LITHUANIAN POLICE COMMISSIONER GENERAL

ORDER

ON THE APPROVAL OF THE DESCRIPTION OF THE PROCEDURE FOR TICKET BOOKING AND DEPARTURE CONTROL, PROVISION OF PASSENGER FLIGHT DATA AND AIR CARRIER INFORMATION TO PASSENGER INFORMATION UNIT

23 December 2016 No. 5-V-1091
Vilnius

In accordance with Paragraph 8 of Article 19[1] of the Law on Principles of the Transport Activity of the Republic of Lithuania and seeking to implement the provisions of the Directive (EU) 2016/681 of the European Parliament and of the Council of 27 April 2016 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime (OL 2016 L 119, p. 132) and European Commission Implementing Decision (EU) 2017/759 of 28 April 2017 on the common protocols and data formats to be used by air carriers when transferring PNR data to Passenger Information Units:

1. I hereby *ratify* the description of the procedure on ticket booking and departure control, provision of passenger flight data and information on air carriers to the passenger information unit (find enclosed).

2. I *stipulate* that this Order comes into force on 1 January 2017.

3. I *promulgate* this Order on the website of the Police Department under the Ministry of the Interior of the Republic of Lithuania.

Lithuanian Police Commissioner General   */signature/*   Linas Pernavas

APPROVED
In line with the letter by
Municipal Enterprise Šiauliai Airport of 23
December 2016 No. 292

APPROVED
In line with the letter by the
State Enterprise Lithuanian Airports of 19
December 2016 No. 4R-1300

THE DESCRIPTION OF THE PROCEDURE OF TICKET BOOKING AND DEPARTURE CONTROL, PROVISION OF THE PASSENGER FLIGHT DATA TO PASSENGER INFORMATION UNIT

SECTION I
GENERAL PROVISIONS

1. The description of the procedure on ticket booking and departure control, provision of passenger flight data and information on air carriers to the passenger information unit (hereinafter referred to as the description of the procedure) establishes the procedure, manner, terms, requirements for data provision format, including the procedure for information provision on air carriers and flights to the passenger information unit.

2. Concepts used in the description:

2.1. **The air carrier** is a natural or legal person, who is engaged in transporting the passengers via air routes to and from the Republic of Lithuania and complies with the provisions and the requirements established for the carriers in the laws of the Republic of Lithuania.

2.2. **Passenger information unit** (hereinafter referred to as PIU, in Lithuanian – IKP) is a police institution or a structural subdivision thereof authorised under the order of the Lithuanian Police Commissioner General, which is authorised to perform the functions, related to processing the passenger data. The officers delegated by the State Border Guard Service under the Ministry of the Interior and the State Security Department of the Republic of Lithuania are also considered representatives of the passenger information unit.

2.3. **Passenger name records** (PNR) are the ticket booking and departure control, passenger flight data of the passengers arriving and departing the territory of the Republic of Lithuania via air routes, which are listed in the Annex No. 1 to the Law on Principles of the Transport Activity of the Republic of Lithuania (hereinafter referred to the Law on Principles of the Transport Activity). The passenger data includes the advanced passenger information (hereinafter referred to as API) defined under the Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data.

2.4. **Passenger name record information system** (hereinafter referred to as PNRIS, in Lithuanian – KDĮS) classified information system created under the order of the Lithuanian Police Commissioner General, which processes the passenger data.

2.5. **Extra-EU flight** means any scheduled or non-scheduled flight by an air carrier flying from a third country and planned to land on the territory of the Republic of Lithuania or flying from

the territory of the Republic of Lithuania and planned to land in a third country, including in both cases flights with any stop-overs in the territory of the Republic of Lithuania or third countries.

2.6. **Intra-EU flight** means any scheduled or non-scheduled flight by an air carrier flying from the territory of the Republic of Lithuania and planned to land on the territory of one or more of the other Member States, without any stop-overs in the territory of a third country.

2.7. **Passenger** means any person, including persons in transfer or transit and excluding members of the crew, carried or to be carried in an aircraft with the consent of the air carrier, such consent being manifested by that person's registration in the passengers list.

2.8. **Reservation system** means the air carrier's internal system, in which PNR data are collected for the handling of reservations.

3. The remaining concepts used in this description of the procedure comply with the concepts established under the PNRIS (in Lithuanian – KDĮS) provisions, ratified under the order of the Lithuanian Police Commissioner General.

SECTION II
THE PROCEDURE, MANNER, FORMATS AND TERMS FOR PROVISION OF THE PASSENGER DATA

4. The air carrier shall provide the passenger data to the PIU (in Lithuanian – IKP) free of charge via electronic communication means to PNRIS (in Lithuanian – KDĮS), following the requirements of this description of the procedure.

