

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5326 GIBRALTAR Tuesday 14th July 2026

LEGAL NOTICE NO. 202 OF 2026

TREATY ON GIBRALTAR AND THE EUROPEAN UNION ACT 2026

TGEU IMPLEMENTATION (ADVANCE PASSENGER INFORMATION) REGULATIONS 2026

In exercise of the powers conferred upon it by section 13 of the Treaty on Gibraltar and the European Union Act 2026, and for the purposes of implementing Article 37 of the Agreement in respect of Gibraltar between the European Union and the European Atomic Energy Community, of the One Part, and the United Kingdom of Great Britain and Northern Ireland, of the Other Part, the Government has made the following Regulations-

Title.

1. These Regulations may be cited as the TGEU Implementation (Advance Passenger Information) Regulations 2026.

Commencement.

2. These Regulations come into operation on the Implementation Date.

Amendment to the Immigration (Passenger Data) Rules 2014.

3.(1) The Immigration (Passenger Data) Rules 2014 are amended in accordance with this regulation.

(2) In rule 2-

- (a) in the definition of “Principal Immigration Officer”, for “; and” substitute “;”;
- (b) in the definition of “relevant information”, for “3.(2).” substitute “3.(2); and”; and
- (c) insert the following definitions after the definition of “relevant information”-

““Schengen Authority” means the authority designated or otherwise competent under the law of the Member State referred to in Article 37 and Annex 7(5), respectively, of the TGEU;

“TGEU” means the Agreement in Respect of Gibraltar Between the European Union and the European Atomic Energy Community, of the One Part, and the United Kingdom of Great Britain and Northern Ireland, of the Other Part.”.

(3) Insert the following rules after rule 3-

“Data Transmission for the purposes of Article 37 of the TGEU.

3A.(1) A carrier responsible for a flight originating outside the Schengen area and arriving in Gibraltar, shall transfer a copy of the relevant information sent to the Principal Immigration Officer under rule 3(1) to the Schengen Authority simultaneously and without delay.

(2) A transfer carried out under subrule (1) must be-

- (a) carried out electronically;
- (b) transmitted to the Schengen Authority by the end of passenger check-in.

(3) A carrier shall notify the Principal Immigration Officer of any transfers made under this rule.

(4) A carrier which fails, without reasonable excuse, to comply with a requirement under this rule to transmit a copy of relevant information sent under rule 3 to the Schengen Authority, on time or which transmits incomplete or false information is guilty of an offence.

Private Flights.

3B.(1) The captain of a private flight arriving from or departing to a third country shall, transmit to the Principal Immigration Officer and the Schengen Authority a general declaration.

(2) The general declaration referred to in subrule (1) shall be transmitted simultaneously and prior to take-off.

(3) The general declaration transmitted under this rule shall include-

- (a) a flight plan complying with Annex 2 to the Convention on International Civil Aviation; and
- (b) information relating to the identity of all passengers on board.

(4) A flight plan included in accordance with subrule (3)(a) shall include-

- (a) the aircraft identification;
- (b) the flight rules and the type of flight;
- (c) the number of aircraft, the aircraft type, and the wake turbulence category;

- (d) details of the aircraft's communication, navigation, and surveillance equipment and capabilities;
 - (e) the aerodrome of departure;
 - (f) the estimated off-block time;
 - (g) the planned cruising speed;
 - (h) the cruising level;
 - (i) the route to be followed;
 - (j) the aerodrome of destination and the total estimated elapsed time;
 - (k) any alternate aerodrome or aerodromes;
 - (l) fuel endurance; and
 - (m) the total number of persons on board; and
 - (n) details of emergency and survival equipment carried on board.
- (5) Where a flight plan has been submitted during flight, the item of information referred to in-
- (a) subrule (4)(e), shall be an indication of the location from which supplementary information concerning the flight may be obtained, if required; and
 - (b) subrule (4)(f), shall be the time over the first point of the route to which the flight plan relates.

(6) A transmission under subrule (1) shall be carried out electronically.”.

(4) In rule 5, for “rule 3” substitute “rule 3 or the Schengen Authority under rule 3A or 3B”.

(5) In rule 6, for “rule 3” substitute “rule 3, 3A, 3B”.

(6) In rule 8, for “rule 3” substitute “rule 3, 3A, 3B”.

Dated: 14th July 2026.

F PICARDO,
Chief Minister.