

ARTICLE VI

INTRANSIT ADVANCE PASSENGER INFORMATION

1. The provision of advance passenger information under this Agreement is required for intransit preclearance purposes only for any person travelling by aircraft to the Inspecting Party's territory and whose travel route provides for arrival in the Host Party's territory in an intransit area and shall be limited to the elements set out in Annex III.
2. Both Parties shall take all reasonable steps to ensure that such data under their control shall be protected from loss, misuse, unauthorized access, or disclosure.
3. A preclearance officer shall use advance passenger information for intransit preclearance only for the purpose of border security screening.
4. A preclearance officer shall destroy specified passenger information within 24 hours after the officer obtains it, unless the information is reasonably required for the administration or enforcement of the laws of one or the other Party.
5. Such information transferred by the air carriers to the preclearance officer and retained beyond 24 hours may be made available, upon request, to the person to whom it pertains.
6. Advance Passenger Information System (APIS) data elements listed in Annex III shall be transmitted, if so required by the Inspecting Party, by the air carrier with a minimum sufficiency rate to a preclearance officer in order to obtain intransit preclearance for its passengers. The non-transmission of elements of information listed in Annex III for a particular flight that would otherwise be normally provided, may give grounds to the Inspecting Party to suspend the intransit preclearance process for that flight.
7. Occasional failure to provide any particular item(s) of Passenger Name Record information shall not be considered grounds for denial of intransit preclearance. However, consistent failure to provide the same element(s) of information will subject the carrier to suspension from the intransit preclearance program.
8. Subject to the foregoing, new participants shall be required to provide all data elements of Annex III.

ARTICLE VII

ROLE OF AIRPORT AUTHORITIES

Where preclearance exists in the territory of a Party, that Party shall ensure that:

- (a) the airport authority permits the installation and operation by the Inspecting Party of such communications and other modern inspection aids as are required;