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 have been amended by an act applicable to the United Kingdom adopted after the entry into force of the Lisbon Treaty and which therefore remain applicable to the United Kingdom as amended or replaced.
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 will cease to apply to the United Kingdom as from 1 December 2014.

However, in accordance with the third sentence of Article 10(4) of Protocol No 36, such acts which have been amended, i.e. by whatever drafting technique (amendment, replacement or repeal of the relevant act in whole or in part), after the entry into force of the Lisbon Treaty by an act which is applicable to the United Kingdom will not cease to apply to the United Kingdom and will therefore remain applicable to it as amended or replaced.
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 have been amended by an act applicable to the United Kingdom adopted after the entry into force of the Lisbon Treaty and which therefore remain applicable to the United Kingdom as amended or replaced

I. Non-schengen acquis in the field of police and judicial cooperation in criminal matters which has been amended or replaced by an act applicable to the United Kingdom adopted after the entry into force of the Lisbon Treaty


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\(^1\) The United Kingdom has accepted that measure after its adoption, in accordance with Article 4 of Protocol No 21 (see Commission Decision 2011/169/EU of 14 October 2011, OJ L 271, 18.10.2012, p. 49).


superseded by Council Decision 2012/381/EU of 13 December 2011 on the conclusion of the Agreement between the European Union and Australia on the processing and transfer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 (OJ L 186, 14.7.2012, p. 3)


II. Schengen acquis in the field of police and judicial cooperation in criminal matters which has been amended or replaced by an act adopted after the entry into force of the Lisbon Treaty applicable to the United Kingdom

13. Chapter 2 of Title III (Articles 48 to 53, on mutual assistance in criminal matters), and Article 73 of the Convention of 19 June 1990 implementing the Schengen Agreement of 14 June 1985 (OJ L 239, 22.9.2000, p. 19)


14. Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen (SCH/Com-ex (98) 26 def.) (OJ L 239, 22.9.2000, p. 138)

   replaced by Council Regulation (EU) No 1053/2013 of 7 October 2013 establishing an evaluation and monitoring mechanism to verify the application of the Schengen acquis and repealing the Decision of the Executive Committee of 16 September 1998 setting up a Standing Committee on the evaluation and implementation of Schengen (OJ L 295, 6.11.2013, p. 27)

amended by the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation’s association with the implementation, application and development of the Schengen *acquis* signed on 28 February 2008, approved by Council Decision 2011/349/EU of 7 March 2011 on the conclusion on behalf of the European Union of the said Protocol relating in particular to judicial cooperation in criminal matters and police cooperation (OJ L 160, 18.6.2011, p. 1)