



2022/0424(COD)

19.7.2023

OPINION

of the Committee on Transport and Tourism

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council on the collection and transfer of advance passenger information (API) for enhancing and facilitating external border controls, amending Regulation (EU) 2019/817 and Regulation (EU) 2018/1726, and repealing Council Directive 2004/82/EC
(COM(2022)0729 – C9-0428 – 2022/0424(COD))

Rapporteur for opinion: Jan-Christoph Oetjen

PA_Legam

SHORT JUSTIFICATION

This Regulation updates and replaces Directive 2004/82/EC, the existing legal framework on API data that facilitates external border controls, combats illegal immigration and increases internal security.

Whereas Directive 2004/82/EC has proven effective in improving boarder controls, its divergent application at national level has created inconsistencies. Inconsistencies that are takled by the new rules set by the proposed Regulation.

More specifically, this Regulation introduces:

- 1 provisions for the collection and tranfer of API data by air carriers to the router, the rule for the processing of API data by competent authorities and the storage and deletion of API data by both air carriers and competent authorities;
- 2 the establishment of a single point of reception and onward distribution of data, the router, which will be managed by an EU Agency, eu-LISA, the rules on the use of the router, on the deletion of the API data from the router and the procedure in case of a partial or full technical impossibility to use the router;
- 3 provisions on the protection of personal data, as well as security and self-monitoring by air carriers and competent authorities;
- 4 rules and conditions on the the possibility of an initial voluntary use of the router by air carriers, before its compulsory application;
- 5 requirements on supervision and possible penalties in case of non-compliance by air carriers.

This Regulation also includes budgetary provisions that will finance the establishment and functioning of the router and the costs incurred by the Member States (with some exceptions) in relation to their connections to and integration with the router, under the Union budget.

Rapporteur's position

The Rapporteur welcomes this streamlined and simpler method for air carriers to provide API data, especially through a centralised system. He also shares the view that digitalisation and automation can be a useful tool to mitigate errors and to allow for a better travel experience for legitimate travellers.

The Rapporteur also shares the need to ensure better quality API data for law enforcement, in full respect of personal data protection. However, this Regulation should avoid going to the detriment of the travel experience of the legitimate traveller. It should also allow authorities to estimate in advance the necessary control capacity at airports and should enable air carriers to process the information at the check-in in a more efficient and faster way. The Rapporteur believes that this legislation should facilitate people travelling, with reduced times at disembarkation and at the physical border checks. Therefore, the Rapporteur introduces a provision in Article 8(1) that allows for the use of API data by air carriers for travel facilitation, in compliance with the General Data Protection Regulation. The Rapporteur also introduces a provision in Article 38, which imposes a requirement on the Commission to carry out an assessment on the impact of this Regulation on the travel experience of travellers.

The Rapporteur understands that in certain cases air carriers may need to keep logs for longer than for procedures for monitoring or ensuring the security and integrity of the API data or the lawfulness of the processing operations. However to avoid any misuse or abuse, the air carriers should inform and justify to the Commission the reason for keeping the logs longer.

The Rapporteur believes that the financial appropriation to the functioning of the router will determine its success, therefore eu-LISA should be provided with the necessary resources under the Union budget.

AMENDMENT

The Committee on Transport and Tourism calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to take the following into account:

Amendment 1

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) In the interest of effectiveness and legal certainty, the items of information that jointly constitute the API data to be collected and subsequently transferred under this Regulation should be listed clearly and exhaustively, covering both information relating to each traveller and information on the flight of that traveller. Such flight information should cover information on the border crossing point of entry into the territory of the Member State concerned in all cases covered by this Regulation, but that information should be collected only where applicable under Regulation (EU) [API law enforcement], ***that is, not when the API data relate to intra-EU flights.***

Amendment

(8) In the interest of effectiveness and legal certainty, the items of information that jointly constitute the API data to be collected and subsequently transferred under this Regulation should be listed clearly and exhaustively, covering both information relating to each traveller and information on the flight of that traveller. Such flight information should cover information on the border crossing point of entry into the territory of the Member State concerned in all cases covered by this Regulation, but that information should be collected only where applicable under Regulation (EU) [API law enforcement].

