

# Communicating Key Information to Passengers: A Guide

## I. Purpose

Clear and timely communication of accurate information to passengers, including in cases of flight disruptions, is critical to ensuring a positive passenger experience and is in the interest of all parties involved in air travel. For these reasons, communication is a key element of the *Air Passenger Protection Regulations*.

This is a guide explaining passenger rights and airline obligations to communicate key information with passengers. These apply to flights to, from and within Canada, including connecting flights. Specifically, the guide covers:

- the general information and standard notices airlines must give passengers before they fly;
- the information that airlines must give passengers in the event of a flight disruption; and
- how to make the information available.

There are also communication requirements for airlines when they deny a passenger boarding. These obligations are outlined in *Denied Boarding: A Guide*.

This guide includes Canadian Transportation Agency (Agency) recommendations for meeting airline obligations. These are meant to help airlines communicate effectively with their passengers. In addition, the guide indicates how the Agency would apply, in practice, the law and regulations related to communications. This should help passengers and airlines understand what issues the Agency would consider, and what decision it might make, if a passenger brings a complaint regarding communication against an airline.

Provisions on communication can be found in the [Canada Transportation Act, section 86.11\(1\)](#) and the [Air Passenger Protection Regulations](#). Annex A highlights key provisions in this area.

In case of differences between this guide and the legislation or regulations, the legislation and regulations prevail.
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## **II. General information and standard notices (content)**

Airlines must make passengers aware of their rights before they fly. To make sure passengers have this information, airlines must give them a standard notice about their rights, as well as information on key terms and conditions of carriage.

The section below shows required and suggested content for notices and information airlines provide to passengers. Part II explains how to make the notices and information available on an airline's digital platforms, in travel documents and at airports.

### ***Standard notice***

Airlines are required by regulation to use a standard notice to passengers that contains the following text:

*If you are denied boarding or your baggage is lost or damaged, you may be entitled to certain standards of treatment and compensation under the Air Passenger Protection Regulations. For more information about your passenger rights please contact your air carrier or visit the Canadian Transportation Agency's website.*

*Si l'embarquement vous est refusé ou si vos bagages sont perdus ou endommagés, vous pourriez avoir droit au titre du Règlement sur la protection des passagers aériens, à certains avantages au titre des normes de traitement applicables et à une indemnité. Pour de plus amples renseignements sur vos droits, veuillez communiquer avec votre transporteur aérien ou visiter le site Web de l'Office des transports du Canada.*

This notice language will require adjustment once new airline obligations regarding flight delays and cancellations come into effect in on December 15, 2019.

### ***Summary of key terms and conditions of carriage***

Airlines must set out their terms and conditions of carriage, fares, rates and charges in a legal document called a tariff. This is their contract of carriage with passengers.

To ensure passengers know their rights, airlines must also provide a plain language summary about their terms and conditions of carriage covering flight delay, flight cancellation, denied boarding, lost and damaged baggage, and the seating of children under the age of 14. The information must be clear, simple, and concise.

The summary will require adjustment once the new *Air Passenger Protection Regulations* provisions regarding delays, cancellation and the seating of children come into effect on December 15, 2019. Until that time, the summary information on these subjects should reflect the airline's terms and conditions in their tariff.

The summary should focus on the highlights or key points only, as long as the information:

- reflects the policies in the airline's tariff;
- describes compensation and standards of treatment;
- tells passengers what complaint mechanisms are available to them, both through the airline and through the Agency; and
- is set out in simple, clear, concise language.

It is recommended that airlines include the following points in their summaries.

For **flight disruptions** (flight delay, tarmac delay, flight cancellation, or denial of boarding), we recommend that airlines set out when and how they must provide affected passengers with:

- compensation;
- certain standards of treatment (such as meals, hotel accommodations, access to communication); and
- alternate travel arrangements (re-booking) or refunds.

For **lost or damaged baggage**, we recommend that airlines highlight policies on:

- liability limits;
- claim timelines; and
- baggage fee refunds.

For the **seating of children under the age of 14**, we recommend that airlines clearly explain:

- when parents or guardians have the opportunity to tell the airline they are travelling with a child, to facilitate being seated close to that child;
- the various opportunities and means the airline will have to facilitate the seating of the child nearby;

- how close they can expect to be seated to the child, based on the child's age; and
- that there is no additional cost for this service.

### III. Availability of information

Airlines must make the standard notice and summaries of terms and conditions discussed above available on all digital platforms the airline uses to sell tickets and on travel documents they issue to passengers, on which the passenger's itinerary appears. This is the responsibility of the airline whose ticket is issued to passengers (the issuing airline).

