
STATUTORY INSTRUMENTS

2022 No. 84

The Immigration and Police (Passenger, Crew and Service Information) (Amendment) Order 2022

Amendments to the Immigration and Police (Passenger, Crew and Service Information) Order 2008

2.—(1) The Immigration and Police (Passenger, Crew and Service Information) Order 2008⁽¹⁾ is amended as follows.

(2) For the heading immediately before article 1, substitute “Citation and commencement”.

(3) Omit article 1(2).

(4) In article 3(4), for the words after “departure” substitute “, it is no longer possible for further passengers or crew to do so and authority has been sought and not refused under any scheme made pursuant to section 22(1) of the Counter-Terrorism and Security Act 2015.”.

(5) In article 5(2), for the words after “departure” substitute “, it is no longer possible for further passengers or crew to do so and authority has been sought and not refused under any scheme made pursuant to section 22(1) of the Counter-Terrorism and Security Act 2015.”.

(6) In article 5(4), for “Schedule 2” the first time that it appears, substitute “Schedule 4”.

(7) In article 6, for “Schedule 3” each time that it appears, substitute “Schedule 1”.

(8) In article 6(2), for the words after “departure” substitute “, it is no longer possible for further passengers or crew to do so and authority has been sought and not refused under any scheme made pursuant to section 22(1) of the Counter-Terrorism and Security Act 2015.”.

(9) For article 7, substitute—

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

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

(2) The person must provide that information electronically using a secure method that is compatible with the technology used by the recipient of the information.

(3) In the circumstances described in paragraph (4), the person 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 provide 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.”.

- (10) For the heading to Schedule 1, substitute “Information specified: immigration and police”.
- (11) After paragraph 3(g) of Schedule 1, insert—
 - “(ga) actual departure date, where different from the scheduled departure date;
 - (gb) actual departure time, where different from the scheduled departure time;
 - (gc) notice of any cancellation of the flight, voyage or international service;”.
- (12) Omit Schedules 2 and 3.
- (13) For the heading to Schedule 4, substitute “Information specified to extent known by carrier: immigration and police”.
- (14) In paragraph 1(nn)(viii)(dd), omit the word “and”.
- (15) In paragraph 1(oo) of Schedule 4, for “Schedule 3” substitute “Schedule 1”.
- (16) After paragraph 1(oo) of Schedule 4, insert—
 - “(pp) any other information as is collected in respect of any travel document held by the passenger in addition to the one to which paragraph 2(a) of Schedule 1 refers; and
 - (qq) any other biographic information as is collected in machine-readable form from the passenger’s travel document or documents.”.