

Member General Information -

Accessible Canada Act & Accessible Transportation Planning and Reporting Regulations (ATPRR).

The Association has recently learned of the [Accessible Canada Act](#) and its associated [Accessible Transportation Planning and Reporting Regulations](#) (ATPRR). The Act came into force in 2019 with the objective of removing barriers for persons with disabilities and making Canada accessible by 2040. The Act touches on several areas of society, including federally regulated entities in the transportation network. The Association therefore undertook to review and understand if and how it applies to the CBAA's membership.

We can confirm that the following member types are exempt from the Act and associated regulations:

- Members who are private citizens that own and operate aircraft for personal or business use;
- Organizations having flight departments used to move corporate executives.

This is because these members would not offer publicly available air transportation service (public-facing)

However, we have also confirmed that Management Companies may be subject to the Act and associated regulations (ATPRR). Although Management Companies do not offer publicly available air services in the sense of an air carrier where tickets are purchased, they would be subject to the Act because they may be providing air transportation services to the public when providing charter/unscheduled air services.

For the purposes of the ATPRR, there are 4 classes of regulated entities, which are summarizing below:

- Class 1 consists of entities including federal government departments and agencies, including Crown Corporations, the federal public service, the Canadian Forces, and specific organizations that fall under the legislative authority of Parliament;
- Class 2 applies to federally regulated transportation service providers whose average number of employees in the current calendar year is 100 or more;
- Class 3 applies to federally regulated transportation service providers whose average number of employees in the current calendar year is 10 or more but fewer than 100; and
- Class 4 (see note below) applies to federally regulated transportation service providers whose average number of employees in the current calendar year is fewer than 10.

Note: It should be noted that Class 4 entities are exempted from compliance with the ATPRR, however, should the number of employees increase in the following calendar year, they may be captured as a Class 3 entity.

Therefore please refer to the [Accessible Transportation Planning and Reporting Regulations](#) (ATPRR) to assess requirements associated to the class best fitting your organization. Further information is available in the background section below.

For any questions relating to the above please contact membersupport@cbaa.ca.

Background

As mandated under Part V of the *Canada Transportation Act*, the Canadian Transportation Agency (Agency) is responsible for removing undue barriers to the mobility of persons with disabilities within the federally regulated transportation system. The Agency does this by creating regulations, codes of practice and guidance for accessibility. As a quasi-judicial regulatory body, operating at arms-length from Transport Canada, the Agency also resolves individual complaints about accessibility.

The *Accessible Transportation for Persons with Disabilities Regulations* (ATPDR), which were developed by the Agency and finalized in June 2019, establish the obligations of federally regulated transportation service providers (such as airline carriers). Details on the ATPDR can be found under the following link: [Accessible Transportation for Persons with Disabilities Regulations | Canadian Transportation Agency \(otc-cta.gc.ca\)](https://www.otc-cta.gc.ca/accessible-transportation-for-persons-with-disabilities-regulations).

For additional information about employee-facing elements (rather than public-facing), please consult the [Accessible Canada Regulations](#), which are administered by Employment and Social Development Canada.