The standard notice must also be placed at key points in the airport, as described below. This is the responsibility of the issuing airline, or, where commercial agreements such as code sharing are involved, both airlines must follow this requirement.

Airlines must also take reasonable measures to ensure that parties authorized to sell tickets in their name, like travel agents, also provide this information to passengers. This could, for example, include communicating the requirement in writing to the other parties or including it in contractual agreements.

#### ***Digital platforms***

Airlines must post the standard notice and summary information on **their website** and any **apps** they use to sell tickets. The notice and information should be easy to locate. With respect to websites, it is suggested that airlines create a dedicated page that includes:

- the standard notice;
- links to the summaries of the required terms and conditions topics; and
- a link to a searchable version of their complete tariff.

Airlines must always post full copies of their terms and conditions of carriage as set out in their tariff on any website they use to sell their services. Including the tariff on the same page as the notice and plain language summaries would create a single spot where passengers can find comprehensive information about their rights.

It is also sensible to locate the summaries and the tariff terms and conditions (or links to the documents) on the same page, since the summaries complement the complete terms and conditions of carriage found in the tariff. While some passengers and

consumers may prefer using the summaries to quickly access important information about their travels, they should have the option of reading, and searching within, the airline's complete terms and conditions of carriage.

It is suggested that airlines include in a prominent position on their website's homepage a direct link to a dedicated passenger rights page. If the airline does not create a dedicated page, their homepage should link directly to the standard notice, summaries, and complete tariff wherever they are located on their site.

### ***Travel documents***

The standard notice and summaries of key terms and conditions discussed above must also be included on tickets, itinerary receipts, and any other document listing the passenger's itinerary issued to the passenger.

Recognizing that there is limited space for text on these documents, airlines may wish to include hyperlinks to the plain language summaries posted on their websites. If the hyperlinks and standard notices appear on documents showing the passenger's itinerary, this would be adequate.

### ***Notice at the airport***

For their flights to or from an airport in Canada, airlines must ensure that the standard notices are clearly visible at the airport check-in desk, self-service machines and boarding gate. This is required regardless of the location of that airport.

It is recognized that airlines often do not control shared space at airports. Airlines and airport authorities are encouraged to discuss the requirement to post the standard notice at key points at the airport. Airlines are also encouraged to work together to share signage in common or shared spaces, where feasible.

## **IV. Information about flight disruptions**

In the event of a flight disruption (flight and tarmac delays; flight cancellations; and denied boarding situations), the airline operating the affected flight must keep passengers informed.

### ***Reason for disruption***

In all cases, airlines must tell the affected passengers why their flight has been disrupted. This should be done as soon as possible. Sometimes the pilot or airline crew, staff or agent may not immediately know the precise cause of a disruption. Airlines

should provide passengers with the most up-to-date information reasonably available at the time and then provide updates.

To ensure that passengers receive information about flight disruptions, airlines must provide it through:

- an audible announcement (or, upon request, a visible announcement);
- the available communication method the passenger has selected (e.g., email, SMS).

Audible announcements can be made in the airport or on the aircraft, depending on the circumstances. Examples of visible announcements may include brochures, leaflets, or digital methods.

Passengers must also be allowed to select a means of communication that they prefer from among those available and offered by the carrier. If the passenger does not express a preference, the airline may use its usual method of communicating with passengers. Airlines are not required to communicate using the passenger's preferred method if it is not one it normally offers.

While the *Air Passenger Protection Regulations* do not specify the communication methods an airline must use with passengers, it does require that they offer means of communication compatible with adaptive technologies used by persons with disabilities (see below). Generally speaking, airlines would be expected, over time, to adopt up-to-date communication technology in order to effectively serve passengers and ensure that information is provide in a clear and timely manner.

### ***Updates***

During flight delays, airlines must provide flight status updates (e.g., through an audio/visible announcement) every 30 minutes until a new departure time or flight arrangement has been confirmed. The airline must provide any new status information to passengers as soon as is feasible, which may be sooner than 30 minutes after the last update.

**Example**

At 9:00am, an airline tells passengers their flight is delayed. The airline is now obligated to give passengers an update no later than 9:30am. At 9:15 am, the airline learns the reason for the delay, and announces this to passengers. The airline is now obligated to give their next update by no later than 9:45am. If new information comes in before then (for example, an updated departure time or change in boarding gate), the airline must provide it promptly, and re-set the clock from that moment.

## **V. Accessibility for persons with disabilities**

Airlines must ensure that communication is accessible to persons with disabilities. Where information is provided digitally, airlines must ensure the format is compatible with adaptive technologies used by persons with disabilities. If information is provided in paper format, the airline must be able to provide it in large print, Braille or a digital format, upon request.

