

ANTIGUA AND BARBUDA



ADVANCED PASSENGER INFORMATION BILL, 2015

NO. OF 2015

NO..... OF 2015

*Advanced Passenger
Information Bill 2015*

ANTIGUA AND BARBUDA

ADVANCED PASSENGER INFORMATION BILL, 2015

ARRANGEMENT OF SECTIONS

1. Short title and Commencement
2. Interpretation
3. Duty to provide Advance Passenger Information
4. Time frame
5. Powers of Competent Authority to verify
6. Vessel or aircraft arriving
7. Powers and duties of the Competent Authority
8. Use and Sharing of API with regional and International Security Agencies
9. Retention of APIS
10. Regulations
11. Amendment of the Schedules

ANTIGUA & BABUDA

ADVANCED PASSENGER INFORMATION BILL, 2015

No. of 2015

AN ACT to facilitate the provision of advance passenger information relating to passengers and members of crew of an aircraft or vessel; to share the information with other States with a view to identifying persons who may pose risks to security; and for matters connected therewith.

ENACTED by the Parliament of Antigua and Barbuda as follows-

1. Short title and Commencement

(1) This Bill may be cited as The Advanced Passenger Information Bill, 2015.

2. Interpretation

In this Act—

“advanced passenger information (API)” means the information or data concerning a crew member, passenger or any other person travelling in an aircraft or vessel as set out in Schedule 1;

“advanced passenger information systems” means the automated electronic data interchange of API; and the screening of API by the competent authority, IMPACS and JRCC against a Watch List for any API hit;

“aircraft” includes an aeroplane or a helicopter or other means of airborne navigation by means of which persons, goods or both can travel across international borders;

“API hit” means a name present in the Watch List;

“captain” means the pilot designated by the operator, or in the case of general aviation the owner or pilot designated by the owner, as being in command and charged with the safe conduct of the flight;

“commercial aircraft” means an aircraft which engages in transporting passengers or goods for monetary gain;

“competent authority” means Chief immigration Officer or someone appointed by him;

“crew” means –

- (i) in relation to aircraft, a licensed individual charged with duties essential to the operation of an aircraft during flight;
- (ii) in relation to vessel, any individual charged with performing duties essential to the operation of the vessel and the safety and entertainment of its passengers.

“IMPACS” means the Implementing Agency for Crime and Security established under the 2006 Agreement establishing the CARICOM Implementing Agency for Crime and Security;

“JRCC” means the Joint Regional Communication Centre which is a sub-agency of IMPACS;

“Master” includes every person having command or charge of a vessel other than a pilot;

“Minister” means the Minister responsible for Immigration.

“passenger” means any person not being a bona fide member of the crew, travelling or seeking to travel on an aircraft or vessel;

“private aircraft” means any aircraft which is not a commercial or state owned or leased aircraft.

“technical stop” or **“stop for non-traffic purposes”** means an aircraft or vessel arriving for purposes of refuelling, repairs, emergency or a similar purpose other than taking on or discharging passengers, baggage, cargo or mail;

“vessel” means any ship, boat, yacht, air cushion or other floating or submersible transportation, including amphibious vehicles, hydrofoil craft and hovercraft, by means of which persons and goods can travel across international borders;

“Watch List” means a list that is used to watch or track the activities or movements of criminals and persons who have been found guilty of any offence involving stolen and lost travel documents (SLTD), criminal deportees, suspected terrorists and other persons of interest to the intelligence community;