THE GOVERNMENT OF CANADA AND THE EUROPEAN COMMUNITY, hereinafter referred to as the "Parties":

RECOGNISING the importance of respecting fundamental rights and freedoms, notably the right to privacy, and the importance of respecting these values while preventing and combating terrorism and related crimes and other serious crimes that are transnational in nature, including organised crime;

HAVING REGARD to the Government of Canada requirement of air carriers carrying persons to Canada to provide Advance Passenger Information and Passenger Name Record (hereinafter "API/PNR") data to the competent Canadian authorities, to the extent it is collected and contained in carriers' automated reservation systems and departure control systems (DCS);

HAVING REGARD to Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, and in particular Article 7(c) thereof;

HAVING REGARD to the Commitments made by the relevant competent authority with regard to the way in which it will process API/PNR data received from air carriers (hereinafter the "Commitments");

HAVING REGARD to the relevant Commission Decision, pursuant to Article 25(6) of Directive 95/46/EC, (hereinafter "the Decision"), whereby the relevant Canadian competent authority is considered as providing an adequate level of protection for API/PNR data transferred from the European Community (hereinafter "the Community") concerning passenger flights to Canada, in accordance with the relevant Commitments, which are annexed to the respective Decision;