



Council of the
European Union

Brussels, 18 April 2016
(OR. en)

**Interinstitutional File:
2011/0023 (COD)**

7829/16
ADD 1

**CODEC 422
GENVAL 47
AVIATION 63
DATAPROTECT 29
ENFOPOL 104**

'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Draft Directive of the European Parliament and of the Council on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime
(first reading)
- Adoption of the legislative act **(LA + S)**
= Statement

Statement by the Council

Article 2 of the PNR Directive allows Member States that so wish to apply it to intra-EU flights on a voluntary basis, upon notice to the Commission to that end.

Considering the current security situation in Europe, Member States declare that by the date of transposition provided for in Article 18 they will make full use of the possibility provided for by Article 2 under the conditions set by the Directive.

Member States declare that, as wished by the Parliament, they undertake¹ to extend under their domestic law the collection of PNR data to non-air carriers, such as travel agencies and tour operators which provide travel-related services including the booking of flights for which they collect and process PNR data.

¹ Subject, in some Member States, to parliamentary proceedings.