



Ottawa, February 2, 2006

MEMORANDUM D2-5-1

In Brief

CHARTER ACCESS TO AIRPORTS

1. Revisions made to this memorandum are the result of a French language review.
2. The procedures as published on October 13, 2000 are the most recent and will be revised for organizational changes and/or technical reviews in future publishing of this memorandum.



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MEMORANDUM D2-5-1

CHARTER ACCESS TO AIRPORTS

This Memorandum outlines the customs guidelines and conditions under which airlines or owners of commercial aircraft may operate international charter service, including transborder service for remuneration or hire into customs authorized airports of entry (AOE).

GUIDELINES AND GENERAL INFORMATION

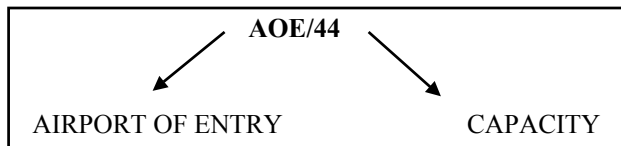
INTRODUCTION

1. These guidelines pertain only to obtaining inspection services for clearance. They do not replace, amend, or change in any manner, the current regulations and requirements of the relevant airport authority, Transport Canada, the Canadian Transportation Agency, or the Canadian Inspection Services (Canada Customs and Revenue Agency, Citizenship and Immigration Canada, Health Canada, and the Canadian Food Inspection Agency). Air carriers requiring detailed information with respect to their responsibilities and obligations concerning international charter services should contact the appropriate authority directly (see paragraph 10 for a list of addresses, telephone, and facsimile numbers). For information regarding customs operations at airports, please refer to Memorandum D1-1-1, *List of Customs Offices*.

DEFINITIONS

2. For the purposes of this Memorandum, the following definitions apply:

- (a) "AOE" – indicates an authorized "airport of entry." All aircraft arriving in Canada from a foreign point of origin must arrive at an AOE unless otherwise authorized by the Canada Customs and Revenue Agency (CCRA). An AOE designation with no numerical suffix indicates an airport which has no restriction on passenger capacity. An AOE designation with a numerical suffix indicates that there are passenger capacity limitations at this airport (see the illustration). Please note that airports with the designation of AOE/15 are limited to general aviation air traffic only.



- (b) "AOE-C" – indicates an airport which is designated for CANPASS permit holders' use only.

Examples:

Vancouver	AOE
Ottawa Macdonald Cartier	AOE/165
Îles de la Madeleine	AOE/15
Carp	AOE-C

- (c) "Canadian Inspection Services (CIS)" – includes the Canadian Food Inspection Agency, the Canada Customs and Revenue Agency, Health Canada, and Citizenship and Immigration Canada.

AUTHORIZATION PROCEDURES

Non-Restricted Capacity Airports of Entry

3. For charter flights into an AOE with no passenger capacity limitations (i.e., an AOE with no numerical suffix), the following will apply:

- (a) The Canadian Transportation Agency (CTA) will notify air carriers of the approval or acknowledgement of charter flights as far in advance as possible, and forward a copy of the notification to affected government departments and agencies. The CTA approval or acknowledgment will also advise the air carrier that other government departments and agencies, including the Canadian Inspection Services and Transport Canada, have requirements with respect to accessing Canadian airports, and that prior arrangements should be made with those departments and agencies to ensure clearance services are available.

- (b) The CTA will advise customs of Canadian origin charter approvals, changes to charter programs, and cancellations by forwarding a list of approved charter programs. The CTA will also provide customs with notification of foreign origin charter operations by supplying a copy of the notification as soon as it is received.

- (c) The carrier will then negotiate for a time "slot" and obtain authorization from the local airport manager who will consult with the Canadian Inspection Services, the airlines, and U.S. Customs Service, if required. This will ensure that times of arrival or departure will not conflict with other charter or scheduled carrier service and create peaking or congestion problems within the inspection services area.

- (d) The carrier is responsible for all additional costs incurred for the charter clearance.

(e) Permission for progressive clearance of charter traffic will be negotiated in accordance with the conditions outlined in Memorandum D2-5-5, *Progressive Clearance at Airports*.

