

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

CHAPTER I

General provisions

Article 3

Definitions

For the purposes of this Directive the following definitions apply:

- (1) ‘air carrier’ means an air transport undertaking with a valid operating licence or equivalent permitting it to carry out carriage of passengers by air;
- (2) ‘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 a Member State or flying from the territory of a Member State and planned to land in a third country, including in both cases flights with any stop-overs in the territory of Member States or third countries;
- (3) ‘intra-EU flight’ means any scheduled or non-scheduled flight by an air carrier flying from the territory of a Member State 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;
- (4) ‘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;
- (5) ‘passenger name record’ or ‘PNR’ means a record of each passenger's travel requirements which contains information necessary to enable reservations to be processed and controlled by the booking and participating air carriers for each journey booked by or on behalf of any person, whether it is contained in reservation systems, departure control systems used to check passengers onto flights, or equivalent systems providing the same functionalities;
- (6) ‘reservation system’ means the air carrier's internal system, in which PNR data are collected for the handling of reservations;
- (7) ‘push method’ means the method whereby air carriers transfer PNR data listed in Annex I into the database of the authority requesting them;
- (8) ‘terrorist offences’ means the offences under national law referred to in Articles 1 to 4 of Framework Decision 2002/475/JHA;
- (9) ‘serious crime’ means the offences listed in Annex II that are punishable by a custodial sentence or a detention order for a maximum period of at least three years under the national law of a Member State;

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- (10) ‘to depersonalise through masking out of data elements’ means to render those data elements which could serve to identify directly the data subject invisible to a user.