5. The air carrier shall provide the data to PNRIS (in Lithuanian – KDĮS) twice:

5.1. Not later than within 48 hours before the scheduled time of the flight;

5.2. Immediately after the passenger boarding gates are closed, but not than when the flight is commenced.

5.3. Data transfer referred to in point 5.2. of the description of the procedure may be limited and updates of the transfers referred to in point 5.1. of the description of the procedure may be transferred.

6. Having received an application from the PIU (in Lithuanian – IKP) via e-mail, the air carrier is liable to additionally submit passenger data, following other time than the one indicated in Item 5. PIU (in Lithuanian – IKP) is entitled to provide such application to the air carrier only in cases, when it is necessary to obtain the passenger data in order to respond to specific and factual threat related to terrorist offences or serious crime.

7. The data on passengers can be submitted by the air carrier to PNRIS (in Lithuanian – KDĮS) in the following manner:

7.1. Via www.pnr.lt website, using the access data provided to the air carrier and the employees thereof, by uploading the data on passengers into the system as files of pre-established formats;

7.2. Via www.pnr.lt web service automatically from the air carrier using the access data provided to the air carrier and the employees thereof, by uploading the data on passengers applying the pre-established formats;

7.3. Via www.pnr.lt website, using the access data provided to the air carrier and the employees thereof, by manually entering the data on passengers;

7.4. IBM MQ, a proprietary product of IBM Corporation, provides secure, reliable message delivery that preserves message integrity and minimizes risk of information loss, using message queues to facilitate the exchange of information between applications, systems, services and files;

7.5. Type B messaging is the name given by IATA to the messaging used within and between air transport and travel related industry;

7.6. AS4 Profile of ebMS 3.0 Version 1.0, OASIS Standard, published on 23 January 2013. Implementation of AS4 according to the e-SENS AS4 Profile developed by the e-SENS Large Scale Pilot, current identifier and version: 'PR - AS4 - 1.10'. As from 2017, the Connecting Europe Facility will continue to maintain and improve these implementation guidelines;

7.7. In another manner pre-agreed upon by the air carrier and PIU ensuring an appropriate level of data security (in Lithuanian – IKP).

8. When transferring data of the passengers to PNRIS (in Lithuanian – KDĮS), air carriers shall use one of the data formats:

8.1. Data formats for the transfer of passenger data (PNR and API):

8.1.1. EDICAFT PNRGOV, as described in EDIFACT implementation guide; PNR data pushed to States or other authorities; PNRGOV message version 11.1 or later;

8.1.2. XML PNRGOV, as described in XML implementation guide; PNR data pushed to States or other authorities; PNRGOV message version 13.1 or later.

8.2. Data formats for the transfer of API data when transferred separately from the PNR message:

8.2.1. EDIFACT PAXLST, as described in WCO/IATA/ICAO Passenger List message (PAXLST) implementation guide 2003 version or later.

8.3. Air carriers that do not operate flights according to a specific and public schedule and that do not possess the necessary technical infrastructure allowing them to use the data formats and transmission protocols mentioned in this description of the procedure shall transmit passenger data by the electronic means that provide sufficient safeguards in respect of the technical security measures pre-agreed upon by the air carrier and PIU (in Lithuanian – IKP).

9. The data of the passengers is considered to be provided/ submitted to PNRIS (in Lithuanian – KDĮS) from the moment it is factually submitted/ appears on PNRIS (in Lithuanian – KDĮS).

10. In case the PIU (in Lithuanian – IKP) establishes that the air carrier did not provide all or part of the flight data or the provided data is incorrect or inaccurate data, the air carrier shall be immediately notified about that via electronic means of communication and a term shall be set for providing the data or correcting the identified data provision defects.

11. In case the air carrier independently identifies troubles in the provision of the data to PNRIS (in Lithuanian – KDĮS) following the established terms and procedure and/ or mistakes in the provided data, the carrier shall immediately, but not later than within 1 hour from the reception of the information on the troubles from PIU (in Lithuanian – IKP) or independent identification of the stated above, notify the PIU (in Lithuanian – IKP) via telephone +37052719900 or e-mail piu@policija.lt about the causes and circumstances of the occurrence of the troubles and mistakes, about the actions undertaken in order to eliminate them, the foreseen term for provision of complete and correct data.

12. PIU (in Lithuanian – IKP) shall immediately notify the air carriers about the troubles in PNRIS (in Lithuanian – KDĮS) and a term is established for eliminating them by providing information to the delegated representatives of the carrier for data provision matters via e-mail.

13. Making up the Protocols of Intent Air carriers and PIU (in Lithuanian – IKP) may agree in writing or orally on other provisions on procedures for transmission of passenger data which are not in conflict with this description of the procedure and requirements of other legislation.