Amendment 2

Proposal for a regulation

Recital 8 a (new)

Text proposed by the Commission

Amendment

(8 a) Where technically and operationally feasible, the router should allow for the use of pseudonymization and/or encryption of the API data.

Amendment 3

Proposal for a regulation

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12 a) The automatic data collection systems and other processes established under this Regulation should not negatively impact the employees in the aviation industry, who should benefit from upskilling and reskilling opportunities that would increase the efficiency and reliability of data collection and transfer as well as the working conditions in the sector.

Amendment 4

Proposal for a regulation

Recital 13

Text proposed by the Commission

Amendment

(13) In view of ensuring that the pre-checks carried out in advance by competent border authorities are effective and efficient, the API data transferred to those authorities should contain data of travellers that are effectively set to cross the external borders, that is, of travellers that are effectively on board of the aircraft. Therefore, the air carriers should transfer API data directly after flight closure. Moreover, API data helps the competent border authorities to distinguish legitimate travellers from travellers who may be of interest and therefore may require additional verifications, which would necessitate further coordination and preparation of follow-up measures to be taken upon arrival. That could occur, for example, in cases of unexpected number of travellers of interest whose physical checks at the borders could adversely affect the border checks and waiting times at the borders of other legitimate travellers. To provide the competent border authorities with an opportunity to prepare adequate and proportionate measures at the border, such as temporarily reinforcing or

(13) In view of ensuring that the pre-checks carried out in advance by competent border authorities are effective and efficient, the API data transferred to those authorities should contain data of travellers that are effectively set to cross the external borders, that is, of travellers that are effectively on board of the aircraft. Therefore, the air carriers should transfer API data directly after flight closure. Moreover, API data helps the competent border authorities to distinguish legitimate travellers from travellers who may be of interest and therefore may require additional verifications, which would necessitate further coordination and preparation of follow-up measures to be taken upon arrival. That could occur, for example, in cases of unexpected number of travellers of interest whose physical checks at the borders could adversely affect the border checks and waiting times at the borders of other legitimate travellers. To provide the competent border authorities with an opportunity to prepare adequate and proportionate measures at the border, such as temporarily reinforcing or

reaffecting staff, particularly for flights where the time between the flight closure and the arrival at the external borders is insufficient to allow the competent border authorities to prepare the most appropriate response, API data should also be transmitted prior to boarding, at the moment of check-in of each traveller.

reaffecting staff, particularly for flights where the time between the flight closure and the arrival at the external borders is insufficient to allow the competent border authorities to prepare the most appropriate response, API data should also be transmitted prior to boarding, at the moment of check-in of each traveller. ***In order to reduce the impact on air carriers, and with a view to create synergies with other reporting obligations on air carriers in Regulation (EU) 2017/2226, Regulation (EU) 2018/1240 and Regulation (EC) 767/2008 and avoid duplication, air carriers should transfer the API data at the moment of check-in of each traveller by way of interactive API in accordance with international standards, using the existing carrier gateway. Air carriers should receive a meaningful reply to the transfer of interactive API in accordance with Regulation (EU) 2017/2226, Regulation (EU) 2018/1240 and Regulation (EC) 767/2008.***

Amendment 5

Proposal for a regulation Recital 13 a (new)

Text proposed by the Commission

Amendment

(13 a) With a view to guaranteeing the fulfilment of the rights provided for under the Charter of Fundamental Rights and to ensuring accessible and inclusive travel options, especially for vulnerable groups and persons with disabilities, air carriers, supported by the Member States, should ensure that an offline alternative for the check-in and for the provision of the necessary data by the passengers is possible at all times.

Amendment 6

Proposal for a regulation
Recital 13 b (new)

Text proposed by the Commission

Amendment

(13 b) In order to enhance data quality, the router should verify whether the API data transferred to it by the air carriers complies with the supported data formats. Where the router has verified that the data is not compliant with the supported data formats, the router should, immediately and in an automated manner, notify the air carrier concerned.

