VERŻJONI ELETTRONIKA



**L.N. 252 of 2016**

**EUROPEAN UNION ACT**
**(CAP. 460)**

**Communication of Passenger Data by Air Carriers (Amendment) Order, 2016**

IN EXERCISE of the powers conferred by article 4(2) of the European Union Act, the Prime Minister has made the following Order:-

**1.** The title of this Order is the Communication of Passenger Data by Air Carriers (Amendment) Order, 2016, and this Order shall be read and construed as one with the Communication of Passenger Data by Air Carriers Order, hereinafter referred to as "the principal Order". Citation. S.L. 460.18.

**2.** In the title and in article 1 of the principal Order, for the words "Air Carriers" there shall be substituted the words "Air or Sea Carriers". Amends title and article 1 of the principal Order.

**3.** Article 2 of the principal Order shall be amended as follows: Amends article 2 of the principal Order.

(a) in the definition "carrier", immediately after the words "by air" there shall be added the words "or by sea"; and

(b) for the definition "third country" there shall be substituted the following new definition:

" "third country" means a country which is not a Member State of the European Union and, for the purposes of this Order, excludes Iceland, Norway, Switzerland and Liechtenstein:

Provided that, information may also be requested from Member States if the exchange of such information is regulated by bilateral agreements conforming to Malta's international obligations.".

**4.** Immediately after sub-article (2) of article 3 of the principal Order, there shall be added the following new sub-article: Amends article 3 of the principal Order.

"(3) Information requested under this article shall be provided in an electronic form that is compatible with the technology used by the recipient of the information, unless an

VERŻJONI ELETTRONIKA



alternative form and manner of information transmission is authorised by the recipient of the information.".

Amends article 4 of the principal Order.

**5.** In article 4 of the principal Order, for the words "being not less than three thousand and twenty-eight euro and nineteen cents (€3,028.19) but not exceeding four thousand, six hundred and fifty-eight euro and seventy-five cents (€4658.75)" there shall be substituted the words "being not less than three thousand euro (€3,000) but not exceeding five thousand euro (€5,000)".

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