14. Where the flight is code-shared between one or more air carriers the obligation to transfer the PNR data of all passengers on the flight shall be on the air carrier that operates the flight.

SECTION III
COMMENCEMENT OF PASSENGER DATA PROVISION

14. Air carrier shall submit an official application in Lithuanian or English language (Annex No. 1) to the PIU (in Lithuanian – IKP) by e-mail piu@policija.lt on commencing the provision of passenger data to the PNRIS (in Lithuanian – KDĮS) within 3 days before initiating the provision of passenger data, which shall contain the following information:

14.1. What data (PNR and API) established under Annex No. 1 to the Law on the Principles of Transport Activities shall be processed and provided within 48 before the scheduled flight and after closing the passenger boarding gates (Annex No. 2). If the carrier is not able to provide all passenger data envisaged in Annex No. 1 in the Law on the principles of Transport Activities, the carrier shall indicate the reason for not processing the respectful data, also the carrier is liable to indicate in the submitted application the time, when it is planned to commence processing and providing the data.

14.2. Specific time, when the provision of passenger data to PNRIS (in Lithuanian – KDĮS) shall be commenced;

14.3. The selected manner of passenger data provision, established under this description of the procedure;

14.4. The selected format of passenger data provision, established in this description of the procedure;

14.5. Authorised representatives delegated in accordance with the requirements foreseen in Item 15 of this description of the procedure;

14.6. The data of the employees, to whom it is requested to grant the PNRIS (in Lithuanian – KDĮS) user rights, and the statement on their warning about the liability, applicable concerning unsuitable processing of the passenger data and illicit disclosure thereof.

15. The air carrier shall delegate two representatives or units, authorised to communicate with the responsible PIU (in Lithuanian – IKP) officers directly: one – on organisational and legal passenger data provision matters, the second – available on 24/7 basis, responsible for passenger data provision and technical information system operation issues. PIU (in Lithuanian – IKP) shall be immediately notified about any replacement of the delegated authorised persons or units and changes in their contact data via e-mail piu@policija.lt submitting additional official application in Lithuanian or English language (Annex No. 1).

16. In the course of the first data provision month the air carrier is on testing, during which the delegated authorised representatives on data provision matters and PIU (in Lithuanian – IKP) officers closely cooperate and solve the arising data provision problems.

SECTION IV
PROCEDURE FOR THE PROVISION OF INFORMATION ON AIR CARRIERS
AND FLIGHTS TO THE PIU

17. Upon the confirmation received from a new air carrier on the initiation of passenger flights from the Lithuanian airport managed by the State Enterprise Lithuanian Airports (Lithuanian: Lietuvos oro uostai) or the Municipal Enterprise Šiauliai Airport (Lithuanian: Šiaulių oro uostas), they shall advise the PIU no later than 10 days prior to the first flight at email piu@policija.lt and shall provide all the data on the carrier available to them.

18. Having received information from the State Enterprise Lithuanian Airports or the Municipal Enterprise Šiauliai Airport on the new air carrier, the PIU shall immediately notify the carrier in writing of the obligation to provide data to the PNRIS in accordance with this Description of the Procedure.

19. The State Enterprise Lithuanian Airports and the Municipal Enterprise Šiauliai Airport shall provide an updated seasonal flight schedule to the PIU at email piu @policija.lt indicating the name of the air carrier, flight number, the days of the week the flight is made on, name of the destination airport and the airport from which the flight is made as well as time of the departure from and the arrival at the Lithuanian airport twice a year during the first working days of summer and winter seasons (the beginning of summer is considered to be the last Sunday of March; the beginning of winter is considered to be the last Sunday of October) as it has been defined by the International Airport Transport Association.

20. The State Enterprise Lithuanian Airports and the Municipal Enterprise Šiauliai Airport shall furnish data (time of departure and arrival, name of the airport, flight number) on the scheduled flights planned within the forthcoming 24 hours to and from the airports managed by the State Enterprise Lithuanian Airports and the Municipal Enterprise Šiauliai Airport to PNRIS and in case of no technical possibilities the information indicated herein shall be forwarded to pnr@policija.lt no less than 8 hours prior to the first scheduled flight planned within the forthcoming 24 hours.

21. The Municipal Enterprise Šiauliai Airport shall start providing the information and data indicated in this Section to PNRIS since the moment of the launch of passenger flights in the Municipal Enterprise Šiauliai Airport from the Republic of Lithuania and to it.

————————————————

Annex No. 1
to the Description of the
Procedure on Ticket Booking
and Departure Control,
Provision of the Passenger
Flight Data to the Passenger
Information Unit.