Amendment 7

Proposal for a regulation
Recital 15 a (new)

Text proposed by the Commission

Amendment

(15 a) This Regulation should be subject to regular evaluations to ensure the monitoring of its effective application. In particular, the collection of API data should not be to the detriment of the travel experience of legitimate travellers. Therefore, the Commission should include in its regular evaluation reports on the application of this Regulation an assessment of the impact of this Regulation on the travel experience of legitimate travellers.

Amendment 8

Proposal for a regulation
Recital 15 b (new)

Text proposed by the Commission

Amendment

(15 b) Given that this Regulation requires additional adjustment and administrative costs by the air carriers, the overall regulatory burden for the

aviation sector should be kept under close review. Against this backdrop, the report evaluating the functioning of this Regulation should assess the extent to which the objectives of the Regulation have been met and to which extent it has impacted the competitiveness of the sector. Therefore, the Commission's report should also conduct a holistic assessment and refer to the interaction of this Regulation with other relevant EU legislative acts, notably Regulation (EU) 2017/2226, Regulation (EU) 2018/1240 and Regulation (EC) 767/2008. The report should assess the overall impact of related reporting obligations on air carriers, identifying provisions that may be updated and simplified, where appropriate, to mitigate the burden on air carriers, as well as actions and measures that have been or could be taken to reduce the total cost pressure on the aviation sector.

Amendment 9

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) To ensure that competent border authorities have sufficient time to carry out pre-checks effectively on all travellers, including travellers on long-haul flights and those travelling on connecting flights, as well as sufficient time to ensure that the API data collected and transferred by the air carriers is complete, accurate and up-to-date, and where necessary to request additional clarifications, corrections or completions from the air carriers, the competent border authorities should store the API data that they received under this Regulation for a fixed time period that remains limited to what is strictly necessary for those purposes. Similarly, to be able to respond to such requests, air

Amendment

(16) To ensure that competent border authorities have sufficient time to carry out pre-checks effectively on all travellers, including travellers on long-haul flights and those travelling on connecting flights, as well as sufficient time to ensure that the API data collected and transferred by the air carriers is complete, accurate and up-to-date, and where necessary to request additional clarifications, corrections or completions from the air carriers, the competent border authorities should store the API data that they received under this Regulation for a fixed time period that remains limited to what is strictly necessary for those purposes. Similarly, to be able to respond to such requests, air

carriers should store the API data that they transferred under this Regulation for the same fixed and strictly necessary time period.

carriers should store the API data that they transferred under this Regulation for the same fixed and strictly necessary time period. ***Beyond that, and with a view to enhance the travel experience of legitimate travellers, air carriers should be able to retain and use the API data where necessary for the normal course of their business in particular for travel facilitation, in compliance with the applicable law and in particular Regulation (EU) 2016/679.***

Amendment 10

Proposal for a regulation Recital 17

Text proposed by the Commission

(17) In order to avoid that air carriers have to establish and maintain multiple connections with the competent border authorities of the Member States' for the transfer of API data collected under this Regulation and the related inefficiencies and security risks, provision should be made for a single router, created and operated at Union level, that serves as a connection and distribution point for those transfers. In the interest of efficiency and cost effectiveness, the router should, to the extent technically possible and in full respect of the rules of this Regulation and Regulation (EU) [API law enforcement], rely on technical components from other relevant systems created under Union law.

Amendment

(17) In order to avoid that air carriers have to establish and maintain multiple connections with the competent border authorities of the Member States' for the transfer of API data collected under this Regulation and the related inefficiencies and security risks, provision should be made for a single router, created and operated at Union level, that serves as a connection and distribution point for those transfers. In the interest of efficiency and cost effectiveness, the router should, to the extent technically possible and in full respect of the rules of this Regulation and Regulation (EU) [API law enforcement], rely on technical components from other relevant systems created under Union law, ***notably the web service referred to in Regulation (EU) 2017/2226, the carrier gateway referred to in Regulation (EU) 2018/1240 and the carrier gateway referred to in Regulation (EC) 767/2008. In order to reduce the impact on air carriers and ensure a harmonised approach towards air carriers, eu-LISA should design the router, to the extent technically and operationally possible, in a way that is coherent and consistent with***

the obligations put on air carriers by Regulation (EU) 2017/2226, Regulation (EU) 2018/1240 and Regulation (EC) 767/2008.

