

Council Decision of 22 December 2004 on the putting  
into effect of parts of the Schengen acquis by the United  
Kingdom of Great Britain and Northern Ireland (2004/926/EC)

COUNCIL DECISION

of 22 December 2004

on the putting into effect of parts of the Schengen acquis by  
the United Kingdom of Great Britain and Northern Ireland

(2004/926/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Council Decision 2000/365/EC of 29 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis<sup>(1)</sup>, and in particular to article 6 thereof,

Whereas:

- (1) The United Kingdom has expressed its intention to commence implementation of the following parts of the Schengen acquis: Judicial cooperation, Drugs cooperation, Article 26 and Article 27 of the Schengen Convention, and Police cooperation.
- (2) The United Kingdom indicated to be ready to apply all provisions of the Schengen acquis referred to in Article 1 of Decision 2000/365/EC with the exception of those concerning the Schengen Information System.
- (3) The United Kingdom will continue to prepare for the implementation of the relevant provisions of the Schengen Information System and for data protection.
- (4) A questionnaire was forwarded to the United Kingdom, whose replies were recorded and a subsequent verification and evaluation visit was made to the United Kingdom in accordance with the procedures applicable in the area of police cooperation.
- (5) As regards the application of the Schengen acquis relating to the abovementioned areas, the questionnaire and the visit demonstrated that the requirements relating to legislation, manpower levels, training, infrastructure and material resources have been satisfied.
- (6) The preconditions for the implementation by the United Kingdom of those provisions of the Schengen acquis as listed in Article 1(a)(i), (b), (c)(i) and (d)(i) of Decision 2000/365/EC have been fulfilled, allowing these provisions and their later developments to be put into effect for the United Kingdom.
- (7) Decision 2000/365/EC defines, in its Article 5(2), which provisions of the Schengen acquis are applicable to Gibraltar.
- (8) An Agreement has been concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway on the establishment of rights and obligations between Ireland and the United Kingdom of Great Britain and Northern

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**Changes to legislation:** There are outstanding changes not yet made to Council Decision of 22 December 2004 on the putting into effect of parts of the Schengen acquis by the United Kingdom of Great Britain and Northern Ireland (2004/926/EC). Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details)

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Ireland, on the one hand, and the Republic of Iceland and the Kingdom of Norway, on the other, in areas of the Schengen acquis which apply to these States<sup>(2)</sup>. On the basis of Article 2 of that Agreement, the Mixed Committee, established pursuant to Article 3 of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application, and development of the Schengen acquis<sup>(3)</sup>, has been consulted, in accordance with Article 4 thereof, about the preparation of this Decision,

HAS DECIDED AS FOLLOWS:

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- (1) OJ L 131, 1.6.2000, p. 43.
- (2) OJ L 15, 20.1.2000, p. 2.
- (3) OJ L 176, 10.7.1999, p. 36.

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