (1) Where an air carrier, in this section called an "adopted carrier", changes its name or transfers the control of its operations to any other air carrier, in this section called an "adopting carrier", the adopting carrier shall:

(a) file with the Agency an adoption notice that adopts the tariffs, concurrences therein, supplements and modifications thereof or other documents of the adopted carrier, in the form set out in Schedule XII;

(b) file a power of attorney if the agent of the adopted carrier or a new agent is being appointed;

(c) make to every tariff referred to in the adoption notice such an amendment as to indicate the CTA(A) number of the adoption notice and, expressly, the fact that the tariff, including any amendment thereto, has become the tariff of the adopting carrier pursuant to the notice; and

(d) where the tariff to be amended is on paper, insert the adoption notice in the tariff on a page that remains in effect until the tariff is cancelled or amended in such manner as to remove any reference to the adopted carrier.

(2) Every supplement to a tariff of an adopted carrier that an adopting carrier publishes after the supplement referred to in paragraph (1)(d) shall

(a) contain the name of the adopting air carrier;

(b) be numbered consecutively following the number of the adoption supplement; and

(c) bear the CTA(A) number of the adopted carrier's series and the name or initials of that

carrier.

(3) Where a tariff in which an adopted carrier is named as a participant is published by other air carriers or agents, the tariff shall be amended to substitute for the name of that carrier, in the first supplement published by those air carriers or agents after the adoption takes effect, the name of the adopting carrier, and the supplement of the amended tariff shall include a provision to the effect that the adopting carrier, by its adoption notice, indicated by a CTA(A) number in that provision, has taken over the tariffs of that participant and that the name of the adopting carrier is substituted for the name of that participant, wherever it appears in the tariff, effective on the date of the adoption.

(4) Where a tariff on paper is amended in accordance with subsection (3), the substitution clause shall remain in effect until the tariff is cancelled or until all necessary amendments to the tariff have been effected to remove all references to the adopted carrier.

(5) Powers of attorney and certificates of concurrence adopted by an adopting carrier shall be replaced within 120 days by new powers of attorney and certificates of concurrence of that carrier, in which reference shall be made to the cancellation of the documents of the adopted carrier.

PART VI

SERVICE SCHEDULES

Application

95. This Part applies in respect of any scheduled international service operated by an air carrier.

Validity of service schedules

96.(1) A service schedule is valid beginning on its effective date unless the Agency disallows it.

(2) The Agency shall disallow a service schedule if the Agency determines that it is inconsistent with the requirements of this Part or with the licence of the air carrier.

Filing of Service Schedules

97. An air carrier or its agent shall file with the Agency a service schedule or an amendment to a service schedule that includes the information required by section 99 and, where the service schedule is on paper, a filing advice in the form set out in Schedule XIII which shall contain the information required by subsection 100(3).

98.(1) Every service schedule filed with the Agency shall be consecutively numbered with the prefix "CTA(A)GS".

(2) Every service schedule or amendment thereto shall be filed with the Agency at least 10 days, prior to the effective date of the schedule or amendment.

(3) The period prescribed by subsection (2) shall not commence until a service schedule or amendment is received by the Agency, and the mailing thereof does not constitute receipt by the Agency.

Contents of Service Schedules

99. Every service schedule shall contain the following information:

- (a) the full name of the air carrier;
- (b) the name and business address of an authorized officer or agent of the air carrier;
- (c) the date of issuance and the effective date of the service schedule;
- (d) the class of air service; and
- (e) full details of each air service to be operated by the air carrier, namely,
 - (i) the points served;
 - (ii) the frequency of service set out by day of the week;
 - (iii) the times of departure and arrival at each point;
 - (iv) the flight number or numbers assigned by the air carrier; and
 - (v) the type and usual configuration of aircraft used;
 - (vi) the information required by section 8.5 in respect of services provided through commercial arrangements such as code-sharing.

Form of Service Schedules

100.(1) An air carrier may file a service schedule and any amendment thereto on paper or in an electronic form that is compatible with the electronic systems used by the Agency.

(2) A service schedule on paper shall be plainly typewritten, printed or reproduced.

(3) Every filing advice shall contain the following information:

- (a) the name, address, telephone and facsimile numbers of the authorized officer of the air carrier or where applicable, of the agent of the air carrier;
- (b) a brief description of the contents of the service schedule;
- (c) a description of any routes that have been amended by the service schedule; and
- (d) a list of the persons who have been sent a copy of the service schedule.

Public Inspection of Service Schedules

101. Immediately on filing a service schedule with the Agency and thereafter until the service schedule is rejected or disallowed by the Agency or cancelled by the air carrier, every air carrier shall keep its current service schedule, with amendments, available for public inspection at each of its business offices.