Amendment 11

Proposal for a regulation Recital 17 a (new)

Text proposed by the Commission

Amendment

(17 a) With a view to ensuring increased data quality and accuracy, the setting up of travel document validation systems, able to automatically verify carrier-submitted passenger data, should be considered.

Amendment 12

Proposal for a regulation Recital 19

Text proposed by the Commission

Amendment

(19) The router should serve only to facilitate the transmission of API data from the air carriers to the competent border authorities in accordance with this Regulation and to PIUs in accordance with Regulation (EU) [API law enforcement], and should not be a repository of API data. Therefore, and in order to minimise any risk of unauthorised access or other misuse and in accordance with the principle of data minimisation, any storage of the API data on the router should remain limited to what is strictly necessary for technical purposes related to the transmission and the API data should be deleted from the router, immediately, permanently and in an automated manner, from the moment that the transmission has been completed ***or, where relevant under Regulation (EU) [API law enforcement], the API data is***

(19) The router should serve only to facilitate the transmission of API data from the air carriers to the competent border authorities in accordance with this Regulation and to PIUs in accordance with Regulation (EU) [API law enforcement], and should not be a repository of API data. Therefore, and in order to minimise any risk of unauthorised access or other misuse and in accordance with the principle of data minimisation, any storage of the API data on the router should remain limited to what is strictly necessary for technical purposes related to the transmission and the API data should be deleted from the router, immediately, permanently and in an automated manner, from the moment that the transmission has been completed.

not to be transmitted at all.

Amendment 13

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) The router to be created and operated under this Regulation should reduce and simplify the technical connections needed to transfer API data, limiting them to a single connection per air carrier and per competent border authority. Therefore, this Regulation provides for the obligation for the competent border authorities and air carriers to each establish such a connection to, and achieve the required integration with, the router, so as to ensure that the system for transferring API data established by this Regulation can function properly. To give effect to those obligations and to ensure the proper functioning of the system set up by this Regulation, they should be supplemented by detailed rules.

Amendment

(22) The router to be created and operated under this Regulation should reduce and simplify the technical connections needed to transfer API data, limiting them to a single connection per air carrier and per competent border authority. Therefore, this Regulation provides for the obligation for the competent border authorities and air carriers to each establish such a connection to, and achieve the required integration with, the router, so as to ensure that the system for transferring API data established by this Regulation can function properly. ***The design and development of the router by eu-LISA should enable the effective and efficient connection and integration of air carriers' systems and infrastructure by providing for all relevant standards and technical requirements.*** To give effect to those obligations and to ensure the proper functioning of the system set up by this Regulation, they should be supplemented by detailed rules.

Amendment 14

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) In view of the Union interests at stake, the costs incurred by eu-LISA for the performance of its tasks under this Regulation and Regulation (EU) [API law enforcement] in respect of the router

Amendment

(23) In view of the Union interests at stake, the costs incurred by eu-LISA for the performance of its tasks under this Regulation and Regulation (EU) [API law enforcement] in respect of the router

should be borne by the Union budget. The same should go for appropriate costs incurred by the Member States in relation to their connections to, and integration with, the router, as required under this Regulation and in accordance with the applicable legislation, subject to certain exceptions. The costs covered by those exceptions should be borne by each Member State concerned itself.

should be borne by the Union budget. The same should go for appropriate costs incurred by the Member States in relation to their connections to, and integration with, the router, as required under this Regulation and in accordance with the applicable legislation, subject to certain exceptions. The costs covered by those exceptions should be borne by each Member State concerned itself. ***The Union budget should also cover the support, such as training, provided by eu-LISA to air carriers and PIUs to enable the effective transfer and transmission of API data through the router.***

Amendment 15

Proposal for a regulation Recital 28 a (new)

Text proposed by the Commission

Amendment

(28 a) When providing for the penalties applicable to air carriers under this Regulation, Member States shall take into account the technical, operational and economic feasibility of ensuring complete data accuracy. Additionally, when fines are imposed, their application and value shall be established taking into consideration the actions undertaken by the air carrier to mitigate the issue as well as its repeated failure to cooperate with national authorities.

