



INFORMATION PAPER

FACILITATION PANEL (FALP)

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Agenda Item 6: Other matters

**UPDATING DOC 9944, *GUIDELINES ON PASSENGER NAME
RECORD (PNR) DATA***

(Presented by the Secretariat)

1. INTRODUCTION

1.1 The 15th Edition of Annex 9 (October 2017) incorporates modifications that had been suggested by the Ninth Meeting of the FAL Panel (FALP/9-WP/13, refers) related to Passenger Name Record (PNR) data. These are reflected, inter alia, by Standards 9.22 and 9.22.1 and Recommended Practice 9.23 as follows:

D. Passenger Name Record (PNR) Data

9.22 Each Contracting State requiring Passenger Name Record (PNR) data shall align its data requirements and its handling of such data with the guidelines contained in ICAO Doc 9944, *Guidelines on Passenger Name Record (PNR) Data*, and in PNRGOV message implementation guidance materials published and updated by the WCO and endorsed by ICAO and IATA.

9.22.1 Contracting States requiring the transfer of PNR data shall adopt and implement the EDIFACT-based PNRGOV message as the primary method for airline-to-government PNR data transferal to ensure global interoperability.

Note 1.— The PNRGOV message is a standard electronic message endorsed jointly by WCO/ICAO/IATA. Depending on the specific aircraft operator's Reservation and Departure Control Systems, specific data elements which have been collected and stored by the aircraft operator can be efficiently transmitted via this standardized message structure.

Note 2.— This provision is not intended to replace or supersede any messages exchanged between aircraft operators and customs administrations to support local airport operations.

Note 3.— In addition to the mandatory EDIFACT-based PNRGOV message, Contracting States may also, optionally, consider implementation of the XML PNRGOV message format as a supplemental method of PNR data transfer, thereby allowing those

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aircraft operators with XML capability a choice of format for the transmission of PNR data.

9.23 Recommended Practice.— *Contracting States requiring PNR data should consider the data privacy impact of PNR data collection and electronic transfer, within their own national systems and also in other States. Where necessary, Contracting States requiring PNR data and those States restricting such data exchange should engage in early cooperation to align legal requirements.*

1.2 Also incorporated into the 15th Edition of Annex 9 was a new Recommended Practice 9.1 concerning the creation of a Passenger Data Single Window facility, as follows:

9.1 Recommended Practice.— *Contracting States requiring the exchange of Advance Passenger Information (API), interactive API (iAPI) and/or Passenger Name Record (PNR) data from aircraft operators should create a Passenger Data Single Window facility for each data category that allows parties involved to lodge standardized information with a common data transmission entry point for each category to fulfil all related passenger and crew data requirements for that jurisdiction.*

1.3 The purpose of Doc 9944 is to establish uniform measures for PNR data transfer and the subsequent handling of these data by States concerned, based on certain principles set out in paragraph 2.3.2 of the document. It also provides an overview of PNR data exchange, including definitions and basic information on how and why data is exchanged, as well as important principles for cooperation between States and aircraft operators.

1.4 The 1st Edition of Doc 9944 was issued in 2010. While the content of the document remains relevant, a technical (editorial) update is needed to align it with the provisions of the 15th Edition of Annex 9.

2. DISCUSSION

2.1 The current provisions (Standards 9.22 and 9.22.1 and Recommended Practice 9.23) need to be reflected in the PNR Guidelines.

2.2 Standard 9.22.1 mandates the use of the EDIFACT-based PNRGOV message as the primary method for airline-to-government PNR (push) data transferal. Accordingly, PNR “access”— by which the “pull” PNR method allows governments to access airline reservations systems directly — is no longer referenced in Annex 9 with the change made to (old) Recommended Practice 3.49, now Standard 9.22. Doc 9944 needs to be revised to reflect the text in Annex 9.

2.3 The PNR Guidelines also refer to the “Single Window” concept in Chapter 2.7. As an additional technical update to the Guidelines, the text of the existing ICAO Annex 9 Recommended Practice 9.1 will be inserted here.