Compliance with Service Schedules

102.(1) Every scheduled international flight shall , subject to any delays due to weather or conditions affecting safety, be operated in accordance with the service schedule, but the air carrier may:

(a) defer a flight if no traffic is offered for transportation between any of the points to be served by that flight in accordance with the schedule;

(b) consolidate the traffic of that flight with the traffic of a later flight if, as a consequence, the traffic on the resulting flight is not unreasonably delayed and connections with other air services are not jeopardized; and

(c) cancel a deferred flight if it is not required before the departure of the next succeeding flight, provided that the succeeding flight has the capacity required to accommodate all available traffic.

(2) Where there is no traffic to be carried from or to an intermediate point on an air carrier's flight and a stop is not otherwise required to be made pursuant to the air carrier's licence, the air carrier may omit a stop at that point.

Operations Without Filing Amendments

103. An air carrier may, where to do so is consistent with its licence authority and without amending its service schedule,

(a) operate extra aircraft to accommodate an unusually heavy demand for transportation on a flight; and

(b) operate extra flights to accommodate demand for transportation between the flights as scheduled.

Timetables

104. Where an air carrier publishes timetables, the air carrier shall, at the time of publication, provide 5 copies of each timetable to the Agency.

**SCHEDULE I
(Sections 6 and 8)
CERTIFICATE OF INSURANCE**

AIRCRAFT ACCIDENT BODILY INJURY AND PROPERTY DAMAGE LIABILITY INSURANCE

1. The undersigned certifies that insurers, which are registered and/or licensed in Canada or which are licensed or approved by a foreign government to issue aircraft accident insurance policies, have issued policies covering risks of liability to passengers and third parties in accordance with the requirements of section 7 of the *Air Transportation Regulations* to

(Named Insured and Address)

and/or

(Additional Insured and Address)

effective from [] (day) [] (month) [] (year)

to [] (day) [] (month) [] (year)

2. The undersigned certifies that aircraft accident insurance Policy No. _____ (the Policy):

(a) insures the above-noted Named Insured and/or Additional Insured for liabilities caused by an occurrence arising out of the operation of _____ air services in amounts at least equal to the following minimum passenger

(Canadian domestic, international, or Canadian domestic and international)

and third party liability insurance coverage limits specified in section 7 of the *Air Transportation Regulations*

Minimum Coverage Limits (Canadian dollars):

	<u>Each Passenger</u>
Passenger Bodily Injury Liability (including death)	\$300,000
	<u>Each Occurrence</u>
Third Party Liability	
where MCTOW ¹ is less than 3,403 kg (7,501 lbs)	\$1,000,000
where the MCTOW is between 3,403 kg (7,501 lbs) and 8,165 kg (18,000 lbs)	\$2,000,000
where the MCTOW exceeds 8,165 kg (18,000 lbs)	\$2,000,000 + [\$330 x (MCTOW - 8,165 kg)] ²

(b) has been endorsed with the London market aircraft insurance endorsement AVN 57C (Canada), or an equivalent endorsement approved by the Canadian Transportation Agency

3. The Policy insures [state the appropriate service in either (a) or (b)]:

(a) all aircraft operated by the above-noted Named Insured and/or Additional Insured in _____ air services; or
(Canadian domestic, international, or Canadian domestic and international)

(b) _____ air services operated by the above-noted Named Insured and/or Additional Insured with the following aircraft makes/types/models:
(Canadian domestic, international, or Canadian domestic and international)

<u>Aircraft Make</u>	<u>Aircraft Type</u>	<u>Aircraft Model</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

4. The undersigned undertakes to notify the Secretary of the Canadian Transportation Agency forthwith in writing when:

- (a) the above-noted Named Insured's and/or Additional Insured's coverage under the Policy has been cancelled or is intended to be cancelled;
- (b) the above-noted Named Insured's and/or Additional Insured's coverage under the Policy has been or will be reduced to ground coverage or temporarily withdrawn such that it results in a break in the coverage;
- (c) the above-noted Named Insured's and/or Additional Insured's coverage under the Policy has been altered or is intended to be altered in a manner that results in the failure by the above-noted Named Insured and/or Additional Insured to comply with section 7 of the *Air Transportation Regulations*; or
- (d) there has been a change to the information on this Certificate, including a change in the insurance broker or insurer which has issued this Certificate

¹MCTOW = Maximum Certificated Take-Off Weight for aircraft as shown in the aircraft flight manual referred to in the insured's Certificate of Airworthiness issued by the competent Canadian or foreign authority

