

Schengen: Sirene Manual, regulation on procedures for amending. Initiative Greece

2003/0807(CNS) - 19/02/2004 - Final act

PURPOSE : to establish procedures for amending the Sirene Manual. **LEGISLATIVE ACT** : Council Regulation 378/2004/EC on procedures for amending the Sirene Manual. **CONTENT** : the Sirene Manual is a set of instructions to operators in the Sirene offices of each of the Member States which describes in detail the rules and procedures governing the bilateral or multilateral exchange of such supplementary information. This regulation establishes a procedure for amending the Sirene Manual in accordance with the relevant provisions of the various Treaties. The legislative basis required for allowing future amendments to the Sirene Manual consists of two separate instruments: this Regulation based on Article 66 of the Treaty establishing the European Community and Council Decision 2004/2001/JHA. The reason for this is that, as set out in Article 92 of the Schengen Convention, the SIS is to enable the authorities designated by the Member States, by means of an automated search procedure, to have access to alerts on persons and property for the purposes of border checks and other police and customs checks carried out within the country in accordance with national law, as well as for the purposes of issuing visas, residence permits and the administration of legislation on aliens in the context of the application of the provisions of the Schengen acquis relating to the movement of persons. The exchange of the supplementary information required for implementing the provisions of the Schengen Convention, carried out by the Sirene offices of each Member State, also serves these purposes, as well as assisting with police cooperation generally. The fact that the legislative basis required consists of two separate instruments does not affect the principle that the SIS itself constitutes, and should continue to constitute, one single, integrated, information system, and that the Sirene offices should continue to carry out their tasks in an integrated manner. The Regulation provides that the Introduction, Part 1 and Part 2, the Introduction to Part 3 and points 3.1.3, 3.1.5, 3.1.6, 3.1.8, 3.1.9 and 3.1.10 of Part 3, the Introduction to Part 4 and points 4.3, 4.3.1, 4.3.3, 4.5.1, 4.6, 4.8, 4.9 and 4.10 of Part 4, the Introduction to Part 5 and points 5.1.1, 5.1.2.2, 5.2 and 5.3 of Part 5, and Annexes 1, 2 and 3, tables 3 and 4 in Annex 4, the Introduction and forms C, E, G, I, J, K, L, M, N and O in Annex 5 and Annex 6 to the Sirene Manual shall be amended by the Commission in accordance with the regulatory procedure. Additional instructions, including other Annexes, may also be introduced into the Sirene Manual in accordance with the regulatory procedure. Lastly, territorial provisions are also provided concerning the participation of Iceland, Norway, the United Kingdom and Ireland. Denmark is not taking part in the adoption of this Regulation. However, it shall decide within a period of 6 months after the Council has adopted this Regulation whether it will implement it in its national law. **ENTRY INTO FORCE** : 03/03/04.