
DRAFT STATUTORY INSTRUMENTS

2014 No.

The Criminal Justice and Data Protection
(Protocol No. 36) Regulations 2014

PART 7

European Supervision Order

CHAPTER 2

European supervision orders: England and Wales

Recognition of supervision measures: requests from other member States

Power to stop monitoring where no response to notification of breach

90.—(1) This regulation applies if—

- (a) a magistrates' court makes several notifications to the competent authority of the issuing State under regulation 89(2) in relation to a particular breach or other finding, and
- (b) the competent authority does not take a supervening decision in response to the breach or other finding.

(2) The magistrates' court may—

- (a) make a further notification in relation to the breach or other finding,
- (b) invite the competent authority to take a supervening decision in response to the breach or other finding, and
- (c) give the competent authority a reasonable period in which to do so.

(3) If the competent authority does not take a supervening decision within that period, the magistrates' court may decide to stop monitoring the supervision measures.

(4) If the magistrates' court decides to stop monitoring the supervision measures under this regulation, it must inform the competent authority of its decision.

(5) In this regulation a "supervening decision" means a subsequent decision in relation to a decision on supervision measures, as mentioned in Article 18(1) of the Framework Decision (competence to take all subsequent decisions and governing law).