Repealing obsolete acts in the field of police cooperation and judicial cooperation in criminal matters

2014/0339(COD) - 20/01/2016 - Final act

PURPOSE: to repeal a certain number of Union acts in the field of police cooperation and judicial cooperation in criminal matters that have been identified as obsolete.

LEGISLATIVE ACT: Regulation (EU) 2016/95 of the European Parliament and of the Council repealing certain acts in the field of police cooperation and judicial cooperation in criminal matters.

CONTENT: in the context of the better law-making strategy that the institutions of the Union are implementing, the Regulation **repeals a number of acts adopted in the field of police cooperation and judicial cooperation in criminal matters** have become obsolete because their content has been taken up by successive acts. This Regulation only repeals obsolete acts without replacing them with new ones.

The following acts have been repealed:

- **seven joint Council actions** because their content has been taken up by successive act concerning: (i) the directory of counter-terrorism competences; (ii) chemical profiling of drugs; (iii) the directory of competences on fight against organised crime; (iv) combatting drug addiction and trafficking; (v) cooperation on law and order and security; (vi) cooperation between customs authorities; (viii) good practice in mutual legal assistance in criminal matters;
- **Council Act 98/C 216/01 and the Convention of 17 June 1998** (driving disqualifications);
- **Framework Decision 2008/978/JHA** (European evidence warrant), replaced by Directive 2014/41 /EU of the European Parliament and of the Council on the European Investigation Order (EIO) which applies between 26 Member States.

The Regulation stipulates that any European evidence warrant executed under Framework Decision 2008 /978/JHA shall continue to be governed by that instrument until the relevant criminal proceedings have been concluded with a definitive decision.

Position of Ireland, Denmark and the United Kingdom: Ireland has notified its wish to take part in the adoption and application of this Regulation. Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

Following the notification made by the United Kingdom on 24 July 2013 in accordance with the first sentence of the first subparagraph of Article 10(4) of Protocol No 36 on transitional provisions, Joint Actions 96/610/JHA, 96/699/JHA, 96/747/JHA, 96/750/JHA, 97/339/JHA, 97/372/JHA and 98/427/JHA, and Council Act 98/C-216/01 have ceased to apply to the United Kingdom as from 1 December 2014, pursuant to that Protocol. The United Kingdom is therefore not taking part in the adoption of this Regulation with regard to those legal acts and is not bound by it or subject to its application.

However, in accordance with the third sentence of the first subparagraph of Article 10(4) of that Protocol, Framework Decision 2008/978/JHA remained applicable in the United Kingdom as replaced by Directive 2014/41/EU.

In accordance with Article 3 and Article 4a(1) of Protocol No 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, annexed to the TEU and to the TFEU, Ireland has notified its wish to take part in the adoption and application of this Regulation.

ENTRY INTO FORCE: 22.2.2016.