

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

2003/0807(CNS) - 24/03/2003 - Legislative proposal

PURPOSE : to present a draft Council Regulation on procedures for amending the Sirene Manual.

CONTENT : in the context of the Schengen Information System (SIS) and the exchange of data between the national sections of the Member States, 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 which is required for implementing certain provisions of the Schengen Convention correctly. It is necessary to establish a procedure for amending the Sirene Manual in accordance with the relevant provisions of the various Treaties. The legislative basis consists of 2 parts : 1) this Regulation based on Article 66 of the Treaty establishing the European Community. 2) the Decision based on Articles 30(1)(a) and (b), 31(a) and (b) and 34 (2) (c) of the Treaty on European Union (refer to CNS/2003/0808). 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 supplementary information required for the implementing of 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 co-operation generally. Although the legislative basis consists of 2 separate instruments, this does not affect the principle that the SIS constitutes and should continue to constitute, one single, integrated, information system and that the Sirene offices should continue to carry out their task in an integrated manner. The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission. 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.