

# **Criminal judicial cooperation: exchange of information extracted from the criminal record**

2004/0238(CNS) - 21/11/2005 - Final act

**PURPOSE** : to improve the mechanisms for the transmission of information on convictions between Member States.

**LEGISLATIVE ACT** : Council Decision 2005/876/JHA on the exchange of information extracted from the criminal record.

**CONTENT** : this decision supplements and facilitates existing mechanisms for the transmission of information on convictions based in particular on the 1959 European convention on mutual assistance in criminal matters and the 2000 convention on mutual assistance in criminal matters between the Member States.

This Decision obliges Member States to designate a central authority. Each central authority shall, without delay, inform the central authorities of the other Member States of criminal convictions and subsequent measures in respect of nationals of those Member States entered in the criminal record.

Moreover, each member state may obtain information which it needs from criminal records from other member states within a specific time-frame (from 10 to 20 working days from the receipt of the request) by means of standardised request and answer forms available in all official languages of the EU.

The personal data processed under this Decision will be protected in accordance with the principles enacted in the Council of Europe Convention of 28 January 1981 for the Protection of Individuals with regard to Automatic Processing of Personal Data.

**IMPLEMENTATION** : no later than 21/05/2006.

**ENTRY INTO FORCE** : 09/12/2005.