



JHA (Title V) opt-in and Schengen opt-out decisions taken between 1 December 2009 and the present (decisions taken by the previous Government are in italics). Only final decisions on UK participation are included: in the case of international agreements this means the decision to conclude the agreement.

No	Title	Lead Department	Ref.	Date of Publication	Decision
1	<i>Proposal for a Regulation of the European Parliament and of the Council on jurisdiction, applicable law, recognition and enforcement of decisions and authentic instruments in matters of succession and the creation of a European Certificate of Succession: Link to proposal</i>	<i>Ministry of Justice</i>	<i>14722/09</i>	<i>20/10/2009</i>	<i>Did not opt in: Link to Written Ministerial Statement</i>
2	<i>Proposal for a Directive of the European Parliament and of the Council on minimum standards on procedures in Member States for granting and withdrawing international protection (Recast): Link to proposal</i>	<i>Home Office</i>	<i>14959/09</i>	<i>23/10/2009</i>	<i>Did not opt in</i>
3	<i>Proposal for a Directive of the European Parliament and of the Council on minimum standards for the qualification and status of</i>	<i>Home Office</i>	<i>14863/09</i>	<i>21/10/2009</i>	<i>Did not opt in</i>

	<i>third country nationals or stateless persons as beneficiaries of international protection and the content of the protection granted: Link to proposal</i>				
4	<i>Initiative for a Directive of the European Parliament and of the Council on the rights to interpretation and to translation in criminal proceedings (Member States initiative):Link to agreed Directive</i>	<i>Ministry of Justice</i>	<i>16801/09</i>	<i>15/12/2009</i>	<i>Opted in</i>
5	<i>Agreement between the European Union and Iceland and Norway on the application of certain provisions of Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime and Council Decision 2008/616/JHA on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, and the Annex thereto: Link to proposal</i>	<i>Home Office</i>	<i>17709/09 (conclusion)</i>	<i>18/12/2009</i>	<i>Opted in</i>
6	<i>Agreement for a simplified extradition arrangement between Member States of the European Union (EU) and Iceland and Norway: Link to proposal</i>	<i>Home Office</i>	<i>17706/09 (conclusion)</i>	<i>18/12/2009</i>	<i>Opted in</i>

7	Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the application of certain provisions of the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union and the 2001 Protocol thereto: Link to proposal	Home Office	17703/09 (conclusion)	18/12/2009	Opted in
8	Agreement between the European Union and Japan on the mutual legal assistance in criminal matters: Link to proposal	Home Office	17708/09 (conclusion)	18/12/2009	Opted in
9	Initiative for a Directive of the European Parliament and of the Council on the European Protection Order: Link to proposal	Ministry of Justice	17513/09	05/01/2010	Opted in
10	Proposal for a Council Regulation amending Decision 2008/839/JHA on migration from the Schengen Information System (SIS 1+) to the second generation Schengen Information System (SIS II): Link to proposal	Home Office	6213/10	08/02/2010	Did not opt out (Schengen)
11	Proposal for a Directive of the European Parliament and of the Council on the right to interpretation and translation in criminal	Ministry of Justice	8000/10	09/03/2010	Did not opt in

	proceedings (Commission proposal): Link to proposal				
12	Arrangement between the European Union and the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the Swiss Confederation on the participation by those States in the work of the committees which assist the European Commission in the exercise of its executive powers as regards the implementation, application and development of the Schengen acquis: Link to proposal	Home Office	7688/10 (conclusion)	18/03/2010	Did not opt out (Schengen)
13	Amending Proposal for a Regulation (EU) No .../... of the European Parliament and of the Council on establishing an Agency for the operational management of large-scale IT systems in the area of freedom, security and justice: Link to proposal	Home Office	8151/10	30/03/2010	Did not opt out (Schengen)
14	Proposal for a Directive of the European Parliament and of the Council on preventing and combating trafficking in human beings, and protecting victims, repealing Framework Decision 2002/629/JHA: Link to original proposal to which UK did not opt in Link to adopted Directive to which the UK opted in	Home Office	8157/10	30/03/2010	Did not opt in at the 3 month point but subsequently opted in when the measure had been adopted: Link to Oral Ministerial Statement
15	Proposal for a Directive of the European	Ministry of	8155/10	30/03/2010	Opted in

