



Jersey

IMMIGRATION (PASSENGER, CREW AND SERVICE INFORMATION – POLICE POWERS) (JERSEY) ORDER 2013

Arrangement

Article

1	Interpretation	3
2	Passenger and service information	4
3	Form and manner in which passenger and service information to be provided.....	4
4	Citation and commencement	4

SCHEDULE 1 **5**

INFORMATION SPECIFIED		5
1	Information which relates to members of crew	5
2	Information which relates to passengers	5
3	Information which relates to a voyage or flight	6

SCHEDULE 2 **7**

INFORMATION SPECIFIED TO EXTENT KNOWN BY CARRIER		7
--	--	---



Jersey

IMMIGRATION (PASSENGER, CREW AND SERVICE INFORMATION – POLICE POWERS) (JERSEY) ORDER 2013

Made

Coming into force

THE MINISTER FOR HOME AFFAIRS, in pursuance of section 32(5) of the Immigration, Asylum and Nationality Act 2006 (the “2006 Act”) as extended to the Bailiwick of Jersey, with exceptions and modifications, by the Immigration (Jersey) Order 2012, being satisfied that the nature of the information specified in this Order for the purposes of section 32 of the 2006 Act is such that there are likely to be circumstances in which it can be required under that provision without breaching Convention rights (within the meaning of the Human Rights (Jersey) Law 2000), orders as follows –

1 Interpretation

- (1) In this Order, unless the context indicates otherwise –
 - “captain” means master of a ship, or commander of an aircraft;
 - “crew” in relation to a ship or aircraft, means persons employed on board a ship or aircraft, including the captain, and “member of crew” shall be construed accordingly;
 - “ship” includes –
 - (a) every description of vessel used in navigation; and
 - (b) hovercraft.
- (2) In this Order, a reference to a section number is a reference to a section of the Immigration, Asylum and Nationality Act 2006 (c.13) of the United Kingdom as extended to Jersey, with exceptions and modifications, by the Immigration (Jersey) Order 2012.
- (3) For the purposes of this Order, information is known to the owner or agent of a ship or aircraft (“carrier”) if it is held by that carrier and –
 - (a) if information of that nature is routinely held by the carrier on their carrier reservation system, departure control system or equivalent system; or

- (b) if the information is obtained in the ordinary course of the carrier’s business and is requested notwithstanding the fact that it is not held, or is not held routinely, on such a system.

2 Passenger and service information

- (1) Subject to paragraph (2), the passenger and service information set out in Schedule 1 is specified for the purposes of section 32(5)(a) in respect of ships and aircraft arriving or expected to arrive in, or leaving or expected to leave, Jersey.
- (2) The information set out in Schedule 1 is only specified for the purposes of section 32(5)(a) to the extent to which it is known by the owner or agent of a ship or aircraft in circumstances where the information is to be provided before a point in time at which passengers have boarded the ship or aircraft in preparation for departure and it is no longer possible for further passengers or crew to do so.
- (3) Where information set out in Schedule 1 has been requested in circumstances set out in paragraph (2), nothing in this Article prevents that same information being requested from the owner or agent of a ship or aircraft a second time where those same circumstances do not apply.
- (4) The passenger and service information set out in Schedule 2 is specified for the purposes of section 32(5)(a) to the extent to which it is known by the owner or agent of a ship or aircraft.

3 Form and manner in which passenger and service information to be provided

For the purposes of section 32(8)(c), passenger and service information shall be provided in an electronic form that is compatible with the technology used by the recipient of the information unless an alternative form and manner of information transmission is authorized by the recipient of the information.

4 Citation and commencement

This Order may be cited as the Immigration (Passenger, Crew and Service Information – Police Powers) (Jersey) Order 2013 and shall come into force 7 days after it is made.

Signed.....

Date.....

Minister for Home Affairs

SCHEDULE 1

(Article 2(1))

INFORMATION SPECIFIED

1 Information which relates to members of crew

The information is –

- (a) the following information as provided on the member of crew's travel document –
 - (i) full name,
 - (ii) gender,
 - (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 of travel document held;
- (b) where a travel document is not held, the type of identification relied upon together with the number, expiry date and issuing State of that identification; and
- (c) the vehicle registration number of any vehicle in which the member of crew is travelling and which is being transported by ship or by aircraft and, if the vehicle has a trailer, the trailer registration number.

2 Information which relates to passengers

The information is –

- (a) the following information as provided on the passenger's travel document –
 - (i) full name,
 - (ii) gender,
 - (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 of travel document held;
- (b) where a travel document is not held, the type of identification relied upon together with the number, expiry date and issuing State of that identification; and

- (c) the vehicle registration number of any vehicle in which the passenger is travelling and which is being transported by ship or by aircraft and, if the vehicle has a trailer, the trailer registration number.

3 Information which relates to a voyage or flight

The information is –

- (a) flight number, ship name, 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) place and country from which the voyage or flight departed immediately prior to arrival into Jersey;
- (i) place in Jersey into which the voyage or flight first arrives from overseas; and
- (j) number of passengers.

SCHEDULE 2

(Article 2(4))

INFORMATION SPECIFIED TO EXTENT KNOWN BY CARRIER

- (1) The passenger and service information is the following in respect of a passenger or, in so far as it applies (whether expressly or otherwise), in respect of a member of crew –
 - (a) name as it appears on the reservation;
 - (b) address;
 - (c) any contact telephone number;
 - (d) fax number;
 - (e) e-mail address;
 - (f) internet address;
 - (g) travel status of passenger or member of crew, which indicates whether reservation is confirmed or provisional and whether the passenger or member of crew has checked in;
 - (h) the number of pieces and description of any baggage carried;
 - (i) any documentation provided to the passenger or member of crew in respect of baggage;
 - (j) ticket number;
 - (k) date and place of ticket issue;
 - (l) seat number allocated;
 - (m) seat number requested;
 - (n) check-in time, regardless of method;
 - (o) date on which reservation was made;
 - (p) identity of any person who made the reservation;
 - (q) any other name that appears on the passenger's or member of crew's reservation;
 - (r) the fact that a reservation in respect of more than one passenger or member of crew has been divided due to a change in itinerary for one or more but not all of the passengers or members of crew;
 - (s) "Code Share Details" being information which indicates the name of any other carrier who will carry the passenger;
 - (t) method of payment used to purchase ticket or make reservation;
 - (u) details of the method of payment used, including the number of any credit, debit or other card used;
 - (v) passenger name record locator or other data locator used by the carrier to locate the passenger or member of crew within its information system;
 - (w) the name, address and contact details of the passenger's or member of crew's sponsor (if any) in Jersey;

- (x) the fact that the passenger is under the age of eighteen and unaccompanied;
 - (y) the fact that the passenger is under the age of eighteen and travelling with a person who has not declared himself or herself to be a family member; and
 - (z) name and contact details of an adult dropping off an unaccompanied passenger under the age of eighteen at an airport or port.
- (2) In paragraph (1)(w), “sponsor” has the same meaning as in paragraph 6 of the Directions of the Lieutenant-Governor given under section 1(4A) of the Immigration Act 1971 (c.77) of the United Kingdom, section 1 of that Act having been extended to Jersey with modifications, by the Immigration (Jersey) Order 1993.

