

CAYMAN ISLANDS



**Advance Passenger Information Law, 2018
(Law 4 of 2018)**

**ADVANCE PASSENGER INFORMATION
LAW, 2018 (COMMENCEMENT) ORDER,
2019**

(SL 46 of 2019)

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In exercise of the powers conferred by section 1(2) of the Advance Passenger Information Law, 2018 the Cabinet makes the following Order —

Citation

1. This Order may be cited as the Advance Passenger Information Law, 2018 (Commencement) Order, 2019.

Commencement

2. The following provisions of the *Advance Passenger Information Law, 2018* (“the Law”) come into force on 10th December, 2019 —
 - (a) section 1;
 - (b) section 2, with the exception of the following —
 - (i) the definition of “advance passenger information”, in so far as the definition relates to information or data concerning a crew member, passenger or any other person travelling in a vessel;
 - (ii) paragraph (b) of the definition of “crew member”;
 - (iii) the definition of “IMO”;

- (iv) the definition of “local agent”, in so far as the definition relates to —
 - (A) the owner of a vessel, if the owner is in the Islands;
 - (B) any corporate body owning or operating a vessel, where such corporate body maintains an office in the Islands; or
 - (C) the agent of the person or corporate body owning or operating a vessel;
- (v) the definition of “master”;
- (vi) the definition of “passenger”, in so far as the definition relates to any person not being a bona fide crew member, travelling or seeking to travel on a vessel;
- (vii) the definition of “recreational sports fishing vessel”;
- (viii) the definition of “technical stop” or “stop for non-traffic purposes”, in so far as the definition relates to a vessel; and
- (ix) the definition of “vessel”;
- (c) section 3, in so far as the section applies to an aircraft which is expected to arrive in or depart from the Islands;
- (d) section 4, in so far as the API to be submitted to the competent authority applies to information or data concerning a crew member or passenger travelling in an aircraft;
- (e) section 5, in so far as the section applies to the powers of the competent authority to verify the API of a crew member or passenger of an aircraft;
- (f) section 6, in so far as the section applies to aircraft;
- (g) section 7, in so far as the section provides for the powers and duties of the competent authority in relation to a crew member, passenger, pilot or local agent of an aircraft;
- (h) section 8, in so far as the section —
 - (i) empowers IMPACS —
 - (A) to use the APIS to conduct screening against Watch Lists of crew members and passengers on aircraft that enter into, depart from and travel within the regional space, in order to provide information to assist participating countries; and
 - (B) to share information contained within APIS concerning crew members and passengers on aircraft with INTERPOL and any other national, regional or international intelligence, law enforcement or security agencies or centres approved by CONSLE to further national, regional or international security; and

- (ii) provides that the API in relation to crew members and passengers on aircraft shall be used for the purposes mentioned in the Law;
- (i) section 9, in so far as the section applies to the retention of the API collected under the Law from crew members and passengers travelling in aircraft;
- (j) section 10, in so far as the section applies to regulations for procedures for the gathering and sharing of information in relation to crew members and passengers travelling in aircraft;
- (k) section 11;
- (l) Schedule 1, in so far as —
 - (i) the data under paragraph (a) relates to a flight;
 - (ii) the data under paragraph (b) is in respect of an individual on board an aircraft;
 - (iii) the additional data elements under paragraph (c) are in relation to an individual travelling in an aircraft; and
 - (iv) the data relating to the reporting party under paragraph (d) is in relation to a flight; and
- (m) Schedule 2 —
 - (i) paragraph (1);
 - (ii) paragraph (2); and
 - (iii) paragraph (6), in so far as there is a change in relation to a flight or data relating to an individual on board an aircraft.

Made in Cabinet the 3rd day of December, 2019.

Kim Bullings
Clerk of the Cabinet