(f) The carrier will provide passengers with the *Customs Declaration Card*, Form E311.

Restricted Capacity Airports of Entry

4. For charter flights into an AOE with passenger capacity limitations (i.e., an AOE with a numerical suffix), the following will apply:

(a) Notifications of approval or acknowledgements of charter flights are sent by the CTA to air carriers as far in advance of the operation date as possible, and are copied to affected government departments and agencies. The authorization or acknowledgement will advise the carrier that other government departments and agencies, including CIS and Transport Canada, have requirements with respect to accessing Canadian airports, and that prior arrangements should be made with those departments and agencies to ensure clearance services are available.

(b) The air carrier will contact the local customs office, as listed in Memorandum D1-1-1 by telephone, facsimile, or mail, during regular business hours, Monday through Friday (except holidays) as far in advance as possible. The air carrier will be informed of customs' requirements and must indicate its agreement to comply prior to the commencement of the flight.

(c) The carrier will then negotiate for a time "slot" and obtain authorization from the local airport manager. This will ensure that times of arrival or departure will not conflict with other charter or scheduled carrier service and create peaking or congestion problems within the inspection services area.

(d) The carrier is responsible for all additional costs incurred for the charter clearance.

(e) Permission for progressive clearance of charter traffic will be negotiated in accordance with the conditions outlined in Memorandum D2-5-5.

(f) The carrier will provide passengers with the *Customs Declaration Card*, Form E311.

5. For charter flights involving aircraft carrying more than the capacity indicated for a specific airport, the CTA notification of approval or acknowledgement will advise the air carrier to contact the local airport manager at the applicable airport to request charter access. The airport manager will make a decision as to whether charter access can be approved or refused. This decision will be based on the air carrier's ability to meet the requirements of the airport authority, as well as those of the Canadian

Inspection Services and Transport Canada (see paragraph 7 for details on the staged off-loading of passengers).

6. Canadian Inspection Services authorization, required in paragraphs 4 and 5, will be based on and subject to the following:

(a) The time of arrival is within the airport's authorized hours of service;

(b) The flight does not arrive simultaneously with other scheduled or charter flights;

(c) Inspection staff is available;

(d) Adequate sterility is provided by the carrier for the deplaning and reporting of passengers and baggage to the inspection services facility;

(e) The baggage delivery rate can be maintained at an acceptable level;

(f) Where the proposed aircraft load exceeds the facility capacity, staged off-loading procedures will be required in accordance with the conditions outlined in paragraphs 7(a) to 7(e);

(g) The carrier shall be responsible for all additional costs incurred for charter clearance;

(h) The carrier will provide passengers with the *Customs Declaration Card*, Form E311; and

(i) Permission for progressive clearance of flights into restricted capacity airports will be negotiated in accordance with Memorandum D2-5-5.

STAGED OFF-LOADING PROCEDURES AT RESTRICTED CAPACITY AIRPORTS OF ENTRY

7. Authorization for staged off-loading will be based on the following factors and subject to the carrier undertaking to meet the conditions specified:

(a) The number of passengers off-loaded in each stage will be determined by customs;

(b) The carrier will match baggage off-load to the stage off-load in whichever manner they so choose and provide baggage handlers in the baggage claim area;

(c) Customs will control staged off-loading by informing the carrier when the facility can accommodate the next stage of passengers and baggage;

(d) The carrier will ensure and maintain orderly disembarkation by providing adequate ground attendants for this purpose; and

(e) The carrier will make the following onboard announcement in French and English prior to off-loading the first stage of passengers:

“As you were informed on purchase of your ticket, the passenger load of this flight exceeds the facility capacity of the Canadian Inspection Services area of this airport. In order to make this flight possible (insert name of carrier) has agreed to off-load its passengers in stages. Because of this off-loading procedure, minimal delays in inspection formalities may be experienced. For your convenience and comfort, and to facilitate your clearance through the Canadian Inspection Services facility, passengers will disembark in the following manner”

8. The carrier will be informed of the staged off-loading requirement and the number of passengers per stage at the time of charter approval.

