

Executive Order on airline officials' obligation to register and disclose data on passengers and crew members in connection with handling of the COVID-19 situation

Pursuant to section 13 a and 29(2) of the Danish Act on Measures against Infectious and Other Communicable Diseases (*Lov om foranstaltninger mod smitsomme og andre overførbare sygdomme*), see Danish Consolidation Act no. 1444 of 1 October 2020, as amended by Danish Act no. 160 of 3 February 2021, and section 15(5) of the Danish Access to Public Administration Files Act (*Lov om offentlighed i forvaltningen*), see Danish Consolidation Act no. 145 of 24 February 2020, and following negotiations with the Danish Minister for Transport and the Danish Minister for Justice, the following is hereby laid down:

Part 1

Obligation to register and disclose data to the Danish Patient Safety Authority

1(1) In connection with international flights to Denmark, airline officials must register the following data on passengers and crew members:

- 1) Name.
- 2) Phone number.
- 3) Flight number and seat number.

(2) Registration of passengers' phone numbers must, as a minimum, comprise the phone number of the passenger who has booked the flight or who is stated as passenger in connection with check-in. Seat number for crew members is only to be registered if the crew member has a seat number.

(3) The obligation pursuant to subsection (1) does not comprise flights arriving in Denmark from the Faroe Islands and Greenland.

2(1) Airline officials must, at their own initiative, disclose the data mentioned in section 1 to the Danish Patient Safety Authority as quickly as possible and no later than three hours after the arrival of the flight in a Danish airport from abroad or no later than 08.00 CET on the following day if the flight arrives after 19.00 CET.

(2) If a flight has a joint route number, only the airline that handles the flight is obliged to disclose data to the Danish Patient Safety Authority, see subsection (1).

Part 2

Storage of data and exemption from obligation to record data in files

3(1) The Danish Patient Safety Authority must erase the data which airline officials have disclosed to it pursuant to section 2 no later than 30 days from when the Danish Patient Safety Authority has registered the data, see, however, subsection (3).

(2) The Danish Patient Safety Authority may refrain from filing data that it has received pursuant to section 2, see, however, subsection (3).

(3) Data on a person infected with coronavirus disease 2019 (COVID-19) that form part of a case concerning specific infection tracing created by the Danish Patient Safety Authority are filed in accordance with the rules of the Danish Access to Public Administration Files Act and are stored pursuant to the rules of the Danish Archives Act (*Arkivloven*).

Part 3

Penal provisions

4(1) Airline officials who fail to disclose data pursuant to section 2(1) will be punished by fine.

(2) Companies etc. (legal persons) may incur criminal liability pursuant to the rules in Part 5 of the Danish Criminal Code (*Straffeloven*).

Part 4

Commencement

5(1) The Executive Order will enter into force on 24 February 2021.

(2) The Executive Order will be repealed on 1 March 2021.

The Danish Ministry of Health, 18 February 2021

Magnus Heunicke

/ Annette Baun Knudsen