Written Brief on the Canada Transportation Act Amendment - Bill C49

Presentation to the Standing Senate Committee on Transport and Communications

Northern Air Transport Association
March 7, 2018

Introduction

The Northern Air Transport Association's membership is representative of all aspects of northern and remote air operations including 705-704 scheduled passenger service, mainline cargo carriers, 703 air carriers, helicopters and specialized operations including internationally renowned medivac capabilities. Our operators are committed to the highest possible standards and cooperating with all government agencies to achieve this standard with rules and recommended practices that make sense and support the Canadian aviation industry.

We would like to take this opportunity to thank the committee and staff for including NATA, representing Northern and Remote operations across Canada, on these important discussions on the legislation contained in Bill C49.

Bill C49 is a large Bill has three sections that concern the Canadian Aviation industry. NATA supports the concerns of other industry stakeholders regarding foreign ownership and joint ventures regarding wording and interpretation issues. This briefing note will be focusing on the proposed development of the Passenger Bill of Rights regulations from the perspective of the northern travelling experience.

The management of passenger safety and the overall positive travelling experience is a complex and daily issue for northern operators. Long term commitment to isolated communities with initial and ongoing investment in newer aircraft and facilities creates a special bond between the air carrier and customer. The relationship is more like a partnership, and a unique aspect of all northern operators is significant commercial partnerships with many First Nation and Inuit governments. These relationships provide a recognition of the needs of communities and the individual. Example of this recognition would be the reserved seating section for community Elders located in most northern airport waiting areas.

Northern operators have had to find solutions to operational problems that simply do not exist in the South. Examples include long range flight planning with limited information and support, meaning a need for contingency planning to insure the safety of the travelling public.

Referring to the **Canada Transportation Act Amendment,** the Northern Air Transport Association is very concerned with the generalities in the wording and the increase in regulatory authority that these amendments and others will provide the Canadian Transportation Agency. To be clear, NATA agrees

the fare paying passenger has rights. However, there are concerns because of problems that have manifested in southern Canada and internationally, northern air carriers are going to be burdened with "one size fits all" regulation. NATA members are currently consulting on flawed regulations that were developed this way regarding flight and duty time rules for flight crew.

NATA agrees that the travel experience should be as transparent as possible, with expectations clearly stated. The following are specific concerns with the wording and intent of the associated regulations;

1. Regarding Sections 86.11(1) (b) – (i)-(iv), NATA does not agree with any minimum standard of compensation in the regulations as there are too many variables.

2. NATA does agree with procedures that provide passengers with essential notice for any unscheduled occurrence that causes delay.

3. Regarding Sections 86.11(1)(c), NATA does not agree with any minimum standard of compensation in the regulations as there are too many variables:

4. Regarding Sections 86.11(1) (d) (e) (f), NATA agrees that every air carrier continue to maintain some form of an Operational Control Manual for these and other procedures associated with carriage of passengers and their carry-on board items as well as checked baggage.

5. Regarding Sections 86.11(1)(g) and 2, NATA is concerned with this blanket amendment that empowers the Minister to give the CTA extra regulatory authority without consultation.

In summary, NATA is proud to be a member of the CTA's Accessibility Committee, an important forum that provides guidance for our members to make a very good system even better. We believe it is dialogue and guidance materials are better use of resources than the development of new rules and oversight program.

The operator members of the Northern Air Transport Association have an excellent service record with its passenger management in challenging flight environments and difficult locations. Northern operators are invested in their communities in a different way than southern operators that is easy to explain. Our operator members have been respecting all their customers for a long time with recognition for special needs and unique cultures. Any new rules regarding a Passenger Bill of Rights needs to recognize existing industry efforts regarding passenger safety.

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The above is respectfully submitted for the Committee's consideration