## **VI. Conclusion**

Communicating with passengers is a key obligation for airlines. To make passengers aware of their obligations and policies, airlines must provide information that is clear and concise, reflects the airline's terms and conditions as set out in a carrier's tariff, and is easy to access. By following the obligations outlined in this guide, airlines will ensure their passengers know their rights before, during and after they fly.

# Annex A: Legislative and Regulatory References

## *Canada Transportation Act*

**86.11 (1)** The Agency shall, after consulting with the Minister, make regulations in relation to flights to, from and within Canada, including connecting flights,

(a) respecting the carrier's obligation to make terms and conditions of carriage and information regarding any recourse available against the carrier, as specified in the regulations, readily available to passengers in language that is simple, clear and concise;

(b) respecting the carrier's obligations in the case of flight delay, flight cancellation or denial of boarding, including:

(iv) the carrier's obligation to provide timely information and assistance to passengers

## *Air Passenger Protection Regulations*

### **Simple, clear and concise communication**

**5 (1)** A carrier must make its terms and conditions of carriage that apply in the following circumstances available in simple, clear and concise language:

(a) flight delay, flight cancellation or denial of boarding;

(b) lost or damaged baggage; and

(c) the seating of children who are under the age of 14 years.

### **Means of Communication**

**(2)** The terms and conditions referred to in subsection (1) must be made available on all digital platforms the carrier uses to sell tickets and on all documents on which the passenger's itinerary appears.

### **Information on treatment, compensation and recourse**

**(3)** A carrier must provide information on the treatment and compensation owed by the carrier and the recourses available to the passenger, including their recourses to the Agency, in simple, clear and concise language on all digital platforms it uses to sell tickets and on all documents on which the passenger's itinerary appears.

## Hyperlink

(4) For the purpose of subsections (2) and (3), a digital platform or a document that contains a hyperlink is considered to contain the information that is contained on the web page to which that hyperlink leads.

## Notice

(5) The following notice must be made available on all digital platforms that the carrier uses to sell tickets and on all documents on which the passenger's itinerary appears:

"If you are denied boarding or your baggage is lost or damaged, you may be entitled to certain standards of treatment and compensation under the *Air Passenger Protection Regulations*. For more information about your passenger rights please contact your air carrier or visit the Canadian Transportation Agency's website.

Si l'embarquement vous est refusé ou si vos bagages sont perdus ou endommagés, vous pourriez avoir droit au titre du *Règlement sur la protection des passagers aériens*, à certains avantages au titre des normes de traitement applicables et à une indemnité. Pour de plus amples renseignements sur vos droits, veuillez communiquer avec votre transporteur aérien ou visiter le site Web de l'Office des transports du Canada."

## Persons with disabilities

(6) If the information referred to in subsection (1) or (3) or the notice set out in subsection (5) is provided in a digital format, that format must be compatible with adaptive technologies intended to assist persons with disabilities and if that information or notice is provided in a paper format, the carrier must, on request, provide it in large print, Braille or a digital format.

## Person authorized to sell tickets

6 The carrier must take reasonable measures to ensure that anyone authorized to sell tickets in the carrier's name complies with section 5.

## Notice at airport

7 (1) A carrier operating a flight to or from an airport in Canada must display, in a clearly visible manner at the check-in desk, at self-service machines and at the boarding gate, a notice containing the following text:

"If you are denied boarding or your baggage is lost or damaged, you may be entitled to certain standards of treatment and compensation under the *Air Passenger Protection Regulations*. For more information about your passenger rights please contact your air carrier or visit the Canadian Transportation Agency's website.

Si l'embarquement vous est refusé ou si vos bagages sont perdus ou endommagés, vous pourriez avoir droit au titre du *Règlement sur la protection des passagers aériens*, à certains avantages au titre des normes de traitement applicables et à une indemnité.

Pour de plus amples renseignements sur vos droits, veuillez communiquer avec votre transporteur aérien ou visiter le site Web de l'Office des transports du Canada.”

**Persons with disabilities**

**(2)** If the notice is provided in a digital format, that format must be compatible with adaptive technologies intended to assist persons with disabilities. If it is provided in a physical format, the carrier must, on request, provide it in large print, Braille or a digital format.

## **Annex B: Airport notice requirements**

This annex provides information on airlines' obligation to display at airports certain notices about air passengers' rights.

### **About the requirement**

Airlines are obligated to give passengers travelling on flights to, from and within Canada (including connecting flights) information about their rights. Airlines are required to display standard notices "in a visible manner" wherever they operate flights to or from an airport in Canada. This means displaying the notices in the relevant airports in Canada and outside of Canada.