Amendment 16

Proposal for a regulation Article 6 – paragraph 2

Text proposed by the Commission

Amendment

2. Air carriers shall transfer the API data both at the moment of check-in and immediately after flight closure, that is,

2. Air carriers shall transfer the API data both at the moment of check-in and immediately after flight closure, that is,

once the passengers have boarded the aircraft in preparation for departure and it is no longer possible for passengers to board or to leave the aircraft.

once the passengers have boarded the aircraft in preparation for departure and it is no longer possible for passengers to board or to leave the aircraft. ***At the moment of check-in, air carriers shall transfer the API data by way of interactive API in accordance with international standards. Where an air carrier transfers the API data by way of interactive API, it shall receive a meaningful reply in accordance with Regulation (EU) 2017/2226, Regulation (EU) 2018/1240 and Regulation (EC) 767/2008.***

Amendment 17

Proposal for a regulation Article 6 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. The router shall verify whether the API data transferred to it in accordance with paragraph 1 complies with the detailed rules on the supported data formats. Where the router has verified that the data is not compliant with the detailed rules, the router shall, immediately and in an automated manner, notify the air carrier concerned.

Amendment 18

Proposal for a regulation Article 6 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 37 to supplement this Regulation by laying down the necessary detailed rules on the common protocols and supported data formats to be used for the transfers of API data to the router referred to in paragraph 1.

3. The Commission is empowered to adopt delegated acts in accordance with Article 37 to supplement this Regulation by laying down the necessary detailed rules on the common protocols and supported data formats to be used for the transfers of API data to the router referred to in paragraph 1, ***including the use of***

interactive API for the transfer of API data at the moment of check-in.

Amendment 19

Proposal for a regulation Article 8 – paragraph 1

Text proposed by the Commission

1. Air carriers shall store, for a time period of 48 hours from the moment of departure of the flight, the API data relating to that passenger that they collected pursuant to Article 4. They shall immediately and permanently delete that API data after the expiry of that time period.

Amendment

1. Air carriers shall store, for a time period of 48 hours from the moment of departure of the flight, the API data relating to that passenger that they collected pursuant to Article 4. They shall immediately and permanently delete that API data after the expiry of that time period. ***This is without prejudice to the possibility for air carriers to retain and use the data where necessary for the normal course of their business in particular for travel facilitation, in compliance with the applicable law and in particular Regulation (EU) 2016/679.***

Amendment 20

Proposal for a regulation Article 9 – paragraph 3

Text proposed by the Commission

3. Without prejudice to Article 10 of this Regulation, the router shall, to the extent technically possible, share and re-use the technical components, including hardware and software components, of the web service referred to in Article 13 of Regulation (EU) 2017/2226 of the European Parliament and of the Council⁴⁸, the carrier gateway referred to in Article 6(2), point (k), of Regulation (EU) 2018/1240, and the carrier gateway referred to in Article 2a, point (h), of Regulation (EC) 767/2008 of the European Parliament and of the Council⁴⁹.

Amendment

3. Without prejudice to Article 10 of this Regulation, the router shall, to the extent technically possible, share and re-use the technical components, including hardware and software components, of the web service referred to in Article 13 of Regulation (EU) 2017/2226 of the European Parliament and of the Council⁴⁸, the carrier gateway referred to in Article 6(2), point (k), of Regulation (EU) 2018/1240, and the carrier gateway referred to in Article 2a, point (h), of Regulation (EC) 767/2008 of the European Parliament and of the Council⁴⁹. ***eu-LISA***

shall design the router, to the extent technically and operationally possible, in a way that is coherent and consistent with the obligations put on air carriers by Regulation (EU) 2017/2226, Regulation (EU) 2018/1240 and Regulation (EC) 767/2008.

⁴⁸ Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011 (OJ L 327, 9.12.2017, p. 20).

⁴⁹ Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (OJ L 218, 13.8.2008, p. 60).

⁴⁸ Regulation (EU) 2017/2226 of the European Parliament and of the Council of 30 November 2017 establishing an Entry/Exit System (EES) to register entry and exit data and refusal of entry data of third-country nationals crossing the external borders of the Member States and determining the conditions for access to the EES for law enforcement purposes, and amending the Convention implementing the Schengen Agreement and Regulations (EC) No 767/2008 and (EU) No 1077/2011 (OJ L 327, 9.12.2017, p. 20).

