STATUTORY INSTRUMENTS

2024 No. 1227

IMMIGRATION

POLICE

The Immigration and Police (Passenger, Crew and Service Information) Order 2024

Made - - - -	*26th November 2024*
Laid before Parliament	*27th November 2024*
Coming into force - -	*19th December 2024*

The Secretary of State makes this Order in exercise of the powers conferred by paragraphs 27(2), (3) and (5) and 27B(9) and (9A) of Schedule 2 to the Immigration Act 1971(**a**) and section 32(5)(a) and (8) of the Immigration, Asylum and Nationality Act 2006(**b**) ("the 2006 Act").

The Secretary of State is satisfied that the nature of information specified in this Order is such that there are likely to be circumstances in which it can be required under section 32 of the 2006 Act without breaching Convention Rights (within the meaning of the Human Rights Act 1998(**c**)).

Citation, commencement and extent

1.—(1) This Order may be cited as the Immigration and Police (Passenger, Crew and Service Information) Order 2024.

(2) This Order comes into force on 19th December 2024.

(3) This Order extends to England and Wales, Scotland and Northern Ireland.

Interpretation

2.—(1) In this Order—

"the 1971 Act" means the Immigration Act 1971;

(**a**) 1971 c. 77. Paragraphs 27 and 27B of Schedule 2 to the 1971 Act were amended by section 31(2) and (3) of the Immigration, Asylum and Nationality Act 2006 (c. 13); paragraph 1(2) and (3) of Schedule 5 to the Counter-Terrorism and Security Act 2015 (c. 6); and paragraph 9(3) and (4) of Schedule 6 to the Nationality and Borders Act 2022 (c. 36). Paragraph 27B was originally inserted by section 18 of the Immigration and Asylum Act 1999 (c. 33). Paragraphs 27 and 27B apply with modifications to trains arriving and departing the United Kingdom via the Channel Tunnel: article 7(1) of, and paragraph 1(11)(r) and (s) of Schedule 4 to, S.I. 1993/1813 (relevant amendments have been made by S.I. 2000/913 and S.I. 2007/3579).

(**b**) 2006 c. 13. Section 32 of the 2006 Act was amended by paragraph 6 of Schedule 5 to the Counter-Terrorism and Security Act 2015 (c. 6). Section 32 applies with modifications to trains arriving and departing the United Kingdom via the Channel Tunnel: article 7(1) of, and paragraph 3A of Schedule 4 to, S.I. 1993/1813. Paragraph 3A was inserted by S.I. 2007/3579.

(**c**) 1998 c. 42. The requirement set out in the second recital reflects the terms of section 32(7) of the 2006 Act.

"the 2006 Act" means the Immigration, Asylum and Nationality Act 2006;

"carrier" means the—

(a) owner or agent of an aircraft or ship; or

(b) operator or agent of an international service,

which operates passenger services to or from the United Kingdom;

"shuttle train", "through train", "train manager" and "international service" have the same meaning as the Channel Tunnel (International Arrangements) Order 1993(**a**).

(2) For the purposes of this Order, information is known by the carrier if it is held by them and—

(a) it is routinely held on their reservation system, departure control system or equivalent system; or

(b) it is obtained in the ordinary course of their business.

Power for immigration officer to require a passenger list and crew information

3.—(1) This article applies to—

(a) a ship or aircraft arriving or expected to arrive in, or leaving or expected to leave, the United Kingdom;

(b) a through train or shuttle train arriving or expected to arrive in, or leaving or expected to leave, the United Kingdom.

(2) An immigration officer may require a responsible person(**b**) in respect of a ship or aircraft to supply—

(a) a passenger list showing the names and nationality or citizenship of the passengers arriving or leaving the United Kingdom on board the ship or aircraft; and

(b) the crew information specified in paragraph 2 of Schedule 1 (mandatory information).

(3) An immigration officer may require a train manager of a through train or shuttle train or a person operating an international service or their agent to supply—

(a) a passenger list showing the names and nationality or citizenship of the passengers arriving or leaving the United Kingdom on board the train; and

(b) the crew information specified in paragraph 2 of Schedule 1.

(4) Where a person is subject to a requirement under paragraph (2) or (3), they must provide the required information before—

(a) the beginning of the relevant period; and

(b) the point in time when it is no longer possible for any further passengers or crew to board the service prior to its departure.

(5) The person subject to a requirement under paragraph (2) or (3) must provide the information—

(a) in an electronic form that is compatible with the technology used by the Secretary of State; and

(b) by means of a system which enables the carrier to send communications to, and receive communications from, the Secretary of State or an immigration officer relating to the information provided,

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(**a**) S.I. 1993/1813, to which there are amendments not relevant to this Order.