²When measuring MCTOW in pounds, calculate the amount using the formula: \$2,000,000 + [\$150 x (MCTOW - 18,000 lbs)]

On behalf of the Insurer:

Name of Insurance Broker/Insurer

Signature of Authorized Signatory

Street Address

Name & Title of Authorized Signatory

City/Province/State/Country

Date: (yyy/mm/dd)

Postal Code/Zip Code

(Area Code) Telephone Number

(Area Code) Facsimile Number

FILING DIRECTIONS:

This certificate and any notification made pursuant to section 4 are to be filed with the Secretary, Canadian Transportation Agency, Ottawa, Ontario, Canada K1A 0N9 [facsimile number (819) 953-5562 or (819) 953-8798]

**SCHEDULE II
(Sections 13 and 15)
DECLARATION OF CONTINUANCE OF QUALIFICATIONS**

(Name and address of licensee)

(Date)

TO:
The Secretary
Canadian Transportation Agency
Ottawa, Ontario
Canada K1A 0N9

(Name of licensee), holder of Licence No. (number of licence) issued on (date of issuance of licence), hereby declares that (name of licensee) continues to have the qualifications necessary for the issuance of the said licence, namely, that the licensee

(a) is

(i) a Canadian or exempt from this requirement under section 62 of the *Canada Transportation Act*,

(ii) pursuant to section 69 of that Act, eligible to hold a scheduled international licence, or

(iii) a non-Canadian and holder of a document issued by the government of the licensee's state or an agent thereof that, in respect of the service provided under the document, is equivalent to the non-scheduled international licence;

(b) holds a valid Canadian aviation document in respect of the service provided under the licence; and

(c) has liability insurance coverage in accordance with section 7 of the Air Transportation Regulations in respect of the service provided under the licence.

Name of authorized signatory (Print)

Title of authorized Director or Officer
(e.g. President, Vice-President, Secretary or General Manager)

Signature of authorized signatory

Corporate seal (if a Corporation)

**SCHEDULE III
(Section 14)
PUBLIC NOTICE**

DISCONTINUANCE OR REDUCTION OF A DOMESTIC SERVICE

On this _____ day of _____, 20____, notice is hereby given that _____
_____ (name and address of licensee) proposes to

(a) discontinue its domestic service authorized by Licence No. _____ and provided at _____;

(b) discontinue its year-round non-stop scheduled air service authorized by Licence No. _____ between _____ and _____; or

(c) reduce the frequency of its domestic service authorized by Licence No. _____ and provided at _____ to less than one flight per week

commencing _____ days after the date of this notice.

**SCHEDULE IV
(Section 84)
FILING ADVICE**

(Corporate name and address of air carrier or agent)

Filing Advice No. ____ (number consecutively)

Date

TO:
Secretary
Canadian Transportation Agency
Ottawa, Canada
K1A 0N9

In compliance with the requirements of the Air Transportation Regulations, I transmit herewith, for filing with the Agency, copies of the following tariffs:

Supplement Number or Revised Page Number	Tariff CTA(A) Number	Effective Date	Description
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(If the tariffs to be filed are too numerous to list on this page, a separate list may be attached to the filing

advice for that purpose.)

(Signature, name and title of authorized person or agent)

**SCHEDULE V
(Section 92)
SPECIFIC CONCURRENCE**

(Corporate name
and address of
concurring air
carrier)

CTA(A)SC No. _____ (number
cancels _____ consecutively)
CTA(A)SC No. _____
Type of Service _____ (Passenger,
Goods or
Passenger and
Goods)

Date

TO:
Secretary
Canadian Transportation Agency
Ottawa, Canada
K1A 0N9

SPECIFIC CONCURRENCE IN TARIFF CTA(A) NO. _____ ISSUED BY (name of issuing carrier or agent)

Subject to the undernoted exceptions, this is to certify that (name of concurring carrier) assents to, and concurs in, joint tariff CTA(A) No. _____, supplements thereto or revised pages thereof that may hereafter be published and filed by (name of carrier or agent issuing tariff) in which this carrier is named as a participant insofar as the aforementioned tariff, supplements and revised pages contain prices or terms and conditions applicable to destinations served by this carrier, or are applicable via this carrier's service to destinations served by other carriers, and hereby makes itself a party thereto and bound thereby.

Exceptions

(Here describe the extent to which the above provisions are limited; otherwise leave blank.)

This certificate expires with the cancellation or expiration of the tariff to which it applies unless sooner revoked.