2.4 A track-change version of Doc 9944 is appended to this IP, for information.

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ATTACHMENT

DOC 9944 – GUIDELINES ON PASSENGER NAME RECORD (PNR) DATA

Doc 9944



Guidelines on Passenger Name Record (PNR) Data

**Approved by the Secretary General
and published under his authority**

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FOREWORD

Note.— Throughout these guidelines, the use of the male gender should be understood to include male and female persons.

1. In the present climate of intensified security controls, it is recognized that modern facilitation tools such as machine readable passports (MRPs) and advance passenger information (API) systems enhance overall the security of international civil aviation. In recent years, the level of interest in using API as a security measure has increased. Some States have deemed it necessary, in order to combat terrorism and to protect their borders, to go beyond the API requirements and to require additional data relating to passengers to be stored in the reservation and other such systems of aircraft operators.

2. This issue of collection, by States, of Passenger Name Record (PNR) data was first raised in ICAO at the Twelfth Session of the Facilitation Division held in Cairo, Egypt, from 22 March to 1 April 2004. The Division adopted Recommendation B/5 that reads as follows:

It is recommended that ICAO develop guidance material for those States that may require access to Passenger Name Record (PNR) data to supplement identification data received through an API system, including guidelines for distribution, use and storage of data and a composite list of data elements [that] may be transferred between the operator and the receiving State.

3. In June 2004, pursuant to this recommendation, the Air Transport Committee requested the Secretary General to establish a Secretariat study group to develop guidelines on PNR data transfer. The Council, in endorsing Recommendation B/5, directed that these guidelines were to be submitted early in 2005.

4. In March 2005, the ICAO Council adopted the following Recommended Practice for inclusion in Annex 9 to the Chicago Convention — *Facilitation*:

Recommended Practice.— *Contracting States requiring Passenger Name Record (PNR) access should conform their data requirements and their handling of such data to guidelines developed by ICAO.*

5. In April 2006, these guidelines were published in Circular 309.

6. In 2008, following a recommendation made by the Fifth meeting of the Facilitation Panel (FALP), a working group was established to revise, as appropriate, Circular 309 in light of recent global developments on the issue of PNR data transfer. The working group presented its results to the Sixth meeting of the FALP, held in Montréal in May 2010. The Panel agreed to the final version of the revised guidelines as contained in this manual.

7. In 2017, the ICAO Council adopted the following the Standards and Recommended Practice for inclusion in Annex 9:

[Standard] 9.22 Each Contracting State requiring Passenger Name Record (PNR) data shall align its data requirements and its handling of such data with the guidelines contained in ICAO

Doc 9944, Guidelines on Passenger Name Record (PNR) Data, and in PNRGOV message implementation guidance materials published and updated by the WCO and endorsed by ICAO and IATA.

[Standard] 9.22.1 Contracting States requiring the transfer of PNR data shall adopt and implement the EDIFACT-based PNRGOV message as the primary method for airline-to-government PNR data transferal to ensure global interoperability.

9.23 **Recommended Practice.**— Contracting States requiring PNR data should consider the data privacy impact of PNR data collection and electronic transfer, within their own national systems and also in other States. Where necessary, Contracting States requiring PNR data and those States restricting such data exchange should engage in early cooperation to align legal requirements.

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GLOSSARY OF TERMS

Advance ~~p~~Passenger ~~i~~Information (API) System. An ~~unilateral~~ electronic communications system whereby required data elements are collected and transmitted to border control agencies prior to flight departure or arrival, and made available on the primary line at the airport of entry.

Note.— For more information on API, please see the WCO/IATA/ICAO Guidelines on Advance Passenger Information (~~June 2010~~ 2014).

Aircraft operator. A person, organization or enterprise engaged in or offering to engage in an aircraft operation.

Authorized agent. A person who represents an operator and who is authorized by or on behalf of such operator to act on formalities connected with the entry and clearance of the operator's aircraft, crew, passengers, cargo, mail, baggage or stores and includes, where national law permits, a third party authorized to handle cargo on the aircraft.

Booking aircraft operator. An aircraft operator or his authorized agent with whom the passenger makes his original reservation(s) or with whom additional reservations are made after commencement of the journey.

Computer reservation system (CRS). Electronic (computer) repository of information about a passenger's travel itinerary, for example, passenger details, itinerary, ticket information, and address.

