



Council of the  
European Union

Brussels, 12 March 2024  
(OR. en)

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Interinstitutional File:  
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7279/24  
COR 1

LIMITE

IXIM 76  
ENFOPOL 108  
AVIATION 49  
DATAPROTECT 122  
JAI 386  
CODEC 661

#### NOTE

From:	Presidency
To:	Delegations
No. prev. doc.:	10703/23
No. Cion doc.:	15719/22
Subject:	Proposal for a Regulation of the European Parliament and of the Council on the collection and transfer of advance passenger information for the prevention, detection, investigation and prosecution of terrorist offences and serious crime, and amending Regulation (EU) 2019/818 – <i>Provisional compromise agreement</i>

1. On page 12 of document 7279/24 INIT, Recital 11a, instead of:

***“(11a) The collection of API data by automated means should be strictly limited to the alphanumerical data contained in the travel document and should not lead to the collection of any biometric data from it. [As the collection of API data is part of the check-in process, either online or at the airport, it should not include an obligation for air carriers to check a travel document of the passenger at the moment of boarding. Compliance with this regulation should not include any obligation for passenger to carry a travel document at the moment of boarding.]”***

should read as follows:

**“(11a) The collection of API data by automated means should be strictly limited to the alphanumeric data contained in the travel document and should not lead to the collection of any biometric data from it. As the collection of API data is part of the check-in process, either online or at the airport, it should not include an obligation for air carriers to check a travel document of the passenger at the moment of boarding. Compliance with this regulation should not include any obligation for passenger to carry a travel document at the moment of boarding.”**

2. On page 33 of document 7279/24 INIT, Article 3, point (g), instead of:

**“(g) ‘crew’ means ~~any person~~ *the crew* as defined in Article 3, point (h)(i), of Regulation (EU) [API border management];”**

should read as follows:

**“(g) ‘crew’ means any person *on board of an aircraft during the flight, other than a passenger, who works on and operates the aircraft, including flight crew and cabin crew* as defined in Article 3, point (h)(i), of Regulation (EU) [API border management];”**

3. On page 36 of document 7279/24 INIT, Article 4(1b), after point (c) and before point (d), should be inserted:

**“(ca) the code of the airport of departure of the flight;”**