

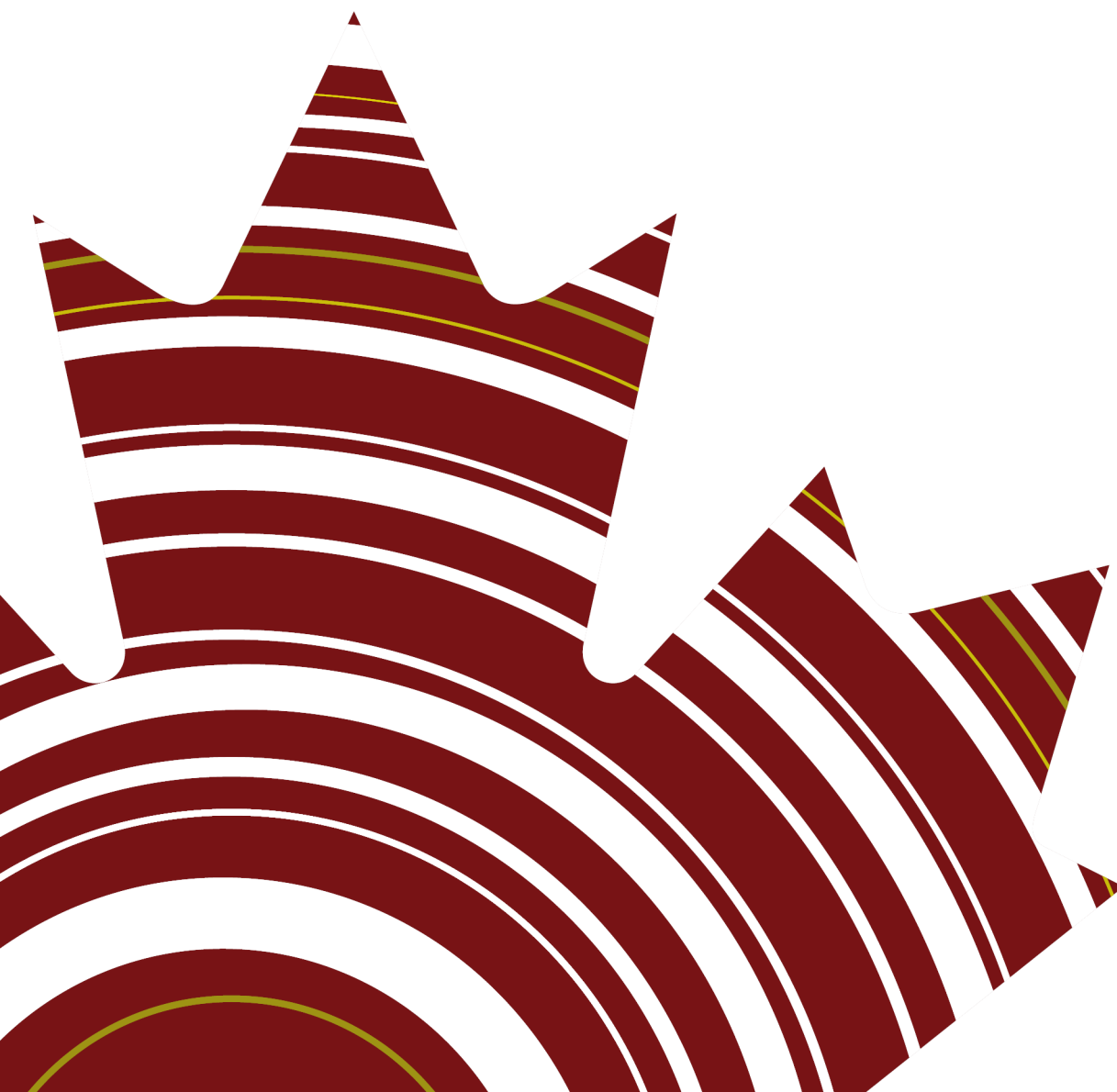


Canadian
Transportation
Agency

Office
des transports
du Canada

Seating of Children with an Accompanying Passenger on an Airplane: A Guide

Canadian Transportation Agency



Canada 

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This is not a legal document. The explanations and definitions it provides are for general guidance purposes only. The obligations to facilitate the seating of children under the age of 14 can be found in the [Air Passenger Protection Regulations](#) (APPR) and [Annex A](#) of this guide. In case of differences between this guide and legislation, regulations or Canadian Transportation Agency decisions, the legislation, regulations and decisions prevail.