The sections below cover:

- what it means to display notices "in a visible manner", including where in the airport they should be displayed;
- suggested ways to display the notices;
- wording that airlines must use in the notices; and
- other obligations related to airport notices.

At the end of this Annex, airlines will also find links to sample notices that they can use.

### **Making notices visible**

Airlines must display their airport notices at the following locations:

- check-in desks
- self-service kiosks
- boarding gates

Airlines may need to take different approaches in different airports to make sure notices are "displayed in a visible manner". For example, in a large terminal where an airline has a large presence, it may need to display multiple notices. Airlines must display as many notices as needed to meet the objective of giving passengers access to the information to which they are entitled.

A notice would be considered to be "displayed in a visible manner" if there is a reasonable probability that passengers can see and read it when positioned close to the display point (check-in desk, self-service kiosks, or boarding gate) or when going through or using it.

In the case of the kiosks, air carriers may display the notice electronically to passengers using these machines to check in or register their baggage. The electronic notice on a kiosk must display the text clearly.

All notices should be created using font and colour contrast that maximize accessibility and visibility.

Airlines may work on their own to display notices at the appropriate locations. However, we encourage airlines to work together and to work with airport authorities, as some authorities control the signs that may be displayed in an airport. With the airport authority's cooperation, it may be possible for all affected carriers to display common/shared notices that meet their needs.

## Display methods

Airlines may display their notices in different ways, and may find that the most effective format for getting information across to passengers changes from airport to airport. Displaying notices in the following formats could meet the visibility requirements:

- on Flight Information Display Systems (FIDs) above the check-in counters;
- on the display screens of self-serve check-in kiosks;
- on permanently installed hardboard signs;
- on portable digital devices or display screens (such as tablets or iPads), which may be useful in multi-use locations such as boarding gates;
- on signs placed on rollers; and
- on two sided, lollipop-type display stands.

**Not recommended:** Using tent cards, posters, or similar methods to display airport notices is not recommended. They are easily removed, misplaced, or lost, and therefore less likely to remain visibly displayed. Airlines must keep notices visibly displayed when an airline or passenger is using the kiosks, counters or boarding gates.

## Wording of notices

Airlines must use certain wording in their airport notices, as follows.

On a temporary basis only, from July 15 to December 14, 2019, the notices must contain the following text:

**"If you are denied boarding or your baggage is lost or damaged, you may be entitled to certain standards of treatment and compensation under the *Air Passenger Protection Regulations*. For more information about your rights, please contact your air carrier or visit the Canadian Transportation Agency's website.**

**Si l'embarquement vous est refusé ou si vos bagages sont perdus ou endommagés, vous pourriez avoir droit au titre du Règlement sur la protection des passagers aériens, à certains avantages au titre des normes de traitement applicables et à une indemnité. Pour de plus amples renseignements sur vos droits, veuillez communiquer avec votre transporteur aérien ou visiter le site Web de l'Office des transports du Canada."**

From December 15, 2019 onwards, the notices must contain the following text:

**"If you are denied boarding, your flight is cancelled or delayed for at least two hours, or your baggage is lost or damaged, you may be entitled to certain standards of treatment and compensation under the *Air Passenger Protection Regulations*. For more information about your rights please contact your air carrier or visit the Canadian Transportation Agency's website.**

**Si l'embarquement vous est refusé, ou si votre vol est annulé ou retardé d'au moins deux heures ou si vos bagages sont perdus ou endommagés, vous pourriez avoir droit au titre du Règlement sur la protection des passagers aériens, à certains avantages au titre des normes de traitement applicables et à une indemnité. Pour de plus amples renseignements sur vos droits, veuillez communiquer avec votre transporteur aérien ou visiter le site Web de l'Office des transports du Canada."**

## **Other obligations**

### ***Accessibility***

All airport notices should be accessible for persons with disabilities. For example:

- hardboard signs, and similar, should use font and colour contrast that maximize accessibility and visibility;
- digital formats must be compatible with adaptive technologies intended to assist persons with disabilities;
- notices in paper (hard copy) formats must also be available on request in large print, Braille, or a digital format.

In the case of Braille, a carrier may create and keep on hand a single Braille version of the notice for passengers to read upon request.

A Sample Notice (included below) is available for airline use. These samples meet the airport notice prescribed wording with respect to the [Air Passenger Protection Regulations](#), and current accessibility standards.

