

-Draft-



REGULATION OF THE CIVIL AVIATION BOARD

NO. ..

RE: REFUSAL OF CARRIAGE IN THE CASE OF PASSENGERS AND PERSONS WITH DISABILITIES

By virtue of Section 15 (6) and Section 41/133, paragraph one and paragraph three of the Air Navigation Act B.E. 2497 (1954) amended by the Air Navigation Act (No. 14) B.E. 2562 (2019), which prescribes that the holder of a Civil Aviation Operating License under Section 41/125 who is a Commercial Air Transport operator, and a foreign air operator permitted under Section 41/126 are prohibited from refusing the carriage of passengers and persons with disabilities under the law on promotion and development of quality of life of persons with disabilities, with exemptions for the reason of safety, security, or for the case as determined in the regulation of the Civil Aviation Board. Therefore, the Civil Aviation Board issues the following regulation determining exemptions for which the holder of a Civil Aviation Operating License for commercial air transport under Section 41/125 and permitted foreign air operators under Section 41/126 have the right to refuse carriage of passengers and persons with disabilities as follows:

Article 1 This regulation shall be called “Regulation of the Civil Aviation Board No. .. Re: Refusal of Carriage in the Case of Passengers and Persons with Disabilities”.

Article 2 This regulation shall come into force after expiration of a period of thirty days from the date of its publication in the Government Gazette.

Article 3 the holder of a Civil Aviation Operating License for commercial air transport under Section 41/125 and the permitted foreign air operator under section 41/126 cannot refuse to carry passengers and persons with disabilities with exemptions for the reason of safety, security, or for the following cases:

(1) the carriage of the passenger or the person with disabilities may endanger safety, security, public order on board the aircraft, physical or mental health or sanitary of himself/herself or of others on board;

(2) the passenger or the person with disabilities is under the influence of alcohol, drugs, or addictive substances which may endanger the aircraft, public order or properties on board;

(3) the passenger or the person with disabilities cannot present travel documents certifying the holder's identity issued by government agencies or documents required to transit through a country or enter into a destination country to the relevant officers;

(4) the passenger or the person with disabilities whose permission to enter the destination country is denied by the immigration authority of the destination country;

(5) the passenger or the person with disabilities who refuses to pass any security checks or the passenger who has not passed the security check according to Section 41/133 paragraph two;

(6) the passenger or the person with disabilities has committed misconduct and violated any rules or jeopardized order on board the aircraft, or who has a record of such misconduct;

(7) an infant passenger or an infant with disabilities, who was born within the first 7 (seven) days after birth;

(8) the passenger or the person with disabilities between the age of 5 (five) and 12 (twelve) years, who travel alone;

(9) the pregnant passenger or the pregnant person with disabilities beyond their 32nd week, except that she can present a medical certificate certifying that she is fit to travel by air;

(10) the passenger or the person with disabilities requiring special assistance on board but who is not accompanied by his/her assistant who can provide him/her with any necessary assistance except the passenger or the person with disabilities requesting for assistance on board from the holder of the Civil Aviation Operating License for commercial air transport under section 41/125 and the permitted foreign air operators under section 41/126 and been accepted to travel on board the aircraft.

Given on the B.E. (...)
Minister of Transport
Chairman of the Civil Aviation Board