<table>
<tr>
<td colspan="2">FORM ON APPLICATION OF THE CARRIER TO COMMENCE PROVISION OF THE PASSENGER DATA TO PNRIS (in Lithuanian KDĮS)

(To be completed by the air carrier or the authorised representative thereof)</td>
</tr>
<tr>
<td>1. Name of the air carrier</td>
<td></td>
</tr>
<tr>
<td>2. Information on the flights executed by the air carriers to and from the Republic of Lithuania (destination, flight time, other information)</td>
<td></td>
</tr>
<tr>
<td>3. Air carrier shall provide the following data:
3.1. 48 hours before the flight
3.2. after closing the passenger boarding gates</td>
<td>The form established under Annex No. 2 is to be completed.</td>
</tr>
<tr>
<td>4. The date and hour, when the air carrier commences the provision of the information to PNRIS (in Lithuanian KDĮS).</td>
<td></td>
</tr>
<tr>
<td>5. The manner (protocol) of passenger data provision, selected by the air carrier, established in Item 7 of this description of the procedure.</td>
<td></td>
</tr>
<tr>
<td>6. The format of passenger data provision, selected by the carrier, established in Item 8 of this description of the procedure.</td>
<td></td>
</tr>
</table>

7. Name, surname, position, contact details of the authorised representative or institution delegated in accordance with Item 15 of the description of the procedure:	
7.1. Responsible for organisational and legal passenger data provision matters.	
7.2. Responsible for passenger data provision and technical information system operation matters (available on 24/7 basis).	
7.3. Responsible for passenger data provision in urgent cases established in Item 6	
8. The carrier asserts that the employees listed in Items 7 and 8 of this application have been warned about the liability established under the valid legal acts, applicable concerning unsuitable processing of the passenger data and illicit disclosure thereof.	
9. Name, surname and signature of the head of air carrier or an authorised person.	

_____

Annex No. 2
to the Description of the Procedure
on Ticket Booking and Departure
Control, Provision of the
Passenger Flight Data to the
Passenger Information Unit.

Passenger data submitted by the carrier	48 hours before the flight	After clos-ing the passenger boarding gates
1. Passenger data (every single passenger):		
1.1. unique code of passenger name record (PNR);		
1.2. personal data:		
1.2.1. name (s);		
1.2.2. surname (s);		
1.2.3. date of birth;		
1.2.4. gender;		
1.2.5. nationality.		
1.3. data of the visa or another document, validating the right to stay in the country:		
1.3.1. type;		
1.3.2. number;		
1.3.3. date of issue;		
1.3.4. issuing authority;		
1.3.5. date of expiry.		
1.4. data of the travel document:		
1.4.1. type;		
1.4.2. number;		
1.4.3. issuing country;		
1.4.4. date of expiry.		
1.5. contact address data:		
1.5.1. country;		
1.5.2. place of residence;		

1.5.3. street;		
1.5.4. number of the house;		
1.5.5. number of the house and flat;		
1.5.6. postal code.		
1.6. contact data:		
1.6.1. e-mail address;		
1.6.2. telephone number.		
1.7. passenger registration time;		
1.7.1. plane boarding status (arrived, did not arrive).		
2. Ticket data (every single ticket):		
2.1. ticket number;		
2.2. ticket reservation or confirmation date;		
2.3. ticket class;		
2.4. the actual air carrier executing the flight:		
2.4.1. name;		
2.4.2. code.		
2.5. flight data:		
2.5.1. number;		
2.5.2. departure date;		
2.5.3. arrival date;		
2.5.4. information, where from or where to the flight is executed (final destination);		
2.5.5. where from or where to the flight is executed (intermediate destination);		
2.5.6. variance between arrival and departure date.		
2.6. checked baggage data:		
2.6.1. number;		
2.6.2. units;		
2.6.3. weight;		
2.6.4. special baggage;		
2.6.5. additional baggage.		
2.7. seat number:		

2.7.1. at ticket purchase or booking;		
2.7.2. during the flight.		
2.8. unique recognition code of the travel agency, travel agent, which booked the ticket, or another economic entity, which sold the ticket.		
3. Payment data:		
3.1. type of payment (in cash, by payment card, via bank transfer);		
3.2. sum (in Euros);		
3.3. payer data:		
3.3.1. name;		
3.3.2. surname;		
3.3.3. place of residence data;		
3.3.4. name;		
3.3.5. address of the office;		
3.3.6. e-mail address;		
3.3.7. telephone number.		
3.4. payment card data:		
3.4.1. type;		
3.4.2. number;		
3.4.3. date of expiry;		
3.4.5. name of the owner;		
3.4.6. surname of the owner;		
3.4.7. card name.		
4. Data provision		
4.1. Indicate the reasons, why the data shall not be provided		
4.2. Indicate the date, when processing and provision of the data is planned to be commenced		

_____