Data processing. For the purpose of these guidelines, includes any operation or set of operations performed on PNR data, such as collection, recording, organization, storage, adaptation or alteration, calling-up, retrieval, consultation, use, transfer, dissemination or otherwise making available, alignment or combination, blocking, erasure or destruction.

Departure control system (DCS). The system used to check passengers onto flights. The DCS contains check-in information such as seat number and baggage information.

Participating aircraft operator. Any aircraft operator on whose aircraft the booking aircraft operator has requested space, on one or more of its flights, to be held for a passenger.

Passenger Data Single Window. A facility that allows parties involved in passenger transport by air to lodge standardized passenger information (i.e. API, iAPI and/or PNR) through a single data entry point to fulfil all regulatory requirements relating to the entry and/or exit of passengers that may be imposed by various agencies of the Contracting State.

Note.— The Passenger Data Single Window facility to support API/iAPI transmissions does not necessarily need to be the same facility used to support PNR data exchange.

PNR data transfer. The transfer of PNR data, from an aircraft operator's system(s), to a State requiring such data ~~or access by the State to PNR data from such system(s).~~

LIST OF ACRONYMS

API(S)	Advance passenger information (system)
ARNK	Alternate routing unknown
ATFQ	Automatic fare quote
CRS	Computer reservation system
DCS	Departure control system
FOP	Form of payment
IATA	International Air Transport Association
OSI	Other service information
PNR	Passenger Name Record
PTA	Prepaid ticket advice
SSI	Special service information
SSR	Special service request
WCO	World Customs Organization

Chapter 1

INTRODUCTION

1.1 Under Article 13 of the Convention on International Civil Aviation (Chicago Convention, 1944), the laws and regulations of a Contracting State as to the admission to or departure from its territory of passengers, crew or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with, by or on behalf of such passengers, crew or cargo upon entrance into or departure from, or while within the territory of that State.

1.2 Consequently, a State has discretion over the information it requires relating to persons wishing to gain entry into its territory.

1.3 A State may require aircraft operators operating flights to, from or in transit through airports within its territory to provide its public authorities, upon request, with information on passengers, such as Passenger Name Record data.

1.4 In this regard, the General Principles set out in Chapter 1 of Annex 9 — *Facilitation* require Contracting States to take necessary measures to ensure that:

- a) the time required for the accomplishment of border controls in respect of persons is kept to the minimum;
- b) minimum inconvenience is caused by the application of administrative and control requirements;
- c) exchange of relevant information between Contracting States, operators and airports is fostered and promoted to the greatest extent possible; and
- d) optimal levels of security, and compliance with the law, are attained.

1.5 The Principles also require Contracting States to develop effective information technology to increase the efficiency and effectiveness of their procedures at airports.

1.6 Finally, the Principles specify that the provisions of Annex 9 shall not preclude the application of national legislation with regard to aviation security measures or other necessary controls.

Chapter 2

PASSENGER NAME RECORD (PNR) DATA

2.1 WHAT IS A PASSENGER NAME RECORD (PNR)?

2.1.1 A Passenger Name Record (PNR), in the air transport industry, is the generic name given to records created by aircraft operators or their authorized agents for each journey booked by or on behalf of any passenger. The data are used by operators for their own commercial and operational purposes in providing air transportation services. Industry standards related to PNR creation are detailed in IATA's *Passenger Services Conference Resolutions Manual* and in the *ATA/IATA Reservations Interline Message Procedures — Passenger (AIRIMP)*.

2.1.2 A PNR is built up from data that have been supplied by or on behalf of the passenger concerning all the flight segments of a journey. This data may be added to by the operator or his authorized agent, for example, changes to requested seating, special meals and additional services requested.

2.1.3 PNR data are captured in many ways. Reservations may be created by international sales organizations (global distribution systems (GDS) or computer reservation systems (CRS)) with pertinent details of the PNR then transmitted to the operating carrier(s). Reservations may be accepted directly by the aircraft operator and the complete PNR stored in the operator's automated reservations systems. Some operators may also store subsets of the PNR data in their own automated departure control systems (DCS), or provide similar data subsets to contracted ground handling service providers, to support airport check-in functions. In each case, operators (or their authorized agents) will have access to and be able to amend only those data that have been provided to their system(s). Some DCS systems are programmed such that details emerging from check-in (i.e. seat and/or baggage information) can be overlaid into the existing PNR for each passenger. However, that capability is limited — covering less than 50 per cent of operating systems today.