(**b**) See paragraph 27(4) of Schedule 2 to the 1971 Act for the meaning of a "responsible person".

unless an alternative form and manner of information transmission is authorised by the Secretary of State or an immigration officer.

(6) In this article—

(a) "relevant period" means a sufficient period of time, between the provision of the required information and departure of the service, for the Secretary of State to refuse authority under the scheme;

(b) "scheme" means the applicable authority-to-carry scheme made under section 22(1) of the Counter-Terrorism and Security Act 2015(**a**).

Passenger and service information: immigration officers

4.—(1) The passenger and service information in paragraphs 1 and 3 of Schedule 1 is specified for the purposes of paragraph 27B(9) and (9A) of Schedule 2 to the 1971 Act.

(2) The passenger and service information in Schedules 2 (information provided with the information specified in Schedule 1) and 3 (information not provided with the information specified in Schedule 1) is specified for the purposes of paragraph 27B(9) and (9A) of Schedule 2 to the 1971 Act to the extent it is known by the carrier.

Passenger, crew and service information: police

5.—(1) The passenger, crew and service information in Schedule 1 is specified for the purposes of section 32(5)(a) of the 2006 Act.

(2) The passenger, crew and service information in Schedules 2 and 3 is specified for the purposes of section 32(5)(a) of the 2006 Act to the extent it is known by the carrier.

(3) Where the carrier is required under section 32(2) of the 2006 Act to provide information, they must provide that information electronically using a secure method that is compatible with the technology used by the recipient of that information.

(4) The carrier may provide the information in an alternative form and manner if—

(a) there has been a technical failure meaning that it is not possible for the carrier to provide the required information in accordance with paragraph (3);

(b) the alternative form and manner provide an equivalent level of security in relation to the protection of personal data as the method referred in paragraph (3); and

(c) the intended recipient has consented to the provision of the information in the alternative form and manner.

Revocation and amendments

6.—(1) The Immigration and Police (Passenger, Crew and Service Information) Order 2008(**b**) is revoked.

(2) In the Passenger Name Record Data and Miscellaneous Amendments Regulations 2018(**c**)—

(a) in regulation 2 (interpretation)—

(i) for the definition of "the 2008 Order" substitute—

""the 2024 Order" means the Immigration and Police (Passenger, Crew and Service Information) Order 2024;";

(**a**) 2015 c. 6.
(**b**) S.I. 2008/5.
(**c**) S.I. 2018/598, amended by Schedule 2 to the European Union (Future Relationship) Act 2020 (c. 29) and S.I. 2019/742.

(ii) for the definition of "air carrier"(**a**) substitute—

""carrier" means the—

(a) owner or agent of an aircraft or ship; or

(b) operator or agent of an international service,

operating passenger services to or from the United Kingdom;";

(iii) for the definition of "API data" substitute—

""API" means the information described in paragraph 1(nn) of Schedule 3 to the 2024 Order;";

(iv) in the definition of "EU PNR data"—

(aa) in paragraphs (a) and (b), after "aircraft" in every place it appears, insert ", ship or international service";

(bb) in paragraphs (c) and (d), for "an air" substitute "a";

(v) in the "PNR data" definition, for "Schedules 2 or 4 to the 2008 Order", substitute "Schedule 3 to the 2024 Order";

(b) in regulation 3(2)(a) (designation of passenger information unit), omit "air";

(c) in regulation 5(1) (scope)(**b**), for "an air" substitute "a";

(d) in regulation 6(1) (processing of PNR data by the PIU)(**c**), for "an air" substitute "a";

(e) in regulation 12(2F) (transfers of PNR data to third country competent authorities)(**d**), for "an air" substitute "a";

(f) in regulation 13 (period of data retention and depersonalisation)(**e**)—

(i) in paragraph (1)(a), omit "air";

(ii) in paragraph (2), for "an air" substitute "a";

(iii) in paragraph (2)(d), after "flyer", insert "or similar scheme";

(iv) in paragraph (2)(f), omit "data".

Seema Malhotra
Parliamentary Under Secretary of State
Home Office

26th November 2024

(**a**) The definition was inserted by paragraph 2(2) of Schedule 2 to the European Union (Future Relationship) Act 2020.
(**b**) Regulation 5(1) was amended by paragraph 5 of Schedule 2 to the European Union (Future Relationship) Act 2020.
(**c**) Regulation 6(1) was amended by paragraph 6 of Schedule 2 to the European Union (Future Relationship) Act 2020.
(**d**) Regulation 12(2F) was inserted by paragraph 11(6) of Schedule 2 to the European Union (Future Relationship) Act 2020.
(**e**) Regulation 13 was amended by paragraph 12 of Schedule 2 to the European Union (Future Relationship) Act 2020.

