

OBJECTS AND REASONS

This Bill would amend the *Immigration Act*, Cap. 190 to modify the existing advance passenger information data and to empower the Minister to waive the time requirements for the submission of advance passenger information data.

Arrangement of Sections

Section

1. Short title.
2. Amendment of section 2 of Cap. 190.
3. Amendment of section 12A of Cap. 190.
4. Amendment of the Schedule to Cap. 190.

SCHEDULE

BARBADOS

A Bill entitled

An Act to amend the *Immigration Act*.

ENACTED by the Parliament of Barbados as follows:

1. This Act may be cited as the *Immigration (Amendment) Act, Short title. 2007*.

Amend-
ment of
section 2 of
Cap. 190.

2. Section 2 of the *Immigration Act*, in this Act referred to as the principal Act, is amended by inserting in the appropriate alphabetical order the following:

Fifth
Schedule.

" "domestic space" means the countries listed in the *Fifth Schedule*;"

Amend-
ment of
section 12A
of Cap.
190.

3. The principal Act is amended by deleting section 12A and substituting the following:

"Duty to
provide
advance
passenger
informa-
tion.

12A. (1) This section applies to a vessel that

- (a) is expected to arrive in Barbados; or
- (b) has left or is expected to leave Barbados.

(2) The master of a vessel to which this section applies shall, at such time as is stated in subsections (3) and (4), provide the Chief Immigration Officer in electronic format or in a form approved by the Chief Immigration Officer with

Fourth
Schedule.

- (a) the advance passenger information data set out in the *Fourth Schedule*, in respect of the vessel and each person on board including every member of the crew arriving in Barbados; and

- (b) such other information as may be prescribed.

(3) Where a vessel is expected to arrive in Barbados, the data referred to in subsection (2) shall be provided in the case of

- (a) a commercial aircraft, no later than 15 minutes after departure from the last port of call;
- (b) a private aircraft, no later than 30 minutes prior to the departure from the last port of call;

- (c) a ship arriving from outside the domestic space, no later than 24 hours prior to arrival; and
 - (d) a ship arriving from a destination within the domestic space, no later than 1 hour prior to the arrival of the ship from the last port of call.
- (4) Where a vessel has left or is expected to leave Barbados, the data referred to in subsection (2)(a) shall be provided no later than 15 minutes after departure from Barbados.
- (5) Where a master of a vessel intentionally or recklessly
- (a) fails to transmit the data in accordance with subsection (2), (3) or (4); or
 - (b) transmits incomplete or false data,
- the master of the vessel is guilty of an offence and is liable to a fine of \$200 000 or to imprisonment for a term of 2 years.
- (6) The Minister may by order
- (a) waive any of the requirements of subsection (2);
 - (b) waive or modify any of the data referred to in the *Fourth Schedule*; or
 - (c) waive or modify any of the requirements of subsection (3) or (4) with regard to the time required for the submission of data.
- (7) An order made under subsection (6) is subject to negative resolution."

Fourth
Schedule.

4. The principal Act is amended by inserting therein the Fourth and Fifth Schedules as set out in the *Schedule* to this Act.

Amend-
ment of the
Schedule to
Cap. 190.
Schedule.

SCHEDULE

(Section 4)

"FOURTH SCHEDULE

*(Section 12A(2)(a), (7)(b))**A. Data Relating to the Voyage or Flight*

1. **Flight Identification**
IATA airline code and flight number.
2. **Vessel Identification**
Vessel name and voyage number.
3. **Vessel Registration**
Vessel registration number.
4. **Country of Registration**
Country where vessel is registered.
5. **Agent or Owner**
Name of agent for the vessel or, where no agent, name of owner.
6. **Scheduled Departure Date**
Date of scheduled departure of vessel (based on local time of departure from location).
7. **Scheduled Departure Time**
Time of scheduled departure of vessel (based on local time of departure from location).
8. **Scheduled Arrival Date**
Date of scheduled arrival of vessel (based on local time of arrival at location).
9. **Scheduled Arrival Time**
Time of scheduled arrival of vessel (based on local time of arrival at location).
10. **Last Place or Port of Call of Vessel**
Vessel departed from this last place or port of call to go to a place or port of call of a vessel's initial arrival.

11. **Place or Port of Initial Arrival of Vessel**
Place or port of call in the country where the vessel arrives from the last place or port of call of the ship or aircraft.
12. **Subsequent Place or Port of Call Within the Country or domestic space**
13. **Number of Persons on board**
Total number of passengers and crew on board the vessel.
14. **Place or Port of Onward Foreign Destination**
For departure from last port of call.

B. Data relating to each individual person on board

Core Data Elements of the Official Travel Documents

1. **Official Travel Document Number**
Passport or other official travel document number.
2. **Issuing State or Organisation of the Official Travel Document**
Name of the state or organisation responsible for the issuance of the official travel document.
3. **Official Travel Document Type**
Indicator to identify type of official travel document.
4. **Expiration Date of Official Travel Document**
Expiration date of the official travel document.
5. **Surname and Given Name(s)**
Family name and given name(s) of the holder as they appears on the official travel document.
6. **Nationality**
Nationality of the holder.
7. **Date of Birth**
Date of birth of the holder.
8. **Gender**
Gender of the holder.

FIFTH SCHEDULE

(Sections 2, 12A(3)(c), (d))

Domestic Space

1. Antigua and Barbuda
2. Barbados
3. Dominica
4. Grenada
5. Guyana
6. Jamaica
7. St. Kitts and Nevis
8. St. Lucia
9. St. Vincent and the Grenadines
10. Trinidad and Tobago."