2.1.4 Aircraft operators specializing in charter air services often do not hold PNR data. In some cases, for example, where they use a DCS, they will have a limited PNR record but only once the flight has closed.

2.1.5 Supplemental or “requested service” information may be included in the PNR. This type of information is also defined in the IATA documents mentioned in 2.1.1 and may concern special dietary and medical requirements, “unaccompanied minor” information, requests for assistance, and so on.

2.1.6 Some information, such as the internal dialogue or communication between airline staff and reservation agents, may be stored in the PNR, in particular in the “General remarks” field. The remarks may include miscellaneous comments and shorthand.

2.1.7 PNRs may include many of the separate data elements described in the list of possible elements contained in Appendix 1 to these guidelines. However, in practice and as described in 2.1.3 above, aircraft operators capture only a limited number of data as key elements for the creation of a PNR. As pointed out in 2.1.3, an airline operating system may have a limited capability of incorporating data elements registered in the DCS (e.g. all check-in information, all seat information, all baggage information and “go-show” and

“no-show” information) into a PNR. Accordingly, the structure of individual PNRs and the amount of data they contain will vary widely.

2.1.8 The number and nature of the fields of information in a PNR will vary depending on the reservation system used during the initial booking, or other data collection mechanism employed (e.g. the DCS), the itinerary involved and also upon the special requirements of the passenger. The possible fields and subfields of PNR data may expand to more than sixty items, as listed in Appendix 1 to these guidelines. PNR data fields are subject to change based on operational requirements and technological developments.

2.1.9 PNRs should not contain any information that an aircraft operator does not need to facilitate a passenger’s travel, e.g. racial or ethnic origin, political opinions, religious or political beliefs, trade-union membership, marital status or data relating to a person’s sexual orientation. Contracting States should not require aircraft operators to collect such data in their PNRs.

2.1.10 PNRs may contain data, e.g. meal preferences and health issues as well as free text and general remarks, legitimately entered to facilitate a passenger’s travel. Some of these data may be considered sensitive and require appropriate protection. It is particularly important that carriers and States protect these data. Although they can be relevant in determining the risk that a passenger might represent, such data should be taken into consideration only if concrete indications exist which require the use of such data for the purposes listed in 2.2.2 a) to d).

2.1.11 PNR data are captured into reservation systems many days or weeks in advance of a flight. This can be up to approximately a year in advance of departure. Information in reservation systems is therefore dynamic and may change continually from the time when the flight is open for booking.

2.1.12 Passenger and flight information in the DCS is, on the other hand, available only from when the flight is “open” for check-in (up to 48 hours prior to departure). Departure control information for a flight will be finalized only upon flight closure and may remain available for 12 to 24 hours after the arrival of a flight at its final destination.

2.2 WHY ARE STATES REQUIRING PNR DATA TRANSFER?

2.2.1 A number of States consider that PNR data are critically important for the threat assessment value that can be derived from the analysis of such data, particularly in relation to the fight against terrorism and serious crime. They have thus legislated or are planning to legislate for aircraft operators to provide their public authorities with PNR data. In addition, a number of States consider PNR data important for the prevention, investigation or prosecution of a terrorist offence or serious crime.

2.2.2 Identification of potentially high-risk passengers through PNR data analysis provides States and aircraft operators with a capacity to:

- a) improve aviation security;
- b) enhance national and border security;
- c) prevent and combat terrorist acts and related crimes and other serious crimes that are transnational in nature, including organized crime, and to enforce warrants and prevent flight from custody for such crimes;
- d) protect the vital interests of passengers and the general public, including health;
- e) improve border control processing at airports; and

- f) facilitate and safeguard legitimate passenger traffic.

2.3 WHAT IS THE PURPOSE OF THESE GUIDELINES?

2.3.1 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.

2.3.2 The purpose of these guidelines is to establish uniform measures for PNR data transfer and the subsequent handling of these data by the States concerned, based on the principles of:

- a) minimization of the cost to industry;
- b) accuracy of information;
- c) completeness of data;
- d) protection of personal data;
- e) timeliness; and
- f) efficiency and efficacy of data management/risk management.