SCHEDULE 1

Articles 3(2)(b) and (3)(b), 4(1) and 5(1)

Mandatory information

Passenger information

1. The specified information is—

(a) the following information as provided on the passenger's travel document—

(i) full name;

(ii) sex;

(iii) date of birth;

(iv) nationality;

(v) type of travel document held;

(vi) number of travel document held;

(vii) expiry date of travel document held; and

(viii) issuing State or Organisation of travel document held;

(b) where a travel document is not held, the following information—

(i) full name;

(ii) sex;

(iii) date of birth;

(iv) nationality;

(v) type of identification relied upon;

(vi) number of identification relied upon;

(vii) expiry date of identification relied upon; and

(viii) issuing State or Organisation of identification relied upon;

(c) the vehicle registration number of any vehicle in which the passenger is travelling and which is being transported by the ship, aircraft, through train or shuttle train;

(d) if the vehicle referenced in sub-paragraph (c) has a trailer, the trailer registration number;

(e) the fact that the person is a passenger.

Crew information

2. The specified information is—

(a) the following information as provided on the member of the crew's travel document—

(i) full name;

(ii) sex;

(iii) date of birth;

(iv) nationality;

(v) type of travel document held;

(vi) number of travel document held;

(vii) expiry date of travel document held; and

(viii) issuing State or Organisation of travel document;

(b) where a travel document is not held, the following information—

(i) full name;

(ii) sex;

(iii) date of birth;

(iv) nationality;

(v) type of identification relied upon;

(vi) number of identification relied upon;

(vii) expiry date of identification relied upon; and

(viii) issuing State or Organisation of identification relied upon;

(c) the vehicle registration number of any vehicle in which the member of the crew is travelling and which is being transported by ship, aircraft, through train or shuttle train;

(d) if the vehicle referenced in sub-paragraph (c) has a trailer, the trailer registration number;

(e) the number of crew on board the ship, aircraft, through train or shuttle train;

(f) the fact that the person is a member of the crew; and

(g) in relation to crew on a ship—

(i) the place of birth of the member of the crew; and

(ii) the rank, rating or equivalent of the member of the crew.

Service information

3. The specified information is—

(a) flight number, ship name, train service or carrier running number;

(b) name of carrier;

(c) nationality of ship;

(d) scheduled departure date;

(e) scheduled departure time;

(f) scheduled arrival date;

(g) scheduled arrival time;

(h) actual departure date, where different from the scheduled departure date;

(i) actual departure time, where different from the scheduled departure time;

(j) notice of any cancellation of the flight, voyage or international service;

(k) place and country from which the flight, voyage or international service departed immediately prior to arrival in the United Kingdom;

(l) place in the United Kingdom into which the flight, voyage or international service first arrives from overseas;

(m) any place in the United Kingdom to which the flight, voyage or international service from overseas will subsequently go; and

(n) number of passengers.

SCHEDULE 2

Articles 4(2) and 5(2)

Information provided with the information specified in Schedule 1

Other passenger, crew and service information

1. The specified information is—

(a) booking reference number, Passenger Name Record locator and other data locator used by the carrier to locate the passenger within their information system;

(b) passenger sequence number;

(c) unique passenger reference identifier;

(d) customer reference number;

(f) any other information in respect of any travel document held by the passenger in addition to the one to which paragraph 1(a) of Schedule 1 refers;

(g) place of birth;

(h) seating information (specific seat and/or cabin allocated);

(i) details of any baggage carried, including—

(i) the number of bags taken on as carry-on luggage;

(ii) the number of checked bags;

(iii) the baggage tag associated with each checked bag;

(iv) the weight of checked bags; and

(v) baggage carrier codes;

(j) whether the person is transiting through the United Kingdom;

(k) place or port of original embarkation;

(l) Inbound Connection Indicator, which identifies where a passenger started their journey before they travel onto the United Kingdom;

(m) place or port of onward foreign disembarkation;

(n) place where immigration and customs checks will be completed;

(o) Outbound Indicator, which identifies where a passenger is to travel onto from the United Kingdom;

(p) the following details as to the passenger's visa—

(i) visa number;

(ii) place of issue; and

(iii) date of issue;

(q) contact information for the passenger and their emergency contact, including telephone number and email address;

(r) passenger's primary residence (including country, address, city, state, province or county and post code);

(s) passenger's destination address (including country, address, city, state, province or county and post code).

