

STATUTORY INSTRUMENTS

2019 No. 742

The Law Enforcement and Security (Amendment) (EU Exit) Regulations 2019

PART 18

Mutual Legal Assistance in Criminal Matters

CHAPTER 8

Other retained EU law relating to mutual legal assistance in criminal matters and certain aspects of police cooperation

Provisions of the 1990 Schengen Convention relating to police cooperation and mutual legal assistance in criminal matters

99. The following decisions are revoked but only so far as they relate to Articles 39, 46 to 49 and 51 of the 1990 Schengen Convention [^{F1}(and see Article 63(1)(a) and Title VII of Part 3 of the withdrawal agreement, Articles 50(3), 52(a) and Title IV of Part 3 of the EEA EFTA separation agreement and sections 7A to 7C of the Withdrawal Act.)]—

- (a) 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;
- (b) Council Decision [2004/926/EC](#) 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;
- (c) Council Decision 2014/857/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 Decisions [2000/365/EC](#) and [2004/926/EC](#).

Textual Amendments

- F1** Words in reg. 99 inserted (31.12.2020 immediately before IP completion day) by [The Law Enforcement and Security \(Separation Issues etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1408\)](#), regs. 1, [29](#)

Commencement Information

- I1** Reg. 99 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Third Pillar Conventions

100.—(1) The following conventions established by the Council of the European Union under former Article 34 of the Treaty on European Union are revoked, to the extent that they have been saved by the Withdrawal Act—

- (a) the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union (Council Act of 29 May 2000);
- (b) the Protocol to the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union (Council Act of 16 October 2001).

(2) Reference in this regulation to former Article 34 of the Treaty on European Union are references to that Article as it had effect at any time before the coming into force of the Treaty of Lisbon.

[^{F2}(3) See Articles 62(1)(a) and 62(2) and Title VII of Part 3 of the withdrawal agreement, Article 50(1) and (2) and Title IV of the EEA EFTA separation agreement and sections 7A to 7C of the Withdrawal Act.]

Textual Amendments

F2 Reg. 100(3) inserted (31.12.2020 immediately before IP completion day) by [The Law Enforcement and Security \(Separation Issues etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1408\)](#), regs. 1, **30**

Commencement Information

I2 Reg. 100 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Consequential amendment of the Investigatory Powers (Consequential Amendments etc.) Regulations 2018

101. Regulation 5 of the Investigatory Powers (Consequential Amendments etc.) Regulations 2018 (designation of a relevant international agreement) ^{M1} is omitted.

Commencement Information

I3 Reg. 101 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Marginal Citations

M1 [S.I. 2018/682](#).

Saving provision: requests for the interception of telecommunications under the 2000 MLA Convention

102. Regulation 101 (consequential amendment of the Investigatory Powers (Consequential Amendments etc.) Regulations 2018) does not apply in relation to a request made under Article 18 of the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union (Council Act of 29 May 2000) (requests for interception of telecommunications) received by the Secretary of State before commencement day.

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Commencement Information

- I4** Reg. 102 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1

Changes to legislation:

There are currently no known outstanding effects for the The Law Enforcement and Security (Amendment) (EU Exit) Regulations 2019, CHAPTER 8.