NOTE

From: General Secretariat of the Council
To: Delegations
Subject: List of Union acts adopted before the entry into force of the Lisbon Treaty in the field of police cooperation and judicial cooperation in criminal matters which cease to apply to the United Kingdom as from 1 December 2014 pursuant to Article 10(4), second sentence, of Protocol (No 36) on transitional provisions
NOTE TO THE READER

This list has been established for transparency reasons and is published for information purposes only.

Protocol (No 36) on transitional provisions annexed to the Treaties provides in Article 10(4) that the United Kingdom may notify by 31 May 2014 at the latest that it does not to accept the full powers of the Commission and the Court of Justice with regard to acts in the field of police and judicial cooperation in criminal matters adopted before the entry into force of the Lisbon Treaty. The United Kingdom made this notification on 24 July 2013. As a consequence, the acts in question, to which the United Kingdom will not have been authorised to re-participate in accordance with Article 10(5) of Protocol No 36, will cease to apply to the United Kingdom as from 1 December 2014.

For ease of reference, this list has been established by listing together with the main act, below it, the acts which have amended or implemented it or are otherwise intrinsically linked to that main act.

The list of acts to which the United Kingdom is authorised to re-participate in accordance with Article 10(5) of Protocol No 36 results from the combination of the Decisions adopted by the Council, with regard to Schengen acquis, (see Council Decision 2014/…/EU\(^1\)) and by the Commission, with regard to non-Schengen acquis (see Commission Decision 2014/…/EU\(^2\)).

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\(^1\) Council Decision 2014/…/EU of 1 December 2014 concerning the notification of the United Kingdom of Great Britain and Northern Ireland of its wish to take part in some of the provisions of the Schengen acquis which are contained in acts of the Union in the field of police cooperation and judicial cooperation in criminal matters and amending Council Decisions 2000/365/EC and 2004/926/EC (OJ L …, 1.12.2014, p. ..).


\(^2\) Commission Decision 2014/…/EU of 1 December 2014 on the notification by the United Kingdom of Great Britain and Northern Ireland of its wish to participate in acts of the Union in the field of police cooperation and judicial cooperation in criminal matters adopted before the entry into force of the Treaty of Lisbon and which are not part of the Schengen acquis (OJ L …, 1.12.2014, p. ..).

* OJ: Please insert details of the relevant Commission Decision to be published the same day.
List of Union acts adopted before the entry into force of the Lisbon Treaty in the field of police cooperation and judicial cooperation in criminal matters which cease to apply to the United Kingdom as from 1 December 2014 pursuant to Article 10(4), second sentence, of Protocol (No 36) on transitional provisions

I. Non-schengen acquis in the field of police and judicial cooperation in criminal matters which cease to apply to the United Kingdom as from 1 December 2014


- Council Decision of 2 December 1999 amending the Council Act of 3 December 1998 laying down the staff regulations applicable to Europol employees, with regard to the establishment of remuneration, pensions and other financial entitlements in euro (OJ C 364, 17.12.1999, p. 3)


   - Council Decision 1999/615/JHA of 13 September 1999 defining 4-MTA as a new synthetic drug which is to be made subject to control measures and criminal penalties (OJ L 244, 16.9.1999, p. 1)
   - Council Decision 2008/206/JHA of 3 March 2008 defining 1-benzylpiperazine (BZP) as a new psychoactive substance which is to be made subject to control measures and criminal provisions (OJ L 63, 7.3.2008, p. 45)


\(^3\) This act and the two acts listed together with it (the so-called "Prüm Decisions") are subject to transitional measures as set out in Council Decision 2014/.../EU of 27 November 2014 determining certain consequential and transitional arrangements concerning the cessation of participation of the United Kingdom of Great Britain and Northern Ireland in certain acts of the Union in the field of police cooperation and judicial cooperation in criminal matters adopted before the entry into force of the Treaty of Lisbon (OJ L ..., 28.11. 2014, p. ..) and to other specific measures as set out in Council Decision 2014/.../EU of 27 November 2014 determining certain direct financial consequences incurred as a result of the cessation of the participation of the United Kingdom of Great Britain and Northern Ireland in certain acts of the Union in the field of police cooperation and judicial cooperation in criminal matters adopted before the entry into force of the Treaty of Lisbon (OJ L ..., 28.11. 2014, p. ..).


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4 A statement to the minutes of the Council of 21 October 2014 has been made concerning this act whereby the United Kingdom "commits to reconsidering in due course the merits of notifying its wish to participate in that measure. The United Kingdom will publish an assessment of the potential impacts of that measure for the purposes of such reconsideration".

II. Schengen acquis in the field of police and judicial cooperation in criminal matters which cease to apply to the United Kingdom as from 1 December 2014


- Article 27(2) and (3)
- Chapter 1 on police cooperation - Article 47(4)
- Accession Agreement Italy - Articles 2 and 4 - Declaration* on Articles 2 and 3
- Accession Agreement Spain - Articles 2 and 4 - Final Act, Part III, Declaration No 2
- Accession Agreement Portugal - Articles 2, 4, 5 and 6
- Accession Agreement Greece - Articles 2, 3, 4 and 5 - Final Act, Part III, Declaration No 2
- Accession Agreement Austria - Articles 2 and 4
- Accession Agreement Denmark - Articles 2 and 4 - Final Act, Part II, Declaration No 3
- Accession Agreement Finland - Articles 2 and 4 - Final Act, Part II, Declaration No 3
- Accession Agreement Sweden - Articles 2 and 4 - Final Act, Part II, Declaration No 3

* To the extent that it relates to Article 2


52. Decision of the Executive Committee of 28 April 1999 on the Schengen acquis relating to telecommunications (SCH/Com-ex (99)6) (OJ L 239, 22.9.2000, p. 409)

53. Decision of the Executive Committee of 28 April 1999 on general principles governing the payment of informers (SCH/Com-ex (99)8 Rev. 2) (OJ L 239, 22.9.2000, p. 417)

54. Decision of the Executive Committee of 28 April 1999 on the Agreement on cooperation in proceedings for road traffic offences (SCH/Com-ex (99)11 Rev. 2) (OJ L 239, 22.9.2000, p. 428)