⁴⁹ Regulation (EC) No 767/2008 of the European Parliament and of the Council of 9 July 2008 concerning the Visa Information System (VIS) and the exchange of data between Member States on short-stay visas (VIS Regulation) (OJ L 218, 13.8.2008, p. 60).

Amendment 21

Proposal for a regulation

Article 12 – paragraph 1 – point b

Text proposed by the Commission

(b) in respect of Regulation (EU) [API law enforcement], ***where the API data relates to other intra-EU flights than those included the lists referred to in Article 5(2) of that Regulation.***

Amendment

(b) in respect of Regulation (EU) [API law enforcement].

Amendment 22

Proposal for a regulation
Article 13 – paragraph 5 – subparagraph 2

Text proposed by the Commission

However, if those logs are needed for procedures for monitoring or ensuring the security and integrity of the API data or the lawfulness of the processing operations, as referred to in paragraph 2, and these procedures have already begun at the moment of the expiry of the time period referred to in the first subparagraph, eu-LISA and the air carriers may keep those logs for as long as necessary for those procedures. In that case, they shall immediately delete those logs when they are no longer necessary for those procedures.

Amendment

However, if those logs are needed for procedures for monitoring or ensuring the security and integrity of the API data or the lawfulness of the processing operations, as referred to in paragraph 2, and these procedures have already begun at the moment of the expiry of the time period referred to in the first subparagraph, eu-LISA and the air carriers may keep those logs for as long as necessary for those procedures ***after informing and justifying it to the Commission***. In that case, they shall immediately delete those logs when they are no longer necessary for those procedures.

Amendment 23

Proposal for a regulation
Article 24 – paragraph 1

Text proposed by the Commission

1. eu-LISA shall, upon their request, provide training to competent border authorities, PIUs and other relevant Member States' authorities and air carriers on the technical use of the router.

Amendment

1. eu-LISA shall, upon their request, provide training to competent border authorities, PIUs and other relevant Member States' authorities and air carriers on the technical use of the router ***and on the connection and integration to the router***.

Amendment 24

Proposal for a regulation
Article 25 – paragraph 1

Text proposed by the Commission

1. Costs incurred by eu-LISA in relation to the design, development, hosting and technical management of the

Amendment

1. Costs incurred by eu-LISA in relation to the design, development, hosting and technical management of the

router under this Regulation and Regulation (EU) [API law enforcement] shall be borne by the general budget of the Union.

router under this Regulation and Regulation (EU) [API law enforcement] shall be borne by the general budget of the Union. ***In view of the Union interests at stake, in relation to its responsibilities for the design, development, hosting and technical management and maintenance of the router, eu-LISA shall be provided with the necessary resources under the Union budget in accordance with the applicable legislation.***

Amendment 25

Proposal for a regulation Article 28 – title

Text proposed by the Commission

Amendment

Voluntary use of the router in application of Directive **2004/81/EC**

Voluntary use of the router in application of Directive **2004/82/EC**

Amendment 26

Proposal for a regulation Article 38 – paragraph 2

Text proposed by the Commission

Amendment

2. By [one year after the date of entry into force of this Regulation] and every year thereafter during the development phase of the router, eu-LISA shall produce a report, and submit it to the European Parliament and to the Council on the state of play of the development of the router. That report shall contain detailed information about the costs incurred and about any risks which may impact the overall costs to be borne by the general budget of the Union in accordance with Article 25.

2. By [one year after the date of entry into force of this Regulation] and every year thereafter during the development phase of the router, eu-LISA shall produce a report, and submit it to the European Parliament and to the Council on the state of play of the development of the router. That report shall contain detailed information about the costs incurred and about any risks which may impact the overall costs to be borne by the general budget of the Union in accordance with Article 25. ***From the date at which the router starts operations and every year thereafter, the Commission shall assess whether the budget under the MFF budget line 4.11.10.02 (“eu-LISA”) covers***

the needs necessary for good design, development, hosting and technical management of the router and, if appropriate, immediately propose amendment to the budget appropriations.