SCHEDULE 3

Articles 4(2) and 5(2)

Information not provided with the information specified in Schedule 1

Other passenger information

1. The specified information is—

(a) name as it appears on the reservation;

(b) issue date of travel document;

(c) passenger's primary residence (including country, address, city, state, province or county and post code);

(d) sex;

(e) contact information for the passenger, their emergency contact and the person who made the reservation for the passenger, including telephone number and email address;

(f) travel status of the passenger, which indicates whether the reservation is confirmed or provisional and whether the passenger has checked in;

(g) details of any baggage carried, including—

(i) the number of bags taken on as carry-on luggage;

(ii) the number of checked bags;

(iii) the baggage tag associated with each checked bag;

(iv) the weight of checked bags; and

(v) baggage carrier codes;

(h) any documentation provided to the passenger in respect of their baggage;

(i) date or dates of intended travel;

(j) ticket number;

(k) date and place of ticket issue;

(l) seating information (specific seat and/or cabin allocated);

(m) seat number requested;

(n) check-in time;

(o) date on which reservation was made;

(p) identity of any person who made the reservation;

(q) any travel agent used;

(r) any other name that appears on the passenger's reservation;

(s) the fact that the passenger is travelling as part of a group;

(t) number of passengers on the same reservation;

(u) complete travel itinerary for the passengers on the same reservation;

(v) the fact that a reservation in respect of more than one passenger has been divided due to a change in itinerary for one or more, but not all, of the passengers;

(w) Code Share Details;

(x) payment method used to purchase ticket or make reservation;

(y) details of the payment method used, including the number of any credit, debit or other card used;

(z) billing address;

(aa) booking reference number, Passenger Name Record locator and other data locator used by the carrier to locate the passenger within their information system;

(bb) class of transport reserved;

(cc) the fact that the reservation is in respect of a one-way journey;

(dd) all historical changes to the reservation;

(ee) General Remarks;

(ff) Other Service Information (OSI);

(gg) System Service Information (SSI) and System Service Request Information (SSR);

(hh) identity of the individual who checked the passenger in for the flight, voyage or international service;

(ii) travel product information;

(jj) card number and type of any frequent flyer or similar scheme used;

(kk) Automated Ticket Fare Quote (ATFQ), which indicates the fare quoted and charged;

(ll) the fact that the passenger is under the age of eighteen and unaccompanied;

(mm) where the passenger is under the age of eighteen and unaccompanied—

(i) their age;

(ii) languages spoken by the passenger;

(iii) any special instructions provided;

(iv) the name of any departure agent who will receive instructions regarding the care of the passenger;

(v) the name of any transit agent who will receive instructions regarding the care of the passenger;

(vi) the name of any arrival agent who will receive instructions regarding the care of the passenger;

(vii) the following details in respect of the guardian on departure—

(aa) name;

(bb) address;

(cc) any contact telephone number; and

(dd) relationship to passenger;

(viii) the following details in respect of the guardian on arrival—

(aa) name;

(bb) address;

(cc) any contact telephone number; and

(dd) relationship to passenger;

(nn) any other such information forming part of a Passenger Name Record that is set out in paragraphs 1 or 3 of Schedule 1 or in Schedule 2;

(oo) any other information in respect of any travel document held by the passenger in addition to the one to which paragraph 1(a) of Schedule 1 refers;

(pp) any other biographic information from the passenger's travel document or documents.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under paragraphs 27 and 27B of Schedule 2 to the Immigration Act 1971 (c. 77) and section 32 of the Immigration, Asylum and Nationality Act 2006 (c. 13). Those provisions are applied with modifications to channel tunnel trains by Schedule 4 to the Channel Tunnel (International Arrangements) Order 1993 (S.I. 1993/1813).

Article 3 provides immigration officers with the power to require certain persons to provide a passenger list and crew information, regarding aircraft, ships and channel tunnel trains which are arriving or expected to arrive in, or leaving or expected to leave, the United Kingdom.

Article 4(1) and paragraphs 1 and 3 of Schedule 1 specify passenger and service information that the carrier must provide.

Article 4(2) and Schedules 2 and 3 specify passenger and service information which the carrier must provide to the extent it is known.

Article 5 makes equivalent provision in respect of the police's power to require passenger and service information.

Article 6 revokes the Immigration and Police (Passenger, Crew and Service Information) Order 2008 (S.I. 2008/5) and makes amendments to the Passenger Name Record Data and Miscellaneous Amendments Regulations 2018 (S.I. 2018/598). The amendments include expanding the scope of the 2018 Regulations to cover passenger information received from ship and train carriers.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary sector or public sector is foreseen.

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