2.3.3 These guidelines also seek to assist States in designing data requirements and procedures in order to minimize technical burdens that may impair the implementation of these uniform measures. These guidelines address the issue of PNR data transfer from an operator's system to a State, and the management of these data including arrangements for storage and protection.

2.3.4 A harmonized set of guidelines for PNR data transfer should benefit requesting States and aircraft operators by assisting States to design systems and establish arrangements that are compatible with these guidelines but do not impair States' ability to enforce their laws and preserve national security and public safety.

2.3.5 If implemented uniformly, these guidelines would provide a global framework allowing:

- a) all States to benefit from the value-added analysis of PNR data for shared security/safety purposes;
- b) aircraft operators to benefit from one set of common requirements for PNR data transfer; and
- c) all passengers to benefit from basic protection of their PNR data.

2.4 LAWS OR REGULATIONS

2.4.1 The requirement for PNR data transfer should be governed by explicit legal provisions. The reasons for requiring PNR data should be clearly expressed in the appropriate laws or regulations of the State or in explanatory material accompanying such laws or regulations, as appropriate.

2.4.2 States should ensure that their public authorities have the appropriate legal authority to process the PNR data requested from aircraft operators, in a manner that observes these guidelines. States are invited to forward the full text of such legislation to ICAO for online dissemination to other States for information. All queries arising from such legislation should be addressed to the State and not to ICAO.

2.4.3 An aircraft operator is obliged to observe the laws of both the State from which it transports passengers (State of departure) and the State to which these passengers are transported (destination State).

2.4.4 If the laws of the State of departure prevent an aircraft operator from complying with the requirements of the destination State, both States should enter into consultation, as soon as possible, to resolve this conflict of laws.

2.4.5 Pending resolution of the conflict described in 2.4.4, States should consider whether the suspension of fines and other sanctions against an aircraft operator unable to comply with their PNR requirements is appropriate given the particular circumstances of the case.

2.5 PNR DATA ELEMENTS

2.5.1 As seen in section 2.1, PNRs can contain an extensive amount of data. States should limit their requirements to the transfer of those PNR elements which are necessary and relevant for the purposes listed in section 2.2. Specific data elements that may be available from an operator's system(s) are set out in Appendix 1 to these guidelines. The principles of section 2.9 (Filtering of PNR data) should be applied, as appropriate, in this regard.

2.5.2 States should not require or hold an aircraft operator responsible for submission of PNR data that are not already collected or held in the operator's reservation or DCS. An operator should be held responsible only for data that are available in its reservation system or DCS. The specific data elements that might be available from an aircraft operator's system will also depend on the type of air transport services provided by the operator.

2.5.3 Aircraft operators may still be required to provide any captured PNR data to States requesting them, regardless of the process by which they receive them.

2.6 PNR DATA PROCESSING

2.6.1 States should require PNR data only from aircraft operators who directly operate flights that enter, depart or transit through airports situated in their territories, either as scheduled flights or as the result of an unplanned diversion to an airport situated in their territories (States should accept that in the latter case the ability to provide PNR data may be limited).

2.6.2 It is particularly important that these data be protected, and therefore a State obtaining PNR information should, as a minimum:

- a) limit the use of the data to the purpose for which it collects them;
- b) restrict access to such data;
- c) limit the period of data storage, consistent with the purposes for which data are transferred;
- d) ensure that individuals are able to request disclosure of the data that are held concerning them, consistent with 2.14.3 of these guidelines, in order to request corrections or notations, if necessary;
- e) ensure that individuals have an opportunity for redress (2.14.4 refers); and

- f) ensure that data transfer protocols and appropriate automated systems are in place to ~~access or~~ receive the data in a manner consistent with these guidelines.

2.6.3. States should not require PNR data from an aircraft operator that does not physically operate a flight to an airport situated in their territories when that aircraft operator's designator code is used to identify a flight operated by another aircraft operator as part of a marketing or code-sharing agreement.