(Signature, name and title of authorized officer or agent)

Duplicate mailed to: (name and address of carrier or agent in whose favour concurrence is executed)

Note: If this concurrence is to apply to a supplement, this form may be modified accordingly.

**SCHEDULE VI
(Section 92)
LIMITED CONCURRENCE**

(Corporate name
and address of
concurring air
carrier)

CTA(A) LC No. _____ (number
cancels _____ consecutively)

CTA(A) LC No. _____

Type of Service _____ (Passenger,
Goods or
Passenger and
Goods)

Date

TO:
Secretary
Canadian Transportation Agency
Ottawa, Canada
K1A 0N9

LIMITED CONCURRENCE IN TARIFF CTA(A) NO. _____ ISSUED BY (name of issuing carrier or agent)

This is to certify that (name of concurring carrier) assents to, and concurs in, joint tariffs, supplements thereto or revised pages thereof that may hereafter be published and filed by (name of carrier or agent issuing tariffs) in which this carrier is named as a participant insofar as such tariffs, supplements and revised pages contain prices or terms and conditions applicable to destinations served by this carrier, or are applicable via this carrier's service to destinations served by other carriers, except (state here the extent of the exception), and hereby makes itself a party thereto and bound thereby.

This certificate expires with the cancellation or expiration of the tariffs to which it applies unless sooner revoked.

(Signature, name and title of authorized officer or agent)

Duplicate mailed to: (name and address of carrier or agent in whose favour concurrence is executed)

Note: If this concurrence is to apply to a supplement, this form may be modified accordingly.

**SCHEDULE VII
(Section 92)
GENERAL CONCURRENCE**

(Corporate name
and address of
concurring air
carrier)

CTA(A) GC No. _____ (number
cancels _____ consecutively)

CTA(A) GC No. _____
Type of Service _____ (Passenger,
Goods or
Passenger and
Goods)

Date

TO:
Secretary
Canadian Transportation Agency
Ottawa, Canada
K1A 0N9

GENERAL CONCURRENCE IN TARIFF CTA(A) NO. _____ ISSUED BY (name of issuing carrier or agent)

This is to certify that (name of concurring carrier) assents to, and concurs in, all joint tariffs, supplements thereto or revised pages thereof that may hereafter be published and filed by (name of carrier or agent issuing the tariffs) in which this carrier is named as participant insofar as such tariffs, supplements and revised pages contain prices or terms and conditions applicable to destinations served by this carrier, or are applicable via this carrier's service to destinations served by other carriers, and hereby makes itself a party thereto and bound thereby.

This certificate expires with the cancellation or expiration of the tariff to which it applies unless sooner revoked.

(Signature, name and title of authorized person or agent)

Duplicate mailed to: (name and address of carrier or agent in whose favour concurrence is executed)

Note: If this concurrence is to apply to a supplement, this form may be modified accordingly.

SCHEDULE VIII
(Section 92)
NOTICE OF REVOCATION

(Corporate name and
address of air carrier)

REVOCATION OF
CTA(A) SC No. _____, or
CTA(A) LC No. _____, or
CTA(A) GC No. _____
in Tariff CTA(A) No. _____

Date

TO:
Secretary
Canadian Transportation Agency
Ottawa, Canada
K1A 0N9

REVOCATION OF CONCURRENCE IN TARIFF CTA(A) NO. _____ ISSUED BY (name of
issuing carrier or agent)

Effective _____, the concurrence noted above issued by (corporate name of air carrier)
in favour of (name of carrier or agent) is hereby revoked.

Reasons: _____

(Signature, name and title of authorized officer or agent)

Duplicate mailed to: (name and address of issuing carrier)

**SCHEDULE IX
(Section 93)
POWER OF ATTORNEY**

(Agent)

(Corporate name
and address of
air carrier)

CTA(A)(PA) No. _____ (number
cancels _____ consecutively)
CTA(A)(PA) No. _____
Type of Service _____ (Passenger,
Goods
or Passenger
and Goods)

Date

TO:
Secretary
Canadian Transportation Agency
Ottawa, Ontario
Canada K1A 0N9

I/we, (insert name of issuing air carrier), of (address) do hereby constitute and appoint (name of agent) of (address) my/our true and lawful attorney to receive concurrences in tariffs and to publish and file tariffs, including the removal of material from tariffs that has not been accepted by the Agency as well as any supplements thereto or revised pages thereof, as required of carriers by the *Canada Transportation Act*, and the regulations made thereunder, until these presents be cancelled or revoked in accordance with such regulations, for the traffic and territory now herein named. (Describe traffic and territory)

In the event of the said (name of agent) dying or becoming incapable of acting or refusing to act or becoming bankrupt, I/we hereby appoint (name of substitute agent) of (address) my/our true and lawful attorney from and immediately after the happening of any of the said events to perform all acts in the same and like manner in all respects as the said (name of first agent) could have done and I/we accordingly grant to and vest in the said (substitute agent), as from the date of such event all and every the same or the like powers and

authorities in or concerning the premises in all things as are herein given to or vested in the said (first agent) and as if the name of the said (substitute agent) had, throughout these presents, been inserted instead of the name of the said (first agent).

