# Europol: transmission of personal data to third States and third bodies. Initiative Sweden

2001/0807(CNS) - 28/02/2002 - Final act

PURPOSE : to amend Council Act of 12 March 1999 adopting the rules governing the transmission of personal data by Europol to third States and third bodies. COMMUNITY MEASURE : Council Act (2002 /C. 76/01) amending the Council Act of 12 March 1999 adopting the rules governing the transmission of personal data by Europol to third States and third bodies. CONTENT : in light of the co-operation of Europol with third bodies, the possibility of onward transmission by third bodies of personal data received from Europol will contribute positively to the fight against organised crime. In order to safeguard the interests of the Member States concerned and the principles of data protection, appropriate provisions need to be laid down determining the conditions under which onward transmission may take place. Therefore, the aim of this text is to amend the Council Act of 12 March 1999 adopting the rules governing the transmission of this data. It is amended so as to specify that the Director shall inform the Management Board and the Joint Supervisory Body without undue delay of any decision to transmit personal data. However, onward transmission by a third body with which Europol has concluded an agreement in accordance with Article 3 may take place: - with the prior consent of Europol, in cases where the third State or body receiving the data has concluded an agreement with Europol on the transmission of personal data which covers data from onward transmissions; or - exceptionally, after authorisation by the Director of Europol taking account the conditions laid down in Article 2(2), if he considers onward transmission of the data by third body to be absolutely necessary; - to safeguard the essential interests of the Member States concerned within the scope of Europol's objectives, - in the interests of preventing imminent danger associated with crime. No onward transmission of data communicated to Europol by a Member State shall be allowed without the consent of the Member State concerned. The Director shall state the reasons for transmission via a third body rather than direct transmission. Lastly, as from 1 January 2004, these rules shall be evaluated under the supervision of the Management Board, which shall obtain the opinion of the Joint Supervisory Body. ENTRY INTO FORCE : the Act shall take effect on 1 March 2002.