

STATUTORY INSTRUMENTS

2019 No. 780

The Criminal Justice (Amendment etc.) (EU Exit) Regulations 2019

PART 4

EUROPEAN SUPERVISION ORDERS

Amendment of the Criminal Justice and Data Protection (Protocol No. 36) Regulations 2014

16.—(1) The Criminal Justice and Data Protection (Protocol No. 36) Regulations 2014 ^{M1} are amended as follows.

- (2) Omit Part 7 (European supervision order) ^{M2}.
- (3) Omit Schedule 6 (grounds for refusal to monitor supervision measures).

Commencement Information

- I1** Reg. 16 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

- M1** [S.I. 2014/3141](#).
M2 Amended by [S.I. 2014/3191](#).

[F1] Transitional and saving provision for England and Wales: decisions on supervision measures received before IP completion day

16A.—(1) The following provisions of the Criminal Justice and Data Protection (Protocol No. 36) Regulations 2014 (“the 2014 Regulations”) continue to apply, as if they had not been revoked by regulation 16, to relevant decisions on supervision measures as defined in paragraph (2) below (and see Article 62(1)(i) of the withdrawal agreement and sections 7A and 7C of the European Union (Withdrawal) Act 2018)—

- (a) regulation 75(1) and (3);
 - (b) regulations 76 and 77;
 - (c) regulations 79 to 83;
 - (d) regulation 84(2) to (4);
 - (e) regulations 85 to 93;
 - (f) regulation 94(2) and (3);
 - (g) Schedule 6.
- (2) A relevant decision on supervision measures is one received before IP completion day by—

- (a) the central authority or the competent authority of the executing State under regulation 77(2) of the 2014 Regulations (requests to other member States for monitoring supervision measures), or any other authority in the executing State with no competence to recognise a decision on supervision measures but which forwards the decision to the competent authority; or
 - (b) the central authority of England and Wales under regulation 85(2) of the 2014 Regulations (requests from other member states for monitoring supervision measure), or any other authority in England and Wales with no competence to recognise a decision on supervision measures but which forwards the decision to the central authority.
- (3) For the purposes of this regulation—
- (a) “the central authority or competent authority of the executing State” has the same meaning as in regulations 76 and 77(9) of the 2014 Regulations (interpretation);
 - (b) “the central authority of England and Wales” has the same meaning as in regulation 76 of the 2014 Regulations;
 - (c) the provisions of the 2014 Regulations referred to in paragraph (1) are to be read as if the term “member State” included the United Kingdom.

F1 Regs. 16A, 16B 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, 48

Commencement Information

I2 Reg. 16A in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Transitional and saving provision for Northern Ireland: decisions on supervision measures received before IP completion day

16B.—(1) The following provisions of the Criminal Justice and Data Protection (Protocol No. 36) Regulations 2014 (“the 2014 Regulations”) continue to apply, as if they had not been revoked by regulation 16, to relevant decisions on supervision measures as defined in paragraph (2) below (and see Article 62(1)(i) of the withdrawal agreement and sections 7A and 7C of the European Union (Withdrawal) Act 2018)—

- (a) regulation 75(2) and (3);
 - (b) regulations 95 and 96;
 - (c) regulations 98 to 102;
 - (d) regulation 103(2) and (3);
 - (e) regulations 104 to 112;
 - (f) regulation 113(2) and (3);
 - (g) Schedule 6.
- (2) A relevant decision on supervision measures is one received before IP completion day by—
- (a) the central authority or the competent authority of the executing State under regulation 96(2) of the 2014 Regulations (requests to other member States for monitoring supervision measures), or any other authority in the executing State with no competence to recognise a decision on supervision measures but which forwards the decision to the competent authority; or

- (b) the central authority of Northern Ireland under regulation 104(2) of the 2014 Regulations (requests from other member States for monitoring supervision measures), or any other authority in Northern Ireland with no competence to recognise a decision on supervision measures but which forwards the decision to the central authority for execution.
- (3) For the purposes of this regulation—
 - (a) “the central authority or competent authority of the executing State” has the same meaning as in regulations 95 and 96(9) of the 2014 Regulations (interpretation);
 - (b) “the central authority of Northern Ireland” has the same meaning as in regulation 95 of the 2014 Regulations
 - (c) the provisions of the 2014 Regulations referred to in paragraph (1) are to be read as if the term “Member State” included the United Kingdom.]

F1 Regs. 16A, 16B 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, 48

Commencement Information

I3 Reg. 16B in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Justice (Amendment etc.) (EU Exit) Regulations 2019, PART 4.