



Home Office

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Rt Hon David Hanson MP
House of Commons
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Dear David,

COUNTER-TERRORISM AND SECURITY BILL: CONSULTATION WITH THE TRANSPORT INDUSTRY

During Day One of Committee on the Counter-Terrorism and Security Bill on Tuesday 9 December, I undertook to write to you about the consultation being undertaken with the transport industry on the provisions in Part 4 of the Bill.

The Government undertook a consultation on a statutory authority to carry scheme in September 2011, ahead of the implementation of the Security and Travel Bans Authority to Carry Scheme in July 2012. The published response to that consultation indicated that the majority of respondents supported the objective of an authority to carry, and were very supportive of an interactive Advance Passenger Information (iAPI) System and urged Government to introduce that at the earliest opportunity. As respondents commented:

"[we] would urge the Home Office to develop an automated system that provides an immediate response as part of the check in process..."

"A manual system is never going to be as secure as an interactive system. Therefore, [we] would urge the Home Office to move as quickly as possible towards a fully interactive Authority to Carry System."

In parallel to the introduction of the 2012 Authority to Carry Scheme, the Home Office developed a capability to operate an iAPI system. The first carrier to connect its departure control system directly to the Government's Border System did so in July 2013. There are now fifteen carriers connected in that way, and plans in place to connect with many more. To the extent that carriers need to be compelled to do so, provisions in the Bill will mean carriers may be required to receive grant or refusal of authority to carry in a specified form and manner such as iAPI.

In developing the proposals in the Bill, which restate the conclusion of the 2012 consultation, we have engaged directly with industry representatives.

On 9 September, officials briefed the European Regions Airline Association Industry Affairs Group on the operation of authority to carry and the approach being taken to connect with carriers through iAPI.

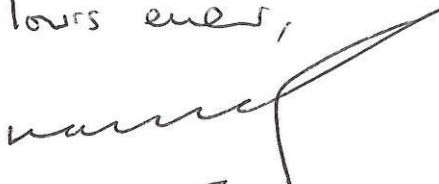
On 6 October officials met with representatives of UK registered airlines to provide a briefing on the likely provisions of the Bill relating to authority to carry and passenger information. And on 15 October the Home Office hosted its Air Carrier Group, chaired usually by the Chief Operating Officer of Border Force, at which representatives of carriers, the British Air Transport Association and the Board of Airline Representatives in the UK were present. At both meetings carriers were supportive of implementing interactive connectivity with the Border System that would: prevent individuals of terrorist-related concern travelling to (or from) the UK; support carriers to offload more individuals who will be inadmissible to the UK and reduce the potential burden of carriers' liability charges. Carriers' views on iAPI, on the costs of implementing iAPI capability and their ability to offload passengers who will be inadmissible to the UK, whether they pose a terrorist threat or not, were invited in writing. Their responses informed the impact assessment published alongside the Bill.

Maritime and rail operators were briefed on the likely transport security provisions in the Bill at the Home Office Maritime Sector Group, chaired by the Chief Operating Officer of Border Force, on 17 November.

Consultation with aviation, maritime and rail carriers impacted by the provisions in the Bill is continuing. We will be undertaking targeted consultation with carriers in parallel with the Bill to seek views on the scope of a new authority to carry scheme; on draft regulations and penalties for breaching the requirements of the new scheme; on draft regulations and penalties for failing to comply with written requirements to provide passenger, crew and service information, and on draft regulation and penalties for failure to provide information to comply with a direction under the Aviation Security Act 1982.

After Royal Assent, the Home Office will consult fully with the general aviation and general maritime sectors on the provisions in the Bill on draft regulations for a new standing requirement for provision of information about persons on board aircraft and ships and about flights or voyages, and on civil penalties for failing to provide information when required to do so.

I have placed a copy of this letter in the Library of the House.

Yours ever,


James Brokenshire