2.7 METHODS OF PNR DATA TRANSFER

2.7.1 There ~~is one or two possible~~ methods of PNR data transfer ~~currently available under the EDIFACT-based PNRGOV message:~~

~~a) The "pull" method. The public authorities from the State requiring the data can reach into ("access") the aircraft operator's system and extract ("pull") a copy of the required data from its database.~~

~~b) The "push" method. Aircraft operators transmit ("push") the required PNR data elements into the database of the authority requesting them.~~

~~2.7.2 A State should consider the relative merits of the "push" and "pull" methods in terms of data protection and risk assessment options, as well as the economic impact of each method upon the State and upon operators for both the establishment of the systems and ongoing data transfer.~~

~~2.7.3 However, it is recommended that a State consider the adoption of the "push" method because of the operator's position as the guardian and controller of the PNR data.~~

2.7.24 PNR data required by a State should be transferred through a single representative agency of the requesting State (the "Passenger Data sSingle wWindow" concept), in accordance with Recommended Practice 9.1 of Annex 9:

9.1 Recommended Practice.— Contracting States requiring the exchange of Advance Passenger Information (API), interactive API (iAPI) and/or Passenger Name Record (PNR) data from aircraft operators should create a Passenger Data Single Window facility for each data category that allows parties involved to lodge standardized information with a common data transmission entry point for each category to fulfil all related passenger and crew data requirements for that jurisdiction.

2.8 FREQUENCY AND TIMING OF PNR DATA TRANSFER

2.8.1 When developing the technical capability to enable PNR data to be pushed, States should determine the frequency and timing of the data transfer, taking into consideration the limitations and capabilities of aircraft operators' systems.

2.8.2 The timing and frequency of data transfer should be limited to that necessary for the purposes listed in section 2.2. States should routinely be provided with data on a scheduled basis and should seek to minimize the number of times PNR data are transmitted for a particular flight.

2.8.3 Where States identify a specific threat, they may request data for a given passenger, flight or PNR on an ad-hoc basis in accordance with procedures established by those States.

2.9 FILTERING OF PNR DATA

2.9.1 The State requiring PNR data should consult with operators providing these data regarding the most efficient method(s) for the filtering of data taking into full consideration available technological solutions and applicable laws or regulations (2.4.3 also refers).

2.9.2 Appropriate mechanisms should be installed to ensure that only required PNR data elements are pushed by the aircraft operator to, ~~or pulled by,~~ the relevant State authorities.

2.9.3 States may decide whether the filtering will take place within the individual systems of aircraft operators or of their authorized agents or within the system of the receiving State. States may also consider whether a regional filtering system under the control of interested operators should be developed.

2.10 STORAGE OF PNR DATA

PNR data should be stored by the receiving State for no longer than is reasonably necessary for the stated purposes related to their collection by the State and for auditing or redress purposes, in accordance with its laws.

2.11 ONWARD TRANSFER

2.11.1 Appropriate safeguards for limiting the onward transfer of PNR data only to authorized public authorities should be put in place. Such safeguards should take account of agreements or undertakings entered into with the State from which the data are transferred.

2.11.2 When PNR data acquired by one State are to be transferred to another, the purposes for such onward intergovernmental transfer or sharing should be consistent with those set out in 2.2.2, and the conditions under which such a transfer will take place should be resolved during the process contemplated in 2.4.4 and 2.4.5. States should bear in mind that the onward transfer of data could expose the aircraft operator to civil liabilities.

2.12 PNR DATA PROTECTION: GENERAL PRINCIPLES

2.12.1 A State should ensure that each public authority with access to PNR data provide an appropriate level of data management and protection.

2.12.2 Where no national data protection legislation is in place, States should have procedures in place to protect a passenger's PNR data. Using these guidelines as a basis, as appropriate, States should develop data protection laws or regulations concerning PNR data transfer and data processing.

2.12.3 A reasonable balance should be achieved between the need to protect a passenger's PNR data and a State's prerogative to require disclosure of passenger information. Accordingly, States should not unduly restrict PNR data transfer by aircraft operators to relevant authorities of another State, and States should ensure that a passenger's PNR data are protected.