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[Alternate formats](#) are available. Une [version française](#) est aussi disponible.

1. Introduction

This guide explains the steps airlines operating to, from and within Canada must take to help seat children under the age of 14 close to their parent, guardian or tutor (accompanying passenger) at no additional charge.

The guide covers:

- When and how an airline must help seat these children;
- How close children must be seated to their accompanying passenger;
- The class of service for seating arrangements; and
- What an airline should do if they have followed all the steps, but still cannot make the appropriate seating arrangements.

2. When and how to help seat children

As soon as an airline becomes aware that a confirmed passenger will be travelling with a child under the age of 14, the airline must take steps to help seat them close together. They must do this at the earliest opportunity. This may mean assigning the seats **before check-in**, if that is when the airline is first told about the child on the flight.

If an airline does not have a practice of assigning seats to passengers before check-in, or if seat availability is limited, they must let the passenger know that they will try to assign the seats **at check-in** (online or in person), or **at the boarding gate before take-off**.

If an airline has tried but has not been able to assign seats close together in advance or at check-in, they must ask for volunteers to move seats to achieve this **at the gate**, and then again **on the aircraft before take-off**, if necessary.

Airlines must not charge a fee for making these seating arrangements. However, this does not mean they have to offer free seat selection to people travelling with children. If someone wishes to pre-select particular seats for themselves and a child, or change the seats assigned to them by an airline, the airline may charge the applicable fee for each seat, as set out in their tariff.

Recommended practices for seat assignment

It is recommended that airlines put in place standard processes that allow them to seat children near an accompanying passenger at the earliest opportunity.

To do this in advance (before check-in), airlines may choose to have their system automatically assign seats to a child and accompanying passenger at the time that a reservation is made. If this is not possible, the airline could let passengers know that seating can be arranged at no charge by contacting the airline. This information could be published on the airline's website and/or itineraries.

It is also recommended that airlines have standard processes, and provide staff training, for assigning seats at the airport (at check-in and the boarding gate) and on the aircraft. If an airline needs to ask for volunteers to switch seats to allow a child and accompanying passenger to sit close together, they could consider making public announcements.

3. Seating distance

Airlines must take steps to seat a child within a certain distance of their accompanying passenger. The allowable distance depends on the child's age. Airlines must take steps to:

- Seat children **under the age of 5** directly beside their accompanying passenger. They must not be separated by an aisle unless the plane's layout requires it (for example, where a plane has banks of single seats only). In those cases, the two passengers should be seated in the same row, separated only by the aisle.
- Seat children **aged 5 to 11** in the same row as their accompanying passenger and separated by no more than one seat (or the space of an aisle).
- Seat children **aged 12 or 13** no more than two rows away from their accompanying passenger. This means that there should not be more than one row between them.

Examples:

If a 4 year-old is seated in 1A, the accompanying passenger must be no farther than 1B.

If a 7 year-old is seated in 1C (an aisle seat), the accompanying passenger may be in 1A, 1B or directly across the aisle in 1D. In this case, the aisle takes the place of a seat.

If a 13 year-old is seated in row 3, the accompanying passenger can be anywhere in rows 1-5.

These requirements help make sure passengers can supervise and help children they are travelling with. To further support this, airlines should take into account any barriers that could affect the seating arrangements. For example, if a 12 year-old and their accompanying passenger are seated a row apart, but the two rows are separated by a curtain or other divider, the arrangement may not be appropriate.

Recommended practice: Documentation

It is recommended that airlines document the steps they take to seat a child and accompanying adult close together. In any dispute between an airline and a passenger, the airline may have to provide proof that they followed the requirements.

4. Class of service

Airlines must do everything they reasonably can to meet these seating requirements in the same class of service that the child and accompanying passenger reserved. If changing the class of service for one or both of the passengers is the only way to seat them within the required distance of each other, the airline may suggest an upgrade or downgrade to the passengers.