	Parliament and of the Council on combating the sexual abuse, sexual exploitation of children and child pornography, repealing Framework Decision 2004/68/JHA: Link to proposal	Justice			
16	Council Decision on the conclusion of the Agreement between the European Union and the United States of America on the processing and transfer of Financial Messaging Data from the European Union to the United States for purposes of the Terrorist Finance Tracking Program (TFTP): Link to proposal	Her Majesty's Treasury	11222/1/10 REV 1 + COR 1 + COR 4 (conclusion)	REV 1 and COR 1 published on 24/06/2010 COR 4 published on 12/07/2010	Opted in
17	Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part: Link to final Agreement	Department for Business Innovation and Skills	8502/10 (conclusion)	15/04/2010	Opted in
18	Initiative of the Kingdom of Belgium, the Republic of Bulgaria, the Republic of Estonia, the Kingdom of Spain, the Republic of Austria, the Republic of Slovenia and the Kingdom of Sweden for a Directive of the European Parliament and of the Council regarding the European Investigation Order in criminal matters: Link to proposal	Home Office	9145/10	29/04/2010	Opted in: Link to Oral Ministerial Statement

19	Agreement between the European Union and Georgia on the facilitation of the issuance of visas: Link to proposal	Home Office	9471/10 (conclusion)	05/05/2010	Opted in
20	Proposal for a Council Decision on the position to be adopted on behalf of the Union in the Joint Committee established by the Agreement of 21 June 1999 between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other part, on the free movement of persons as regards the replacement of Annex II on the coordination of social security schemes: Link to proposal	Department for Work and Pensions	11630/10	29/06/2010	Did not opt in
21	Proposal for a Directive of the European Parliament and of the Council on the conditions of entry and residence of third-country nationals for the purposes of seasonal employment: Link to proposal	Home Office	12208/10	15/07/2010	Did not opt in
22	Proposal for a Directive of the European Parliament and of the Council on conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer: Link to proposal	Home Office	12211/10	15/07/2010	Did not opt in

23	Proposal for a Directive of the European Parliament and of the Council on the right to information in criminal proceedings: Link to proposal	Ministry of Justice	12564/10	23/07/2010	Opted in
24	Proposal for a Council Decision on the position to be taken by the European Union in EEA Joint Committee concerning an amendment to Annex VI (Social Security) and Protocol 37 to the EEA Agreement: Link to proposal	Department for Work and Pensions	13493/10	10/09/2010 (English version)	Did not opt in
25	Proposal for a Directive of the European Council and of the Parliament on attacks against information systems, repealing Council Framework Decision 2005/222/JHA: Link to proposal	Home Office	14436/10	30/09/2010 (English version)	Opted in: Link to Oral Ministerial Statement
26	Proposal to recast the EURODAC Regulation concerning the comparison of fingerprints for the effective application of the Dublin Regulation: Link to proposal	Home Office	14919/10	11/10/2010 (English version)	Opted in
27	Proposal for a Directive of the European Parliament and of the Council facilitating cross-border enforcement in the field of road safety: Link to proposal	Department for Transport	17409/10	02/12/2010 (date of Transport Council)	Did not opt in: Link to Written Ministerial Statement
28	Proposal to amend and replace the current EC Regulation No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters: Link to proposal	Ministry of Justice	18101/10	17/12/2010 (final language version)	Opted in: Link to Written Ministerial Statement

