



WORKING PAPER

FACILITATION PANEL (FALP)

SEVENTH MEETING

Montréal, 22-26 October 2012

Agenda Item 5: Amendments to Annex 9

**PROPOSAL FOR NEW RECOMMENDED PRACTICES: ACCESS TO
PASSENGER NAME RECORD (PNR) DATA**

(Presented by Canada on behalf of IATA CAWG)

SUMMARY

ICAO Annex 9, Chapter 3, Section K - *entry procedures and responsibilities*- refers to the use of Passenger Name Records (PNR) in a general way. Recommended Practice 3.48 states: "*Contracting states requiring PNR access should conform their data requirements and their handling of such data to guidelines developed by ICAO*". Although it is not explicitly mentioned in the text, it is assumed that the guidelines referred to are the ICAO doc 9944 – Guidelines on Passenger Name Record (PNR) Data and the WCO/ICAO/IATA revised Guidelines on Advanced Passenger Information.

A new system standard for the transfer of PNR data from aircraft operator to Contracting States called PNRGOV has been developed by IATA, officials from several Contracting States, airlines and service providers. Although it is understandable that public authorities for contracting States may consist of several departments (e.g. Customs, Immigration, Security), it is best practice to limit the number of portals through which PNR data transmission messages are required. Aircraft operators could face legal, technical and financial issues if they have to respond to multiple, unilaterally imposed or bilaterally agreed PNR data transfer requirements that differ substantially from one another.

Therefore, IATA's Control Authorities Working Group (IATA/CAWG) seeks to make amendments to Annex 9 in order to refer to ICAO Doc 9944, the WCO/ICAO/IATA revised guidelines as well as the introduction of PNR data from aircraft operators to Contracting States, titled PNRGOV.

Action by the FAL Panel:

The FAL Panel is invited to consider the proposals described in this paper and agree that Annex 9 be amended, as set out in the Appendix.

1. INTRODUCTION

1.1 The IATA Control Authorities Working Group (IATA/CAWG) was established in 1987, primarily as a forum for on-going dialogue between Airlines and Immigration officials in respect of the control of illegal migration. Whilst the original focus was on inadmissible passengers, IATA/CAWG now deals with many key areas of passenger facilitation. Twenty-one (21) Contracting States, along with a representative from a national airline from each State are presently represented on the IATA/CAWG.

1.2 The members of IATA/CAWG are of the opinion that Recommended Practice 3.48 should directly refer to guidance material found within ICAO Doc 9944 *Guidelines on Passenger Name Record (PNR) Data* and the WCO/ICAO/IATA Guidelines on *Advance Passenger Information* (revised). Of particular importance in Doc 9944 are the detailed guidelines relating to the distribution (formatting and exchange processes), use and storage of data and a composite list of data elements that may be transferred between the aircraft operator and the receiving State.

1.3 The group also seeks to make amendments which refer to the introduction of a system standard message (PNRGOV) for the transfer of PNR data from an aircraft operator to Contracting States.

2. DISCUSSION

2.1 There are a number of Contracting States who have legislated for the provision of PNR data and a growing number of Contracting States have legislation pending for the provision of PNR data. As of February 2012, the IATA API/PNR World Tracker lists a total of seven contracting States currently enforcing the provision of PNR data. There are an additional thirty one (31) Contracting States that will likely implement PNR data exchange requirements in the near term.

2.2 In order to ensure a high level of standardization in the provision of PNR data, it is recommended that the following information be incorporated into the Recommended Practice.

- The existing ICAO Annex 9 section 3.48 is a recommended practice and should be amended to incorporate reference to ICAO Document 9944 *Guidelines on Passenger Name Record (PNR) Data* and the WCO/ICAO/IATA *Guidelines on Advanced Passenger Information* (as revised).
- Guidance be provided to Contracting States around the adoption and implementation of the PNRGOV message as a method of transfer for the provision of PNR data.
- Aircraft operators and Contracting States should seek to establish and provide 24/7 contact numbers for arrangements and questions relating to the provision and transferral of PNR data from an aircraft operator to a contracting State.

3. RECOMMENDATIONS

3.1 IATA/CAWG recommends that existing Recommended Practice 3.48 include reference to ICAO Document 9944 *Guidelines on Passenger Name Record(PNR)*. Further a new Recommended Practice that specifies the use of the PNRGOV message format for the purpose of exchanging PNR data is also proposed.

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APPENDIX

Amend Annex 9 as follows:

3.48 Recommended Practice - *Contracting States requiring Passenger Name Record (PNR) access should conform reference their data requirements and their handling of such data to the guidelines developed by indicated in ICAO Document 9944, Guidelines on Passenger Name Record (PNR) Data, and the WCO/ICAO/IATA Guidelines for Advance Passenger Information.*

3.48.1 Recommended Practice - *Contracting States and Aircraft Operators should provide the appropriate level (where practicable, a 24/7 arrangement) of contact support.*

3.48.2 Recommended Practice - *When specifying requirements for the transfer of PNR data, Contracting States should consider the adoption and implementation of the PNRGOV message as a method of transferral of PNR data.*

Note – The PNRGOV message is a standard electronic message developed jointly by IATA, a number of Contracting States and aircraft operators. Depending on the specific Aircraft Operator's Reservation and Departure Control System, specific data elements can be provided.

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