And I/we hereby undertake to ratify whatsoever the said (first agent) or the said (substitute agent) shall lawfully do or cause to be done by virtue of these presents.

IN WITNESS, etc.
SIGNED, SEALED, etc.
In the presence of

(Witness)

(Duly authorized person)

(Witness)

(Duly authorized person)

Duplicate mailed to: (name and address of agent)

(Corporate seal)

**SCHEDULE X
(Section 93)
POWER OF ATTORNEY**

(Other Air Carrier or Corporation)

(Corporate name
and address of
air carrier)

CTA(A)(PA) No. _____ (number
cancels _____ consecutively)

CTA(A)(PA) No. _____

Type of Service _____ (Passenger,
Goods
or Passenger
and
Goods)

Date

TO:
Secretary
Canadian Transportation Agency
Ottawa, Ontario
Canada
K1A 0N9

I/we, (insert name of issuing carrier), of (address) do hereby constitute and appoint (name of air carrier/corporation) of (address) my/our true and lawful attorney for me/us to receive concurrences in tariffs and to publish and file tariffs, including the removal of material from tariffs that has not been accepted by the Agency as well as any supplements thereto or revised pages thereof, as required of carriers by the *Canada Transportation Act*, and the regulations made thereunder, until these presents be cancelled or revoked in accordance with such regulations, for the traffic and territory now herein named. (Describe traffic and territory.)

AND I/we hereby undertake to ratify whatsoever the said (name of air carrier/corporation) shall lawfully do or cause to be done by virtue of these presents.

IN WITNESS, etc.
SIGNED, SEALED, etc.

In the presence of

(Witness)

(Duly authorized person)

(Witness)

(Duly authorized person)

Duplicate mailed to: (name and address of other air carrier or corporation)

(Corporate seal)

SCHEDULE XI
(Section 93)
REVOCATION OF POWER OF ATTORNEY

(Corporate name and address
of air carrier)

CTA(A) PA No. _____

Date

TO:
Secretary
Canadian Transportation Agency
Oawa, Canada
K1A 0N9

REVOCATION OF POWER OF ATTORNEY CTA(A) PA No. _____ ISSUED IN FAVOUR OF
name and address of other air carrier, corporation or agent)

Effective _____, the power of attorney numbered as above, issued by corporate name of carrier)
in favour of (name of other air carrier, corporation or agent) is hereby revoked.

(Signature, name and title of authorized officer)

Duplicate mailed to: (name and address of other air carrier, corporation or agent)

(Corporate seal)

SCHEDULE XII
(Section 94)
ADOPTION NOTICE

(Corporate name and address
of adopting carrier)

Adoption Notice CTA(A)
No. _____

Date

TO:
Secretary
Canadian Transportation Agency
Ottawa, Canada
K1A 0N9

ADOPTION OF TARIFF NO. CTA(A) _____

(Insert corporate name of the adopting carrier) hereby adopts, ratifies and makes its own in every respect as if the same had been originally filed and posted by it, all tariffs, concurrences or other instruments whatever, including supplements or amendments filed with the Canadian Transportation Agency by, or hereto for adopted by, (insert corporate name of the adopted air carrier) prior to (date).

(Signature, name and title of authorized officer or agent)

Duplicate mailed to: (name and address of adopted air carrier or agent)

SCHEDULE XIII
(Section 97)
FILING ADVICE

(Corporate name and address
of air carrier or name and
address of agent)

Filing Advice CTA(A) GS
No. _____
(number consecutively)

Date

TO:
Secretary
Canadian Transportation Agency
Ottawa, Canada
K1A 0N9

In compliance with the requirements of Part VI of the Air Transportation Regulations, I transmit herewith, for filing with the Agency, ONE copy of the undernoted service schedules.

CTA(A)GS Number	Number of Pages	Effective Date	Description of Route by Schedule
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(Additional sheets may be attached if necessary)

I hereby certify that one copy of the service schedules noted above has been forwarded on this date to the following connecting air carriers:

(Signature, name and title of authorized officer or agent,
address of air carrier including facsimile and telephone numbers).