29	Proposal for a Council Decision on the signing and conclusion of the European Convention on the legal protection of services based on, or consisting of, conditional access: Link to proposal	Department for Culture, Media and Sport	18126/10 (conclusion)	22/12/2010 (final language version)	Opted in
30	Proposal for a directive on the use of Passenger Name Record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime: Link to proposal	Home Office	6007/11	09/02/2011 (final language version)	Opted in: Oral Ministerial Statement
31	Proposal for a Council Regulation on Jurisdiction, Applicable Law, and the Recognition and Enforcement of Decisions in the Matters of Matrimonial Property Regimes: Link to proposal	Ministry of Justice	8160/11	29/03/2011 (final language version)	Did not opt in: Link to Written Ministerial Statement
32	Proposal for a Council Regulation on Jurisdiction, Applicable Law, and the Recognition and Enforcement of Decisions Regarding the Property Consequences of Registered Partnerships: Link to proposal	Ministry of Justice	8163/11	29/03/2011 (final language version)	Did not opt in: Link to Written Ministerial Statement
33	Agreement between the European Union and Australia on the processing and transfer of Passenger Name Record (PNR) data by air carriers to the Australian Customs and Border Protection Service: Link to proposal	Home Office	9823/11 (conclusion)	20/05/2011 (final language version)	Opted in: Link to Written Ministerial Statement
34	Directive on establishing minimum standards on the rights, support and protection to victims of crime Link to proposal	Ministry of Justice	10610/10	24/05/2011 (final language version)	Opted in: Link to Written Ministerial Statement

35	EU Regulation on the mutual recognition of Protection Measures in Civil Matters: Link to proposal	Ministry of Justice	10613/11	25/05/2011 (final language version)	Opted in: Link to Written Ministerial Statement
36	Proposal for a Directive of the European Parliament and of the Council laying down minimum standards for the reception of asylum seekers (Recast): Link to proposal	Home Office	11214/11	21/06/2011 (final language version)	Did not opt in: Link to Written Ministerial Statement
37	Proposal for a Directive of the European Parliament and of the Council on minimum standards on procedures in Member States for granting and withdrawing international protection (Recast): Link to proposal	Home Office	11207/11	21/06/2011 (final language version)	Did not opt in: Link to Written Ministerial Statement
38	Proposal for a Directive of the European Parliament and of the Council on the right of access to a lawyer in criminal proceedings and on the right to communicate upon arrest: Link to proposal	Ministry of Justice	11497/11	28/06/2011 (final language version)	Did not opt in: Link to Written Ministerial Statement

EU proposals on which the Government is currently considering a JHA opt-in or Schengen opt-out decision

JHA opt-in decision: Proposal for a Regulation creating a European Account Preservation Order to facilitate cross-border debt recovery in civil and commercial matters: [Link to proposal](#)

Lead Department: Ministry of Justice

Date proposal published: 29/07/2011

JHA opt-in decision: Proposal for Council Decisions on the signature and conclusion of the Trade Agreement between the European Union and Colombia and Peru: [Link to proposal](#)

Lead Department: Department for Business, Innovation and Skills

Date proposal published: 23/09/2011 (English language version – final language version TBC)

EU proposals on which we expect either a JHA opt-in or Schengen opt-out decision will be needed in the coming months

Whilst we cannot predict with complete certainty when new proposals will emerge, the Commission's annual work programme, and our ongoing discussions with the Commission, do give us an indication of what is in development and is likely to publish during the year. On that basis we are anticipating that decisions on proposals on the following issues may need to be made during the coming months. This list is subject to change.

- EU-US Passenger Name Records Agreement (Home Office lead)
- EU-Canada Passenger Name Records Agreement (Home Office lead)
- EU Internal Security Fund (Home Office lead)
- Migration funding programme (Home Office lead)
- Readmission agreements with Armenia and Azerbaijan (Home Office lead)
- Minimum rules and penalties for confiscation of criminal assets (Home Office lead)
- Mutual recognition of confiscation orders (Home Office lead)
- Justice Programme (Ministry of Justice lead)
- Rights and Citizenship Programme (Ministry of Justice lead)
- Recommendation on Interpretation and Translation (Best Practice Guidance) (Ministry of Justice lead)
- Proposal to amend the current EC Regulation No 864/2007 on the law applicable to non-contractual obligations (Rome II) (Ministry of Justice lead)
- A new comprehensive legal framework for the protection of personal data in the EU (Ministry of Justice lead)
- Proposal for an instrument establishing an optional system of European Contract Law (Ministry of Justice lead)
- Council Decision on Customs 2020 (Her Majesty's Revenue and Customs lead)
- EU-Central America Free Trade Agreement (Business, Innovation and Skills lead)