Amendment 27

Proposal for a regulation Article 38 – paragraph 4 – point c a (new)

Text proposed by the Commission

Amendment

(c a) the impact of this Regulation on the travel experience of legitimate travellers.

Amendment 28

Proposal for a regulation Article 38 – paragraph 4 – point c b (new)

Text proposed by the Commission

Amendment

(c b) the impact of this Regulation on the competitiveness of the aviation sector and the burden incurred by businesses. The Commission's report shall also address this Regulation's interaction with other relevant EU legislative acts, notably Regulation (EU) 2017/2226, Regulation (EU) 2018/1240 and Regulation (EC) 767/2008, with a view to assess the overall impact of related reporting obligations on air carriers, identify provisions that may be updated and simplified, where appropriate, to mitigate the burden on air carriers, and consider actions and measures that could be taken to reduce the total cost pressure on air carriers.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Collection and transfer of advance passenger information (API) for enhancing and facilitating external border controls, amending Regulation (EU) 2019/817 and Regulation (EU) 2018/1726, and repealing Council Directive 2004/82/EC
References	COM(2022)0729 – C9-0428/2022 – 2022/0424(COD)
Committee responsible Date announced in plenary	LIBE 13.2.2023
Opinion by Date announced in plenary	TRAN 13.2.2023
Rapporteur for the opinion Date appointed	Jan-Christoph Oetjen 22.2.2023
Discussed in committee	24.5.2023
Date adopted	19.7.2023
Result of final vote	+: 37 –: 0 0: 7
Members present for the final vote	Magdalena Adamowicz, Izaskun Bilbao Barandica, Karolin Braunsberger-Reinhold, Marco Campomenosi, Ciarán Cuffe, Jakop G. Dalunde, Karima Delli, Anna Deparnay-Grunenberg, Gheorghe Falcă, Carlo Fidanza, Mario Furore, Jens Gieseke, Elsi Katainen, Kateřina Konečná, Bogusław Liberadzki, Benoît Lutgen, Marian-Jean Marinescu, Tilly Metz, Cláudia Monteiro de Aguiar, Caroline Nagtegaal, Jan-Christoph Oetjen, Rovana Plumb, Bergur Løkke Rasmussen, Dominique Riquet, Thomas Rudner, Vera Tax, Barbara Thaler, István Ujhelyi, Achille Variati, Petar Vitanov, Lucia Vuolo
Substitutes present for the final vote	Sara Cerdas, Josianne Cutajar, Michael Gahler, Maria Grapini, Georg Mayer, Ljudmila Novak, Annalisa Tardino
Substitutes under Rule 209(7) present for the final vote	Patricia Chagnon, Lena Düpont, Svenja Hahn, Denis Nesci, Christine Schneider, Veronika Vrecionová

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

37	+
ECR	Carlo Fidanza, Denis Nesci, Veronika Vrecionová
ID	Patricia Chagnon
NI	Mario Furore
PPE	Magdalena Adamowicz, Karolin Braunsberger-Reinhold, Lena Düpont, Gheorghe Falcă, Michael Gahler, Jens Gieseke, Benoît Lutgen, Marian-Jean Marinescu, Cláudia Monteiro de Aguiar, Ljudmila Novak, Christine Schneider, Barbara Thaler, Lucia Vuolo
Renew	Izaskun Bilbao Barandica, Svenja Hahn, Elsi Katainen, Jan-Christoph Oetjen, Dominique Riquet
S&D	Sara Cerdas, Maria Grapini, Bogusław Liberadzki, Rovana Plumb, Thomas Rudner, Vera Tax, István Ujhelyi, Achille Variati, Petar Vitanov
Verts/ALE	Ciarán Cuffe, Jakop G. Dalunde, Karima Delli, Anna Deparnay-Grunenberg, Tilly Metz

0	-

7	0
ID	Marco Campomenosi, Georg Mayer, Annalisa Tardino
Renew	Caroline Nagtegaal, Bergur Løkke Rasmussen
S&D	Josianne Cutajar
The Left	Kateřina Konečná

Key to symbols:

+ : in favour

- : against

0 : abstention