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STATUTORY INSTRUMENTS

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**2018 No. 598**

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

**PART 4**

Passenger and Service Information

**Substitution of article 7 (form and manner in which passenger and service information to be provided: police)**

18. For article 7 substitute—

**“Form and manner in which passenger and service information to be provided:  
police**

7.—(1) Paragraph (2) applies where the owner or agent of an aircraft is subject to a requirement under section 32(2) of the 2006 Act to provide any passenger or service information specified by article 6(4).

(2) The owner or agent of the aircraft must provide that information electronically using a secure method which conforms to the data formats and transmission protocols provided for in Article 1 of the Implementing Decision.

(3) In the circumstances described in paragraph (4), the owner or agent of an aircraft may provide the information in an alternative form and manner.

(4) The circumstances are that—

- (a) there has been a technical failure meaning that it is not possible for the owner or agent to provide the required information in accordance with paragraph (2);
- (b) the alternative form and manner provides an equivalent level of security in relation to the protection of personal data as the method referred to in paragraph (2), and
- (c) the intended recipient has consented to the provision of the information in the alternative form and manner.

(5) Where a person other than the owner or agent of an aircraft is subject to a requirement to provide passenger or service information imposed under section 32(2) of the 2006 Act, the person must provide the required information in an electronic form that is compatible with the technology used by the recipient of the information.

(6) Where there has been a technical failure meaning that it is not possible for a person to provide the required information in accordance with paragraph (5), the person may provide the required information in an alternative form and manner with the prior agreement of the recipient of the information.

(7) In this article “the Implementing Decision” means Commission Implementing Decision (EU) 2017/759 of 28 April 2017 on the common protocols and data formats to be used by air carriers when transferring PNR data to Passenger Information Units<sup>MI</sup>.”.

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**Changes to legislation:** There are currently no known outstanding effects for the The Passenger Name Record Data and Miscellaneous Amendments Regulations 2018, Section 18. (See end of Document for details)

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**Marginal Citations**

**M1** OJ No L 113, 29.4.2017, p. 48-51.

**Changes to legislation:**

There are currently no known outstanding effects for the The Passenger Name Record Data and Miscellaneous Amendments Regulations 2018, Section 18.