

Airlines to Furnish Flyers' Details to Customs 24 Hrs Before Departure

Will have to provide PNR, credit card and baggage details

Our Bureau

New Delhi: Aircraft operators will now have to furnish all travel-related information including date of travel, credit card details, and baggage information about passengers who are going to travel in and out of India at least 24 hours before their flight departure.

Non-adherence to these rules will attract a penalty between ₹25,000 and ₹50,000 for each act of non-compliance.

The Central Board of Indirect Taxes and Customs on Tu-

esday notified the Passenger Name Record Information Regulations 2022 that mandate aircraft operators to share certain information with the National Customs Targeting Centre-Passenger (NCTC-P). The NCTC-P will conduct risk analysis of passengers.

Officials said the regulation is in line with international best practices.

"It is meant to improve risk profiling of passengers through advance information," a senior government official told ET.

Another official said the customs department will use the data for improved surveillance and risk assessment of flyers.

This data will also help the law enforcement agencies in India

Flying High

Details needed for passengers travelling in and out of India

Operators to share info 24 hours before flight departure



Non-compliance to attract a penalty between ₹25,000 and ₹50,000

Info includes baggage, credit card details, travel itinerary

Regulation is in line with international best practices



or any other country.

"When passenger name record information relates to any offence, under any law for the time being in force, at national or international level, the NCTC-P

may share the relevant information on a case-to-case basis with other law enforcement agencies or government departments of India or any other country," the regulation said.

The list of data which this passenger name record information will capture is exhaustive. It captures PNR, date of reservation and issue of ticket, payment/billing information including credit card, travel itinerary for specific PNR, baggage information, passport details to even frequent flyer and benefit information, travel agent and all historical changes to PNR.

"The PNR regulations would be an effective tool in curbing cross-border crimes," said Tanushree Roy, director-indirect tax at Nangia Andersen India.

For full report, go to www.economictimes.com

● CHECK ON ECONOMIC OFFENCES

Airlines told to share details of international passengers

FE BUREAU

New Delhi, August 9

THE CENTRAL BOARD of Indirect Taxes and Customs (CBIC) has made it mandatory for all airlines to transfer the international passenger information they collect in the normal course of business operations to the designated customs authorities. The move is intended to check cross-border economic offences and other crimes.

According to the Passenger Name Record Information Regulations, 2022, (PNR Regulations), dated August 8, the information to be shared include name of the passenger, billing information (credit card number), date of issue of ticket, dates of intended travel, names of other travellers in the same PNR, travel itinerary for the PNR as well as contact details like email ID, mobile number, details of travel agency, baggage information and code share information (when one airline sells seats on another air carrier's flight).

Every aircraft operator is required to transfer passenger information not later than 24 hours before the departure time or at the departure time. For each act of non-compliance to these regulations, the aircraft operators would have to pay a penalty of a minimum of ₹25,000 and a maximum of ₹50,000.

The PNR Regulations aim to receive and process passenger name record information along with any other informa-



STEPPING UP RISK ANALYSIS

■ Information to be shared include name of the passenger, billing information, date of issue of ticket, dates of intended travel, names of other travellers in same PNR, travel itinerary

■ Airlines to share info not later than 24 hours before departure time or at the departure time

■ For non-compliance, penalty set at a minimum of ₹25,000 and a maximum of ₹50,000

tion relevant for risk analysis of passengers to the National Customs Targeting Centre-Passenger for (a) the prevention, detection, investigation and prosecution of offences under the Customs Act and the rules and regulations made there under, or (b) the law enforcement agencies or government departments of India or any other country may specify for regulation, it said.

"The regulations would be an effective tool in curbing cross-border crimes. At the same time, the said Regulations would help keep a track record of every passenger travelling to and from India, which would further help in the prevention, detection, investigation and prosecution of

offences under the Customs Act," said Tanushree Roy, director- Indirect Tax, Nangia Andersen India.

Zhengshen Ou and Zhang Jie, directors of GPICPL, a firm associated with mobile maker Vivo, fled from India last year after the Enforcement Directorate intensified its inquiry into the money-laundering case against the Chinese firm.

To address likely privacy concerns, the CBIC notification said: "Processing of passenger name record information revealing a person's race or ethnic origin, political opinions, religion or philosophical beliefs, trade union membership, health, sexual life or sexual orientation shall not be permitted."