CUSTOMS AUTHORIZATION PROCEDURES AT RESTRICTED CAPACITY AIRPORTS LIMITED TO 15 PASSENGERS (AOE/15)

9. For charters into what were formerly known as general aviation airports, the following will apply:

- (a) The pilot or captain must be in possession of either a valid approval issued by the CTA for that particular charter operation, where applicable, or a copy of the carrier’s CTA licence authority;
- (b) Prior to commencing the charter, the owner or pilot shall communicate directly with local customs by means of telephone, facsimile, or mail to ensure that a customs inspector(s) will be available at the time of landing. For this purpose, contact should be made with the customs office during regular business hours (usually 9:00 a.m. to 5:00 p.m. local time), Monday through Friday, excluding statutory holidays;
- (c) Inspection services are provided only for the clearance of passengers and non-commercial goods;
- (d) The aircraft passenger load will not exceed 15 passengers; and
- (e) Where the estimated time of arrival (ETA) is outside authorized hours of service, Canadian Inspection Services, Transport Canada, or local airport operators may not always be available. On these occasions, the charter request should be presented early enough to enable local customs officials to suggest a revised ETA or diversion to an alternate airport for customs clearance.

Note: Charter access is not authorized at any airport that is designated as an AOE-C, as these facilities are limited to CANPASS participants only.

ADDITIONAL INFORMATION

10. General inquiries and requests for further information concerning charter access into specific airports should be directed to:

Canada Border Services Agency

Manager
Air Policy and Programs
People Programs Directorate
Admissibility Branch
Ottawa ON K1A 0L8

Telephone: (613) 954-6986
Facsimile: (613) 952-2134

Canadian Transportation Agency

Canadian Transportation Agency
Ottawa ON K1A 0N9

Attention: Manager, Charter Division

Telephone: (819) 997-6227;
after hours: (613) 769-6274
Facsimile: (819) 953-5572

Transport Canada Licensing Inquiries

Transport Canada Licensing Inquiries
Ottawa ON K1A 0N9

Attention: Manager, Licensing Division

Telephone: (819) 997-6359
Facsimile: (819) 953-5562

Citizenship and Immigration Canada

Port of Entry Management
Enforcement Branch
Citizenship and Immigration Canada
8th floor
Jean Edmonds Tower North
300 Slater Street
Ottawa ON K1A 1L1

Telephone: (613) 954-0349
Facsimile: (613) 954-1673

Canadian Food Inspection Agency

Animal Health Division
Canadian Food Inspection Agency
Building #3, Central Experimental Farm
3 Observatory Crescent
Ottawa ON K1A 0C6

Telephone: (613) 759-1572
Facsimile: (613) 759-1581

Plant Health Division
Canadian Food Inspection Agency
Building #3, Central Experimental Farm
3 Observatory Crescent
Ottawa ON K1A 0C6

Telephone: (613) 759-1571
Facsimile: (613) 759-1581

Health Canada

Senior Consultant
Quarantine and Regulatory Policy and Legislation
Occupational Health and Safety Agency
Health Canada
AL 1903A1, Room D-389
Jeanne Mance Building
Tunney's Pasture
Ottawa ON K1A 0L3

Telephone: (613) 957-3427
Facsimile: (613) 954-5822

11. For addresses of authorized customs points of entry, refer to Memorandum D1-1-1.

REFERENCES

<p>ISSUING OFFICE –</p> <p>Travellers Division Operational Policy and Coordination Directorate</p>	<p>HEADQUARTERS FILE –</p> <p>7820-3, 7820-3-2, and 7815-12</p>
<p>LEGISLATIVE REFERENCES –</p> <p><i>Customs Act</i>, sections 5, 8, 11, 12, 14, and 167, and paragraphs 164(1)(b) and 164 (1)(i) <i>Presentation of Persons (Customs) Regulations</i></p>	<p>OTHER REFERENCES –</p> <p><i>Aeronautics Act</i> <i>Air Regulations</i> <i>Air Carrier Regulations</i> D1-1-1, D2-5-5, and D3-2-1</p>
<p>SUPERSEDED MEMORANDA “D” –</p> <p>D2-5-1, October 13, 2000</p>	

Services provided by the Canada Border Services Agency are available in both official languages.