If the passengers agree to a downgrade in the class of service, the airline must refund the price difference between the two services. If the accompanying passenger chooses to be seated in a higher class of service than their original booking, the airline can require that they pay the difference. Airlines should explain in their tariff how they will calculate the price difference between the two services and how they will either refund or collect the difference from passengers.

If another passenger volunteers to give up their seat in a higher class of service and agrees to a downgrade in class of service so that a child and accompanying person can sit close together, the airline should also refund the price difference between the two services to that volunteer.

Examples:

At check-in, a confirmed passenger tells the airline that he is traveling with a 6 year-old child. These passengers are booked in Business Class but the only available seats in the same row are in Economy Class. The airline should let the passenger know that:

- The only available seats in the same row are in Economy Class;
- They will seek volunteers at the boarding gate and on board the plane before take-off (if necessary), and
- If the passenger wishes to downgrade the tickets in order to be sure to be seated together, the airline must reimburse the difference in price between a Business Class and Economy Class ticket on that flight.

If the passenger does not want to be downgraded, the airline must try to seat the two passengers in the same row by asking at the boarding gate and on board the aircraft before take-off for volunteers to change seats in Business Class.

If no one in Business Class volunteers, the passenger and child may choose to be seated apart, or to be seated together in Economy Class, if seats are still available.

5. What to do if passengers cannot be seated together

If an airline has followed all the steps and is still unable to arrange seats within the required distance of each other, they should talk to the affected passengers about their options. The passengers may choose to sit farther apart, or decide not take the flight at all.

If the passengers choose not to take the flight, it is recommended that the airline provide other reasonable alternatives. These could include, for example, booking them appropriate seats on another flight at no extra charge, or cancelling their flight and providing a refund. The airline's tariff should explain what they will and will not do to accommodate passengers who choose not to fly in these circumstances.

An airline should not force another passenger to change seats or leave the flight to seat a child and accompanying passenger together.

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,

(d) respecting the carrier's obligation to facilitate the assignment of seats to children under the age of 14 years in close proximity to a parent, guardian or tutor at no additional cost and to make the carrier's terms and conditions and practices in this respect readily available to passengers

Air Passenger Protection Regulations

Assignment of seats to children under the age of 14 years

Assigning seats

22 (1) In order to facilitate the assignment of a seat to a child who is under the age of 14 years in close proximity to a parent, guardian or tutor in accordance with subsection (2), a carrier must, at no additional charge

(a) assign a seat before check-in to the child that is in close proximity to their parent, guardian or tutor; or

(b) if the carrier does not assign seats in accordance with paragraph (a), do the following:

(i) advise passengers before check-in that the carrier will facilitate seat assignment of children in close proximity to a parent, guardian or tutor at no additional charge at the time of check-in or at the boarding gate

(ii) assign seats at the time of check-in, if possible,

(iii) if it is not possible to assign seats at the time of check-in, ask for volunteers to change seats at the time of boarding, and

(iv) if it is not possible to assign seats at the time of check-in and no passenger has volunteered to change seats at the time of boarding, ask again for volunteers to change seats before take-off.

Proximity to adult's seat

(2) The carrier must facilitate the assignment of a seat to a child who is under the age of 14 years by offering, at no additional charge,

(a) in the case of a child who is four years of age or younger, a seat that is adjacent to their parent, guardian or tutor's seat;

(b) in the case of a child who is 5 to 11 years of age, a seat that is in the same row as their parent, guardian or tutor's seat, and that is separated from that parent, guardian or tutor's seat by no more than one seat; and

(c) in the case of a child who is 12 or 13 years of age, a seat that is in a row that is separated from the row of their parent, guardian or tutor's seat by no more than one row.

Difference in price

(3) If a passenger is assigned a seat in accordance with subsection (2) that is in a lower class of service than their ticket provides, the carrier must reimburse the price difference between the classes of service, but if the passenger chooses a seat that is in a higher class of service than their ticket provides, the carrier may request supplementary payment representing the price difference between the classes of service.