Automated data exchange with regard to vehicle registration data in Malta, Cyprus and Estonia

2016/0822(CNS) - 18/05/2017 - Final act

PURPOSE: to authorise Malta, Cyprus and Estonia to continue to receive and supply personal data for the purpose of automated searching of vehicle registration data (VRD).

NON LEGISLATIVE ACT: Council Implementing Decision (EU) 2017/943 on the automated data exchange with regard to vehicle registration data in Malta, Cyprus and Estonia, and replacing Decisions 2014/731/EU, 2014/743/EU and 2014/744/EU.

CONTENT: through this Council Implementing Decision, Malta, Cyprus and Estonia **remain authorised to continue to receive and supply personal data** for the purpose of automated searching of vehicle registration data.

To recall, Council Decision 2008/615/JAI on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, provides that the supply of personal data may not take place until the Member States involved in such supply **have implemented in national law the general provisions on data protection** set out in that Decision.

The **overall evaluation reports**, summarising the results of the questionnaire, the evaluation visit and the pilot run concerning vehicle registration data in each of these Member States, have been presented to the Council.

On the basis of these evaluation reports, Decisions 2014/731/EU, 2014/743/EU and 2014/744/EU authorised Malta, Cyprus and Estonia to receive and supply personal data for the purposes of the automated searching of vehicle registration data.

In its judgment of 22 September 2016, **the Court of Justice of the European Union annulled the above-mentioned Decisions** on the grounds that there were vitiated by procedural defects.

With a view to ensuring the legal certainty of the receipt and supply of personal data with regard to the Member States concerned, this Decision **replaces the Decisions annulled by the Court**. The Member States that obtained personal data pursuant to these Decisions these entitled to further process those data at national level or between Member States.

ENTRY INTO FORCE: 3.6.2017. From that date, Decisions 2014/731/EU, 2014/743/EU and 2014/744 /EU cease to have effect.