

SCHEDULE 2

Saving and transitional provisions

PART 3

Saving provisions in relation to asylum

Data transmitted to the UK before commencement day

11.—(1) This paragraph applies in relation to information transmitted to the United Kingdom before commencement day under paragraph (1) of Article 34 of Regulation (EU) No 604/2013 (information sharing).

(2) Notwithstanding the revocation of Regulation (EU) No 604/2013 by regulation 54 and Part 2 of Schedule 1, the provisions of that Regulation referred to in sub-paragraph (3) continue to have effect in relation to the information, subject to the modification set out in sub-paragraph (4).

(3) The provisions referred to in sub-paragraph (2) are—

- (a) Article 2 (definitions), so far as relevant to the provisions referred to in paragraph (b);
- (b) Article 34(9) and (11).

(4) The modification referred to in sub-paragraph (2) is that Article 34(9) is to be read as if—

- (a) in the second sub-paragraph, for “this Regulation or Directive 95/46/EC” there were substituted “ this Regulation or the data protection legislation (within the meaning of section 3(9) of the Data Protection Act 2018 ^{M1}) as modified from time to time ”;
- (b) in the third sub-paragraph, “or receiving” were omitted.

(5) The provisions referred to in sub-paragraph (3) are to be construed as if the United Kingdom continued to be a member State.

Commencement Information

- I1** Sch. 2 para. 11 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(2)**

Marginal Citations

- M1** 2018 c. 12.

Changes to legislation:

There are currently no known outstanding effects for the The Immigration, Nationality and Asylum (EU Exit) Regulations 2019, Paragraph 11.