



**COUNCIL OF
THE EUROPEAN UNION**

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AVIATION 126
DATAPROTECT 47**

COVER NOTE

from: Sir Kim DARROCH KCMG, Permanent Representative of the United Kingdom to the European Union

received: 9 May 2011

to: Mr Tibor Navracsics and Mr Sandor Pinter, Presidents of the Justice and Home Affairs Council, Council of the European Union

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Subject: Proposal for a Directive of the European Parliament and of the Council on the use of Passenger Name Record data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime

I refer to the Commission's proposal for a Directive of the European Parliament and of the Council on the use of Passenger Name Record data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime (COM(2011) 32 final).

The proposal was made on the basis of Articles 82(1)(d) and 87(2)(a) of the Treaty on the Functioning of the European Union. Under Article 3(1) of the Protocol to that Treaty governing the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice (Measures under Title V of that Treaty) the United Kingdom, if it is to participate in the adoption of such measures, may notify the President of the Council in writing that it intends to do so within three months of a proposal or initiative being presented to the Council.

The purpose of this letter is to communicate the United Kingdom's formal notification that it intends to participate in the adoption of this proposal.

I am copying this letter to Stefano Manservigi at the Commission and Ivan Bizjak at the Council Secretariat

(Complimentary close)

(s.) Kim DARROCH
