

## OBJECTS AND REASONS

This Bill would amend the *Immigration Act*, Cap. 190 to impose an obligation on the master of a vessel to transmit advance passenger information data to the Immigration Department, in advance of the arrival of the vessel in Barbados and for matters related thereto.

### *Arrangement of Sections*

#### *Section*

1. Short title.
2. Amendment of section 2 of Cap. 190.
3. Amendment of section 12 of Cap. 190.
4. Amendment of section 29 of Cap. 190.
5. Amendment of Schedule to Cap. 190.

#### SCHEDULE

BARBADOS

A Bill entitled

An Act to amend the *Immigration Act* to impose an obligation on the master of a vessel to transmit advance passenger information data to the Immigration Department, in advance of the arrival of the vessel in Barbados and for matters related thereto.

ENACTED by the Parliament of Barbados as follows:

1. This Act may be cited as the *Immigration (Amendment) Act*, Short title. 2006.

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:

"advance passenger information" means the information in respect of a passenger, crew member or other person transported in the vessel;"

Amend-  
ment of  
section 12  
of Cap.  
190.

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

"Duty of  
master of  
vessel.

12. The master of a vessel arriving in Barbados shall, if so required by an immigration officer, truthfully answer all proper questions put to him by that officer relating to the passengers and members of the crew of the vessel for the purposes of this Act.

Duty to  
provide  
advance  
passenger  
informa-  
tion.

12A. (1) Prior to the departure of a vessel from the last port of call for Barbados, the master of the vessel shall provide the Chief Immigration Officer in Barbados with

Sixth  
Schedule.

(a) the advance passenger information data set out in the *Sixth Schedule*, in duplicate, 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.

(2) Subsection (1) does not apply to a ship not exceeding 100 net tons.

(3) Where a master of a vessel intentionally or recklessly

(a) fails to transmit the data in accordance with subsection (1); or

(b) transmits incomplete or false data,

the master of the vessel is guilty of an offence and is liable on summary conviction to a fine of \$200 000.

(4) The Minister may by Order waive the requirements of subsection (1) in such circumstances and on such conditions as the Minister may determine."

4. Section 29 of the principal Act is amended by deleting paragraphs (a) and (b) and substituting the following:

Amend-  
ment of  
section 29  
of Cap.  
190.

"(a) being the master of a vessel arriving in or departing from Barbados, refuses to answer or wilfully gives an untrue answer to any question referred to in section 12;

(b) being a person seeking to enter or entering Barbados

(i) wilfully gives an untrue answer to any question referred to in section 11(2); or

(ii) wilfully makes a false statement in a declaration referred to in paragraph (a) of section 11(2);".

5. The principal Act is amended by inserting immediately after the Fifth Schedule, the Sixth Schedule as set out in the *Schedule* to this Act.

Amend-  
ment of  
Schedule to  
Cap. 190.

SCHEDULE

*(Section 5)*

"SIXTH SCHEDULE

*(Section 12A(1))*

*Data Relating to the Voyage or Flight*

1. **Flight Identification**  
IATA airline code and flight number.
2. **Vessel Identification**  
Vessel's name and voyage number.
3. **Scheduled Departure Date**  
Date of scheduled departure of vessel (based on local time of departure from location).
4. **Scheduled Departure Time**  
Time of scheduled departure of vessel (based on local time of departure from location).
5. **Scheduled Arrival Date**  
Date of scheduled arrival of vessel (based on local time of arrival at location).
6. **Scheduled Arrival Time**  
Time of scheduled arrival of vessel (based on local time of arrival at location).
7. **Last Place or Port of Call of Vessel**  
Vessel departed from this foreign place or port of call to go to a place or port of call.
8. **Place or Port of Initial Arrival of Ship or Aircraft**  
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.
9. **Subsequent Place or Port of Call Within the Country**
10. **Number of Passengers**  
Total number of passengers on board the vessel.

*Data relating to each individual passenger*

Information relating to persons on board aircraft

**A. 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 it appears on the official document.
6. **Nationality**  
Nationality of the holder.
7. **Date of Birth**  
Date of birth of the holder.
8. **Gender**  
Gender of the holder.

**B. Additional Data Elements**

1. **Visa Number**  
Number of the issued visa.
2. **Issue Date of the Visa**  
Date of issuance of visa.
3. **Place of Issuance of Visa**  
Name of the place where the visa was issued.

4. **Other Document Number Used for Travel**  
The other document number used for travel when the official travel document is not required.
5. **Type of Other Document Used for Travel**  
Indicator to identify type of document used for travel.
6. **Place of Birth**  
City and country.
7. **Traveller's Status**  
Passenger, crew, intransit.
8. **Place or Port of Original Embarkation**  
Place or port where traveller originates foreign travel.
9. **Place or Port of Clearance**  
Place or port where the traveller is cleared by the border control agencies.
10. **Place or Port of Onward Foreign Destination**  
Foreign place or port where traveller is transiting."