2.13 SECURITY AND INTEGRITY OF PNR DATA

2.13.1 States should put in place regulatory, procedural and technical measures to ensure that the processing of PNR data for the purposes identified in section 2.2 is carried out in accordance with appropriate safeguards, notably with respect to the security, authenticity, integrity and confidentiality of the PNR data. Precautions should also be taken against the misuse or abuse of the data by State authorities.

2.13.2 States should ensure that their PNR data computer systems and networks are designed to prevent aircraft operators from having access through these systems to the data or information systems of another operator.

2.13.3 To prevent the unauthorized disclosure, copying, use or modification of data provided to a State, a receiving State should restrict access to such information on a “need-to-know” basis and use recognized security mechanisms, such as passwords, encryption or other reasonable safeguards, to prevent unauthorized access to PNR data contained in its computer systems and networks.

2.13.4 A State should, pursuant to its national laws or regulations, maintain a system of database control that provides for the orderly disposal of PNR data received.

~~2.13.5 Under the “pull” method, PNR access systems operated by State authorities should be so designed that they do not adversely affect the normal operation or security of aircraft operators’ systems. The access systems should also be designed such that operators’ data cannot be modified or other actions undertaken that would threaten the integrity of operators’ data or their systems (i.e. they are “read-only” systems).~~

2.13.6 States should ensure that an appropriate audit programme is in place to monitor the transfer, removal and destruction of PNR data from their databases. Audit system access should be limited to authorized users.

2.14 TRANSPARENCY AND PASSENGER REDRESS

2.14.1 An aircraft operator or its agent should provide adequate notice to passengers (for example at the time of booking of a flight or purchase of the ticket) that the operator might be required, by law, to provide the public authorities of a State with any or all of the passenger PNR data held by the operator in relation to a flight to, from, or in transit through an airport within the territory of the State and that the information might be passed to other authorities when necessary to satisfy the State’s purpose for acquiring the information. This notice should also include the specified purpose for obtaining the information as well as appropriate guidance to passengers on how they might access their data and seek redress.

2.14.2 Model passenger information/notice forms that operators might wish to use are found in Appendix 2 to these guidelines.

2.14.3 States should provide for appropriate mechanisms, established by legislation where feasible, for passengers to request access to and consult personal information about them and request corrections or notations, if necessary.

2.14.4 Redress mechanisms should be set up to enable passengers to obtain adequate remedy for the unlawful processing of their PNR data by public authorities.

2.15 COSTS

2.15.1 States should carefully consider the cost to operators arising from the various options for obtaining PNR data. There are different cost regimes associated with [PNR data transfer](#) “push” and “pull” approaches, and a State should therefore consult with operators to identify the most appropriate method to use in order to minimize the cost for both the State and the operators.

2.15.2 States, when requiring PNR data transfer, should take into account the issues affecting other States and the aircraft operators in their territories, especially with respect to the cost and the potential impact on existing infrastructure.

2.16 SANCTIONS AND PENALTIES

2.16.1 States should acknowledge that PNR data collected by aircraft operators cannot be verified for accuracy or completeness. Therefore, neither should action be taken against an operator nor should an operator be held legally, financially or otherwise responsible for transferring PNR data that have been collected in good faith, but which are later found to be false, misleading or otherwise incorrect.

2.16.2 When an aircraft operator has not transferred PNR data for a diverted flight, States should take the circumstances surrounding the diversion into account.

2.16.3 When penalties and sanctions are imposed for not supplying PNR data, States should impose them only on aircraft operators who directly operate flights that enter, depart or transit through airports situated in their territories.

2.17 OTHER ISSUES

States collecting PNR data shall strictly conform with the dispositions of Annex 13 to the Chicago Convention — *Aircraft Accident and Incident Investigation* on non-disclosure of records in the case of an accident or incident investigation (Chapter 5, 5.12).

