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STATUTORY INSTRUMENTS

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**2018 No. 598**

**The Passenger Name Record Data and  
Miscellaneous Amendments Regulations 2018**

**PART 3**

**Processing of PNR data and protection of personal data**

**Transfers of PNR to third countries**

**12.**—(1) The PIU must not transfer PNR data or the result of processing that data to a third country except where the conditions set out in paragraph (2) are met.

(2) The conditions are that—

- (a) the request from the third country is duly reasoned;
- (b) the PIU is satisfied that the transfer is necessary for the prevention, investigation, detection or prosecution of terrorist offences and serious crime, and
- (c) the third country agrees to transfer the data to another third country only where it is strictly necessary for the purposes described in sub-paragraph (b).

(3) In the case of PNR data that has been depersonalised through the masking out of data elements pursuant to regulation 13(2), the PIU must not transfer the unmasked PNR data except where—

- (a) the PIU is satisfied that the disclosure is necessary for the purposes of preventing, detecting, investigating or prosecuting terrorist offences or serious crime in a specific case, and
- (b) the disclosure is approved by the officer referred to in regulation 13(4)(b).

(4) The PIU must inform the data protection officer each time PNR data is transferred to a third country.