

Inquiry into Immigration Control

Evidence from British Air Transport Association (BATA) to the Home Affairs Committee.

- 1) BATA welcomes the opportunity to submit evidence to the Home Affairs Committee's inquiry into Immigration Control. BATA represents UK-registered airlines, covering the scheduled, charter and freight sectors. Our members produce 90% of UK airline output.
- 2) The Committee seeks evidence on a wide range of issues but our evidence relates only to e-Borders, including biometrics.

Summary

- 3) We support the objectives of the e-Borders project, but have concerns about the costs and some of the practicalities.
- 4) The benefits of e-Borders lie almost exclusively with the government whilst much of the cost will fall on the airlines. Not only will airlines have to develop systems and install equipment but there will be on-going running costs. Check-in transaction times will increase. We believe that the costs to the industry should be met by government.
- 5) We have doubts about the practicalities of some aspects of the Authority to Carry (ATC) scheme. It will have to be provided at thousands of check-in desks and kiosks around the world. We do not think that the help desk facility for passengers denied ATC will be able to deal with all queries especially if the passenger does not speak English.
- 6) Not all airlines will be able to supply the Advance Passenger Information (API) and Passenger Name Record (PNR) data required. Charter airlines in particular, generally do not hold passenger information in advance of check-in. Not all UK airports are currently capable of collecting and transmitting API data.
- 7) We urge the government to promote and use international standards for the content, format and timing of data transmission.
- 8) We support the "single window" concept and urge that it implemented as soon as possible.

Introduction

9) Management of the border is a fundamental responsibility of the State and should remain so no matter where the border management activity takes place. We support the objectives of the e-Borders project to improve border security. We recognize the advantages of “exporting the border” so that passengers who would not be allowed to enter the UK are prevented from flying in the first place. We have concerns about the practicalities and costs of implementation.

Costs

10) Airlines will incur costs in developing, setting up and running systems to meet e-Borders requirements. e-Borders will extend check-in transaction times for passengers and will add to operating costs. The stated objectives are to improve areas of national security and to counter organized crime, illegal immigration and the like and the overwhelming benefits, more than £1.4bn over 15 years according to the Preliminary Regulatory Impact Assessment (PRIA), accrue to the government. In contrast, the tangible benefits to airlines, if any, will be very small. They relate mainly to the potential reduction in fines for carrying inadequately documented passengers and reductions in detention and repatriation costs. However there is no guarantee that, if the Immigration and Nationality Directorate (IND) grant Authority to Carry (ATC), the passenger will be permitted to enter the UK, and the airline will still have to pay removal costs and any detention costs. The savings to airlines are likely to be less than £1m per year and will be far outweighed by the running costs of the scheme.

11) Currently, the provision of border control is paid for by the taxpayer, the move to e-Borders would appear to move the payment for provision to the airlines, shippers, ports, or even the passenger - many of whom have already contributed through their taxes. We therefore contend that the costs to the industry should be met by the government.

12) If the data required is extended to include biometrics, the quantity of data collected could increase considerably and transmission costs could rise. Check-in transaction times would increase still further.

13) The PRIA states that “work is underway to establish the practicality of charging passengers a small fee to cover costs”. We would strongly oppose such a charge. UK passengers already pay Air Passenger Duty (APD), unlike other transport modes, and this would further undermine the competitiveness of the UK airline industry.

Authority to Carry (ATC)

14) e-Borders includes an ATC scheme which will screen passengers before they board. However we have doubts about the practicalities of some aspects of the scheme.

15) In order that a fast response can be given at check-in, extra functionality will have to be provided at thousands of check-in desks and kiosks around the world used by hundreds of different airlines. This will be a considerable challenge to implement and, depending on the method chosen, it could be very costly. Not all European airports, let

alone some of the more remote foreign airports, have modern IT systems and infrastructure. Some airports and some airlines still use paper-based systems for check-in.

16) In order to deal with queries when a passenger is refused ATC, it is proposed that a 24hour/7days per week telephone help line is set up. We doubt that this will be able to deal with all queries especially if the passenger does not speak English. When a passenger has been wrongly refused ATC, i.e. a false positive, unless the matter is cleared up quickly the passenger will miss their flight.

17) It is essential that the e-Borders processes allow for the emerging internet home check-in procedures and self check-in at airports. Airlines are investing heavily in these systems which are preferred by many passengers and ease congestion at airports. The benefits will be negated if passengers have to report to a manned desk at the airport.

18) Procedures will have to be established to ensure that check-in can continue when the ATC system is not available.

Liability

19) The ATC scheme raises some liability issues. If ATC is granted and the passenger is subsequently refused entry when reaching the UK, then the airline should be immune from the consequences, including any detention or repatriation costs.

20) If a passenger has been wrongly refused ATC, and has missed their flight then it should be the government that is liable for the costs of providing alternative travel arrangements, accommodation and denied boarding compensation.

Data Sources

21) e-Borders imposes a requirement on airlines to provide Advance Passenger Information (API) and Passenger Name Record (PNR) data. However, only PNR data that is gathered routinely for airlines' own commercial purposes has to be provided and it should be noted that in some cases very little is known by the airline. Charter airlines, for example, generally do not hold passenger information in advance of check-in. It is the travel agents who have this information and it is not normally passed on to the airline. Most charter airlines do not have a reservations system.

22) It should be noted that, out of the 22 main UK airports, 13 would be unable to collect and transmit API data now.

Data Format

23) The Immigration, Asylum and Nationality Bill which underpins the e-Borders project, permits the Secretary of State to determine the format and timing of data transmission. Many other countries are also requesting API and implementing ATC schemes. We urge the government to use international standards where they exist, such as those being developed by ICAO, and to press for international standards where they do not yet exist. By doing so not only will costs be reduced but implementation will be quicker.

Single Window

24) The e-Borders project includes the concept of a “single window” whereby all the data required is channelled to a single address and then distributed by IND to all the border agencies. This will be much simpler for airlines than the current situation where data is sent separately to each agency.

25) We strongly support the single window concept but this should apply not just to the three principle border agencies, but also to all other government departments and agencies which may require passenger information, such as DEFRA and Port Health Authorities. Following the events in London on 7/7/05, airlines have been inundated with requests for information which is diverting resources from being able to work with the Home Office on e-Borders and project Semaphore. We would like to see the single window concept implemented as soon as possible. This would be beneficial to the border agencies and airlines.

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