

STATUTORY INSTRUMENTS

**2018 No. 598**

**CRIMINAL LAW  
DATA PROTECTION**

**The Passenger Name Record Data and  
Miscellaneous Amendments Regulations 2018**

<i>Made</i>	- - - -	<i>16th May 2018</i>
<i>Laid before Parliament</i>		<i>18th May 2018</i>
<i>Coming into force</i>	- -	<i>25th May 2018</i>

<sup>M1M2M3</sup>The Secretary of State makes the following Regulations in exercise of the powers conferred by paragraph 27B of Schedule 2 to the Immigration Act 1971, section 32(5)(a) of the Immigration, Asylum and Nationality Act 2006 and section 2(2) of the European Communities Act 1972.

<sup>M4M5</sup>The Secretary of State is a Minister designated, for the purposes of section 2(2) of the European Communities Act 1972, in relation to criminal justice and data protection.

The Secretary of State is satisfied that the nature of the information specified in these Regulations for the purposes of section 32 of the Immigration, Asylum and Nationality Act 2006 is such that there are likely to be circumstances in which it can be required under that provision without breaching Convention rights (within the meaning of the Human Rights Act 1998 <sup>M6</sup>).

**Modifications etc. (not altering text)**

- C1** Regulations modified (temp.) (31.12.2020) by [European Union \(Future Relationship\) Act 2020 \(c. 29\)](#), s. 40(6)(b), **Sch. 2 para. 17** (with Sch. 6 para. 9); S.I. 2020/1662, **reg. 2(cc)**
- C2** Regulations: power to modify conferred (31.12.2020) by [European Union \(Future Relationship\) Act 2020 \(c. 29\)](#), s. 40(6)(b), **Sch. 2 para. 18(3)** (with Sch. 6 para. 9); S.I. 2020/1662, **reg. 2(cc)**

**Marginal Citations**

- M1** 1971 c. 77. Paragraph 27B of Schedule 2 was inserted by section 18 of the [Immigration and Asylum Act 1999 \(c. 33\)](#). Relevant amendments were made by section 31(1) and (3) of the [Immigration, Asylum and Nationality Act 2006 \(c. 13\)](#) (“the 2006 Act”). Paragraph 27B applies, in modified form, in respect of rail services between the UK and France by virtue of articles 4 and 7(1) of, and paragraph 1(11)(s) of Schedule 4 to, [S.I. 1993/1813](#) (“the 1993 Order”). Relevant amendments were made to articles 4 and 7(1) of the 1993 Order by [S.I. 1996/2283](#) and 2001/1544 and paragraph 1(11)(s) of Schedule 4 to the 1993 Order was inserted by [S.I. 2000/913](#) and amended by SI 2007/3579. In respect of rail services between the UK and Belgium (via France) paragraph 27B applies, in modified form, by

virtue of article 4(1) of [S.I. 1994/1405](#) (“the 1994 Order”) and takes effect with the same modifications as those set out in Schedule 4 to the 1993 Order (see [article 7](#) of the 1994 Order, to which amendments were made by [S.I. 2007/2908](#), 2007/3579 and 2015/856). See paragraph 27B(10) for the definition of “specified”.

- M2** [2006 c. 13](#). Section 32 was amended by section 14(1), (2) and (3) of, and Part 2 of Schedule 15 to, the [Police and Justice Act 2006 \(c. 48\)](#) and section 25(1) and (2) of, and paragraphs 5 and 6 of Schedule 5 to, the [Counter-Terrorism and Security Act 2015 \(c. 6\)](#). Section 32 applies, in modified form, in respect of rail services between the UK and France by virtue of articles 4 and 7(1) of, and paragraph 3A(a) of Schedule 4 to, the 1993 Order. Relevant amendments were made to articles 4 and 7(1) of the 1993 Order by [S.I. 1996/2283](#) and 2001/1544 and paragraph 3A of Schedule 4 to the 1993 Order was inserted by [S.I. 2007/3579](#). In respect of rail services between the UK and Belgium (via France) section 32 applies, in modified form, by virtue of article 4(1) of the 1994 Order and takes effect with the same modifications as those set out in Schedule 4 to the 1993 Order (see [article 7](#) of the 1994 Order, to which amendments were made by [S.I. 2007/2908](#), 2007/3579 and 2015/856).
- M3** [1972 c. 68](#). Section 2(2) was amended by section 27(1)(a) of the [Legislative and Regulatory Reform Act 2006 \(c. 51\)](#), and by section 3(3) of, and Part 1 of the Schedule to, the [European Union \(Amendment\) Act 2008 \(c. 7\)](#).
- M4** [S.I. 2012/2752](#).
- M5** [S.I. 1998/2793](#), to which there are amendments not relevant to these Regulations.
- M6** [1998 c. 42](#); see the definition of “the Convention rights” in section 1(1) of that Act. The requirement set out in the second recital reflects the terms of section 32(7) of the 2006 Act.

**Changes to legislation:**

There are currently no known outstanding effects for the The Passenger Name Record Data and Miscellaneous Amendments Regulations 2018, Introductory Text.