Airlines told to furnish all details of passengers to Customs Dept

Foreign carriers, too, to provide information including passport, payment, travel agent details for the purpose of 'risk analysis'

SHISHIR SINHA

New Delhi, August 9

All airlines flying to or from India are now required to submit details of all passengers and cabin crew to the Indian Customs authority for risk analysis. The Central Board of Indirect Taxes and Customs (CBIC) has notified rules for a provision made in the Finance Act, 2017.

The new rules, effective from August 8, envisage the setting up of a 'National Customs Targeting Centre - Passenger', a body that will collect and store information on passengers coming in to, or

flying out of, India for the purpose of "risk analysis".

Data to be stored for 5 yrs

This information will include not just the details included in the passport but all available payment/billing information including the credit card number, the name of the travel agent and even the special services provided to the passenger by the airlines.

The National Customs Targeting Centre - Passenger will store these details for five years for the purpose of "prevention, detection, investigation and prosecution" of of-

fences under the Customs Act.

The information is also to be shared with the law enforcement agencies, government departments and even foreign governments. However, domestic and foreign entities will be required to specify the purpose of seeking data. "When passenger name record information relates to any offence, under any law in force, at national or international level, the National Customs Targeting Centre - Passenger may share relevant information on a case-to-case basis with other law enforcement agencies or government departments of India or any other country," the notification said.

"Every aircraft operator

shall transfer passenger name record information not later than twenty-four hours before the departure time; or at the departure time - wheels off," a CBIC notification said. In case of non-compliance, airlines will have to pay penalty of ₹25,000-50,000 for each contravention.

The notification also prescribes data retention for five years only provided it is not required in the course of an investigation, prosecution, or any court proceeding. After the five-year period, it will be disposed by de-personalisation or anonymisation through masking out the relevant information. However, de-personalised or anonymised information may be re-personalised or unmasked when used in connection with an identifiable case, threat or risk for the specified purposes. The notification also has provision of annual audit to curb misuse of data.

Curbing crimes

Tanushree Roy, Director (Indirect Tax) with Nangia Andersen India, hoped the new regulation will be an effective tool in curbing cross-border crimes.

Abhishek Jain, Partner with KPMG in India, said, "While strict privacy guidelines have been stipulated under the said regulations, the government should ensure that the same are duly enforced to prevent unauthorised usage."

Info required to be submitted by carriers

- PNR record locator code
- Date of reservation/issue of ticket
- Date(s) of intended travel
- Name(s)
- Available frequent flyer and benefit information
- Other names on PNR, including number of travellers on PNR
- All available contact
- All available payment/billing information
- Travel itinerary for specific PNR
- Travel agency/travel agent
- Code share information
- Split/divided information
- Travel status of passenger (including confirmations and check-in status)
- Ticketing information, including ticket number, one-way tickets and Automated Ticket Fare Quote (ATFQ) fields
- Baggage information
- Seat information, including seat number
- General remarks including Other Service Indicated (OSI), Special Service Indicated (SSI) and Supplemental Service Request (SSR) information
- Any collected APIS information (e.g., Advance Passenger Information or API that is initially captured by an air carrier within its PNR, such as passport number, date of birth and gender)
- All historical changes to the PNR listed above



Blow to privacy as airlines told to share int'l passengers' info

DIPAK MONDAL @ New Delhi

IN a move that flies in the face of privacy rights, the Centre has brought in a law that mandates airlines to share the details of incoming and outgoing international passengers with the Customs department 24 hours before departure. Airlines will now have to share personal details of international passengers including name, age, phone number, email address, travel itinerary as well and as sensitive information such as the credit card number used to book the ticket, frequent flyer details etc.

The finance ministry on Monday notified the Passenger Name Record (PNR) Information Regulation, 2022 seeking to curb cross-border economic crimes by preventing offenders from fleeing the country. With this, India joined 60 other countries that collect PNR details of international passengers.

Under the new regulation, aircraft operators will have to transfer the PNR details to the Customs department in a specified format. The data thus shared will be used for "the prevention, detection, investigation and prosecution of offences under the Customs Act", the finance ministry said. The information may also be shared with other departments including law enforcement agencies in India and abroad.

The new regulations will help the government curb cross-border crimes, said Tanushree Roy, director (indirect tax) at Nangia Andersen India. "The Regulations will also help keep a track record of every passenger travelling to and from India," she added.

Abhishek Jain, partner (indirect tax) at KPMG in India, said the government should ensure that strict privacy guidelines are followed so as to prevent unauthorised usage.



EU court eases rules over privacy concerns

Airlines in EU are supposed to share PNR data with member countries. However, a recent court order relaxed the rules citing privacy concerns