
STATUTORY INSTRUMENTS

2018 No. 598

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

PART 1

General

Interpretation

2.—(1) In these Regulations—

“the 2008 Order” means the Immigration and Police (Passenger, Crew and Service Information) Order 2008⁽¹⁾;

“API data” means—

- (a) in the case of information provided by an air carrier pursuant to a requirement under paragraph 27B(2) of Schedule 2 to the Immigration Act 1971, the information described in paragraph (1)(rr) of Schedule 2 to the 2008 Order;
- (b) in the case of information provided by an air carrier pursuant to a requirement under section 32(2) of the Immigration, Asylum and Nationality Act 2006, the information described in paragraph (1)(oo) of Schedule 4 to the 2008 Order;

“the Commissioner” means the Information Commissioner;

“the data protection officer” means the person appointed in accordance with regulation 4(1);

“data subject” means the identified or identifiable living individual to whom PNR data relates;

“European Commission” means the Commission of the European Union;

“Europol” means the European Police Office;

“non-UK competent authority” means an authority of a Member State other than the United Kingdom that is competent for the prevention, detection, investigation or prosecution of terrorist offences or serious crime and that has been notified to the European Commission in accordance with Article 7(3) of the Passenger Name Record Directive;

“non-UK PIU” means an authority of a Member State other than the United Kingdom that has been notified to the European Commission as that Member State’s passenger information unit in accordance with the requirements of Article 4(5) of the Passenger Name Record Directive;

“the Passenger Name Record Directive” means Directive (EU) 2016/681 of the European Parliament and of the Council of 27 April 2016 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime⁽²⁾;

“personal data” means information relating to an identified or identifiable living individual;

(1) [S.I. 2008/5](#), as amended by [S.I. 2015/859](#).

(2) [OJ No L 119, 4.5.2016, p. 132-149](#).

“the PIU” means the authority competent in the prevention, detection, investigation or prosecution of terrorist offences and of serious crime which is designated as the United Kingdom’s passenger information unit under regulation 3(1);

“PNR data” means one or more items of personal data listed in Annex I to the Passenger Name Record Directive;

“processing”, in relation to PNR data, means an operation or set of operations performed on that data including its retrieval, consultation or use;

“third country” means a country or territory other than a Member State;

“UK competent authority” means a United Kingdom authority competent for the prevention, detection, investigation or prosecution of terrorist offences or serious crime that has been notified to the European Commission in accordance with Article 7(3) of the Passenger Name Record Directive.

(2) Any other expression used in these Regulations which is also defined in the Passenger Name Record Directive has the same meaning as in that Directive.