Appendix 1

PNR DATA ELEMENTS

(Paragraph 2.5.1 refers)

An operator's system(s) may include the following data elements:

<i>Data groups or categories</i>	<i>Component data elements</i>
PNR name details	Passenger name, family name, given name/initial, title, other names on PNR
Address details	Contact address, billing address, emergency contact, email address, mailing address, home address, intended address [in State requiring PNR data transfer]
Contact telephone number(s)	[Telephone details]
Any collected API data	Any collected API data, e.g. name on passport, date of birth, sex, nationality, passport number
Frequent flyer information	Frequent flyer account number and elite level status
PNR locator code	File locator number, booking reference and reservation tracking number
Number of passengers on PNR	[Number]
Passenger travel status	Standby information
All date information	PNR creation date, booking date, reservation date, departure date, arrival date, PNR first travel date, PNR last modification date, ticket issue date, "first intended" travel date, date of first arrival [in State requiring PNR data transfer], late booking date for flight
Split/divided information	PNR Multiple passengers on PNR, other passengers on PNR, other PNR reference, single passenger on booking
All ticketing	field Date of ticket issue/purchase, selling class of travel, issue city, ticket

<i>Data groups or categories</i>	<i>Component data elements</i>
information	number, one-way ticket, ticket issue city, automatic fare quote (ATFQ) fields
All travel itinerary for PNR	PNR flight itinerary segments/ports, itinerary history, origin city/board point, destination city, active itinerary segments, cancelled segments, layover days, flown segments, flight information, flight departure date, board point, arrival port, open segments, alternate routing unknown (ARNK) segments, non-air segments, inbound flight connection details, on-carriage information, confirmation status
Form of payment (FOP) information	All FOP (cash, electronic, credit card number and expiry date, prepaid ticket advice (PTA), exchange), details of person/agency paying for ticket, staff rebate codes
All check-in information*	Generally available only after flight close-out: check-in security number, check-in agent I.D., check-in time, check-in status, confirmation status, boarding number, boarding indicator, check-in order
All seat information	Seats requested in advance; actual seats only after flight close-out*
All baggage information*	Generally available from DCS only after flight close-out: number of bags, bag tag number(s), weight of bag(s), all pooled baggage information, head of pool, number of bags in pool, bag carrier code, bag status, bag destination/ offload point
Travel agent information	Travel agency details, name, address, contact details, IATA code
Received-from information	Name of person making the booking
Go-show information*	Generally available only after check-in and flight close-out: go-show identifier
No-show information*	Only available after flight close-out: no-show history
General remarks	All information in general remarks section
Free text/code fields in OSI, SSR, SSI, remarks/history	All IATA codes

* These elements are contained in the DCS and are not available prior to departure. A recommendation has been made to the World Customs Organization (WCO) to consider incorporating these elements in future API messaging. Depending on the airline system these elements may or may not be part of a PNR.

Appendix 2

MODEL PASSENGER INFORMATION/NOTICE FORMS

FORM A

(Paragraph 2.14.2 refers)

NOTICE FOR TRAVEL TO [NAME OF DESTINATION STATE]

Under [name of State of departure] law, the [name of destination State's public authority] will either access or receive certain travel and reservation information, known as Passenger Name Record or PNR data, about passengers flying to [name of destination State] from aircraft operators and travel agents.

The [name of destination State's public authority] has undertaken to use these PNR data for such purposes as improving aviation security, enhancing national and border security and preventing and combating terrorism, transnational and organized crimes. The PNR may include information provided during the booking process or held by airlines or travel agents, including credit card details and other similar private financial information.

The information will be retained for no longer than is reasonably necessary for the stated purposes related to its collection and for auditing and redress purposes, in accordance with the law of [name of destination State].

Further information about these arrangements, including measures to safeguard your personal data, can be obtained from your airline or travel agent or [name of destination State's public authority].

FORM B*(Paragraph 2.14.2 refers)***NOTICE REGARDING PASSENGER NAME RECORD DATA**

A growing number of States require airlines to provide access to their records containing certain travel and reservation information, known as Passenger Name Record (PNR) data. The International Civil Aviation Organization (ICAO) has developed guidelines to help States design their requirements and procedures for handling PNR data.

PNR data should be used by States only for such purposes as improving aviation security, enhancing national and border security and preventing and combating terrorism, transnational and organized crimes. PNR data may include information about passengers provided during the booking process or held by airlines or travel agents, including credit card details and other similar private financial information.

PNR data should be retained by State authorities for no longer than is reasonably necessary for the stated purposes related to their collection and for auditing and redress purposes, in accordance with national laws.

Further information about these arrangements, including measures to safeguard your personal data, can be obtained from the relevant national authority or your airline or travel agent.

— **END** —