### ***Tariffs***

It is recognized that airlines also have a responsibility to post information about their tariffs in various locations, including the airports where they operate. To reduce the number of notices that they post at airports, carriers may combine the passenger rights elements explained in this annex with the elements set out in the [Air Carrier Signage Requirements for Public Inspection of Tariff Interpretation Note](#). At a minimum, the combined notices must meet the visibility and location requirements set out in this annex.

A Sample Combined Notice (included below) is available for airline use. It meets the airport notice prescribed wording with respect to the [Air Passenger Protection Regulations](#) and the air carrier signage requirements for the public inspection of tariffs, as well as current accessibility standards.

# Sample Notice:

## Air Passenger Protection

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### Sample Notice Text : In effect from July 15, 2019

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#### Air Passenger Protection - Know your Rights

If you are denied boarding or if your baggage is lost or damaged, you may be entitled to certain standards of treatment and compensation under the *Air Passenger Protection Regulations*.

For more information about your passenger rights please contact your air carrier or visit the Canadian Transportation Agency's website.

#### Protection des passagers aériens - Connaissez vos droits

Si l'embarquement vous est refusé ou si vos bagages sont perdus ou endommagés, vous pourriez avoir droit au titre du *Règlement sur la protection des passagers aériens*, à certains avantages au titre des normes de traitement applicables et à une indemnité.

Pour de plus amples renseignements sur vos droits, veuillez communiquer avec votre transporteur aérien ou visiter le site Web de l'Office des transports du Canada.

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### Sample Notice Text : In effect from December 15, 2019

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#### Air Passenger Protection - Know your Rights

If you are denied boarding, your flight is cancelled or delayed at least two hours, or your baggage is lost or damaged, you may be entitled to certain standards of treatment and compensation under the Air Passenger Protection Regulations.

For more information about your passenger rights please contact your air carrier, or visit the Canadian Transportation Agency's website.

## **Protection des passagers aériens - Connaissez vos droits**

Si l'embarquement vous est refusé, ou si votre vol est annulé ou retardé d'au moins deux heures ou si vos bagages sont perdus ou endommagés, vous pourriez avoir droit au titre du Règlement sur la protection des passagers aériens, à certains avantages au titre des normes de traitement applicables et à une indemnité.

Pour de plus amples renseignements sur vos droits, veuillez communiquer avec votre transporteur aérien ou visiter le site Web de l'Office des transports du Canada.

# Sample Combined Notice:

## Air Passenger Protection and Tariff Availability

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### Sample Notice Text : In effect from July 15, 2019

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#### Air Passenger Protection - Know your Rights

If you are denied boarding or if your baggage is lost or damaged, you may be entitled to certain standards of treatment and compensation under the *Air Passenger Protection Regulations*.

Air carriers also publish their tariffs on their websites their tariffs. The tariffs set out terms and conditions of carriage that apply to your travel. You may view these documents online or ask your carrier for a copy.

For more information about your passenger rights, please contact your air carrier or visit the Canadian Transportation Agency's website.

#### Protection des passagers aériens - Connaissez vos droits

Si l'embarquement vous est refusé, ou si vos bagages sont perdus ou endommagés, vous pourriez avoir droit au titre du *Règlement sur la protection des passagers aériens*, à certains avantages au titre des normes de traitement applicables et à une indemnité.

Les transporteurs aériens publient également leurs tarifs sur leurs sites Web. Il s'y trouve des conditions de transport importantes qui s'appliquent à votre voyage. Vous pouvez consulter ces documents en ligne ou en demander une copie à votre transporteur.

Pour de plus amples renseignements sur vos droits, veuillez communiquer avec votre transporteur aérien ou visiter le site Web de l'Office des transports du Canada.

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## Sample Notice Text : In effect from December 15, 2019

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### Air Passenger Protection - Know your Rights

If you are denied boarding, your flight is cancelled or delayed at least two hours, or if your baggage is lost or damaged, you may be entitled to certain standards of treatment and compensation under the *Air Passenger Protection Regulations*.

Air carriers also publish their tariffs on their websites. The tariff set out terms and conditions of carriage that apply to your travel. You may view these documents online or ask your carrier for a copy.

For more information about your passenger rights, please contact your air carrier, or visit the Canadian Transportation Agency's website.

### Protection des passagers aériens - Connaissez vos droits

Si l'embarquement vous est refusé, ou si votre vol est annulé ou retardé d'au moins deux heures ou si vos bagages sont perdus ou endommagés, vous pourriez avoir droit au titre du *Règlement sur la protection des passagers aériens*, à certains avantages au titre des normes de traitement applicables et à une indemnité.

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Pour de plus amples renseignements sur vos droits, veuillez communiquer avec votre transporteur aérien ou visiter le site Web de l'Office des transports du Canada.