

Schengen Convention: access for vehicle registration authorities to the Information System SIS, amending the Convention

2003/0198(COD) - 21/08/2003 - Legislative proposal

PURPOSE : to amend the Schengen Convention by giving vehicle registration authorities of the Member States the right to consult certain categories of data contained in the Schengen Information System (SIS).

CONTENT : Article 100 in Title IV of the Schengen Convention, which has been integrated into the framework of the EU, allows authorities to insert data on motor vehicles which have been stolen, misappropriated or lost, to the SIS. Pursuant to Article 101 of the Schengen Convention, access to SIS data is reserved exclusively to the authorities responsible for border checks, for other police and customs checks carried out within the country. In addition, access to certain data is given to the authorities responsible for issuing visas, examining visa applications, issuing residence permits and the administration of legislation on aliens in the context of the application of that Convention. The objective of the proposal is to amend the Schengen Convention to improve co-operation between Member States and as a result the functioning of the internal market. In concrete terms, vehicle registration authorities of the Member States will have the right to consult certain categories of data contained in the SIS. They will then have the ability to check whether vehicles presented to them for registration have been stolen, misappropriated or lost and whether persons applying for a registration certificate are using identity or vehicle registration documents to that end which have been stolen, misappropriated, lost or - in the future - invalidated. This will serve the interest of the functioning of the internal market and the fight against fraud and illegal trade in stolen vehicles. The proposal emphasises that the task of vehicle registration authorities is of an administrative nature, and the vehicle registration authorities do not pursue penal law objectives by consulting the relevant data categories in the SIS. However, a vehicle registration authority that finds that a vehicle or a document that has been presented to it in the course of the administrative process has been reported in the SIS may inform a police authority about this finding, without itself acting in the field of criminal law. This proposal signifies a development of the Schengen acquis. It is a concrete contribution to a series of other initiatives developing the Schengen acquis aiming at augmenting the functionalities of the SIS. It also contributes to the goals set by the Tampere European Council, especially stepping up cooperation against crime. Norway and Iceland are fully associated with this proposal.

Financial consequences: Member States must create a connection between the national vehicle registration authorities and the national part of the N.SIS adding the necessary filters to block access to other data (for public vehicle registration authorities), or set up a link between the private vehicle registration service and the public authority appointed to liaise with the former. This Regulation will have no financial consequences for the Community.