

Basic information	
<p>2005/0104(COD)</p> <p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p>	Procedure completed
<p>Schengen: access to the Second Generation Information System, SIS II, by the services in the Member States responsible for issuing vehicle registration certificates</p> <p>Repealed by 2016/0409(COD)</p> <p>Subject</p> <p>3.20.06 Transport regulations, road safety, roadworthiness tests, driving licence 3.40.03 Motor industry, cycle and motorcycle, commercial and agricultural vehicles 7.30.05 Police cooperation 7.40.04 Judicial cooperation in criminal matters</p>	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	LIBE	Civil Liberties, Justice and Home Affairs	COELHO Carlos (PPE-DE)	13/06/2005
	Committee for opinion		Rapporteur for opinion	Appointed
	TRAN	Transport and Tourism	The committee decided not to give an opinion.	
Council of the European Union	Council configuration		Meetings	Date
	Justice and Home Affairs (JHA)		2725	2006-04-27
	Justice and Home Affairs (JHA)		2746	2006-07-24
	Justice and Home Affairs (JHA)		2752	2006-10-05
	Agriculture and Fisheries		2774	2006-12-19
European Commission	Commission DG		Commissioner	
	Justice and Consumers		FRATTINI Franco	

Key events			
Date	Event	Reference	Summary

31/05/2005	Legislative proposal published	COM(2005)0237 	Summary
08/09/2005	Committee referral announced in Parliament, 1st reading		
27/04/2006	Debate in Council		Summary
24/07/2006	Debate in Council		Summary
05/10/2006	Resolution/conclusions adopted by Council		Summary
05/10/2006	Vote in committee, 1st reading		Summary
16/10/2006	Committee report tabled for plenary, 1st reading	A6-0354/2006	
23/10/2006	Debate in Parliament		
25/10/2006	Decision by Parliament, 1st reading	T6-0446/2006	Summary
25/10/2006	Results of vote in Parliament		
19/12/2006	Act adopted by Council after Parliament's 1st reading		
20/12/2006	Final act signed		
20/12/2006	End of procedure in Parliament		
28/12/2006	Final act published in Official Journal		

Technical information	
Procedure reference	2005/0104(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealed by 2016/0409(COD)
Legal basis	EC Treaty (after Amsterdam) EC 071
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/6/28579

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE365.023	31/03/2006	
Amendments tabled in committee		PE372.148	21/04/2006	
Committee report tabled for plenary, 1st reading/single reading		A6-0354/2006	16/10/2006	
Text adopted by Parliament, 1st reading/single reading		T6-0446/2006	25/10/2006	Summary
Council of the EU				
Document type	Reference	Date	Summary	

Draft final act	03661/2/2006	20/12/2006	
European Commission			
Document type	Reference	Date	Summary
Legislative proposal	COM(2005)0237 	31/05/2005	Summary
Commission response to text adopted in plenary	SP(2006)5316	23/11/2006	
Other institutions and bodies			
Institution/body	Document type	Reference	Date
EESC	Economic and Social Committee: opinion, report	CES1486/2005 OJ C 065 17.03.2006, p. 0027-0028	15/12/2005

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act
<p>Corrigendum to final act 32006R1986R(01)</p> <p>Regulation 2006/1986 OJ L 381 28.12.2006, p. 0001</p> <p style="text-align: right;">Summary</p>

Schengen: access to the Second Generation Information System, SIS II, by the services in the Member States responsible for issuing vehicle registration certificates

2005/0104(COD) - 25/10/2006 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the resolution drafted by Carlos **COELHO** (EPP-ED, PT) incorporating a series of compromise proposals agreed with the Council on the proposed regulation on the Schengen Information System, with a view to reaching agreement at 1st reading. The report on the proposal for a regulation of the European Parliament and of the Council regarding access to the Second Generation Schengen Information System (SIS II) by the services in the Member States responsible for issuing registration certificates for vehicles was approved with 561 votes in favour, 39 against and 62 abstentions.

The proposal is part of a package measures on the legislative basis for a new Schengen Information System (SIS I) which will allow new Member States to join the Schengen area as soon as possible. (Please see [COD/2005/0106](#) and [CNS/2005/0103](#)). The rapporteur sought to achieve a first reading agreement with Council and the compromise amendments adopted had been negotiated and accepted in informal dialogues with the Commission and the Council.

Schengen: access to the Second Generation Information System, SIS II, by the services in the Member States responsible for issuing vehicle registration certificates

2005/0104(COD) - 05/10/2006

The Presidency informed the Council of the vote that took place at the LIBE Committee (civil liberties and Justice and Home Affairs) of the European Parliament on 5 October 2006 regarding the legislative package on SIS II. The LIBE Committee adopted these texts with the exception of the addition of the words "or the entry of data in the SIS II" at the end of Article 17(1)(b) of the Regulation (COD/2005/0106) and of Article 37(1)(b) of the Decision (CNS/2005/0103).

The texts as adopted by the LIBE Committee shall be submitted to the second Plenary session of the European Parliament in October 2006.

The Council confirmed its position on this legislative package as agreed by Coreper and gave a mandate to the Finnish Presidency to continue negotiations with the European Parliament with a view to reaching an agreement at first reading.

The Council adopted conclusions on SIS I+ and SIS II.

As regards **SIS II**, the Council :

- § considers that the revised implementation schedule for the SIS II (contained in Commission staff working document 12379/06) seems to be feasible and realistic. According to the revised schedule, the SIS II would be operational for the Member States currently participating in the SIS 1+ by June 2008, allowing the integration of the Member States not yet participating in the SIS 1+;
- § confirms the revised schedule, and at the same time instructs the relevant Council working groups and Commission bodies to do their utmost to have the SIS II operational at the earliest possible opportunity;
- § reaffirms that the development of the SIS II remains the **absolute priority**;
- § agrees to prolong the Commission mandate to develop the SIS II beyond **31 December 2006** and also to clarify the mandate so as to make it clear that the technical integration of the new Member States into the SIS II is included in the mandate;
- § agrees to set up an informal Task Force, consisting of experts seconded by interested Member States, to assist the work of the Council, in co-operation with the Commission, on the management and coordination of the SIS II project, including the state of preparedness of all Member States. The Council invites all the stakeholders in the SIS II project to cooperate fully with the Task Force and the Presidency and the Commission are invited to agree on the practical arrangements for the Task Force as soon as possible.

Concerning the **SIS 1+**, the Council welcomes the Portuguese proposal, which could make it possible to integrate the new Member States in the SIS1+, and agrees with the elements contained in document 12583/06. The relevant working groups are invited to work out all the outstanding technical, financial, legal, organisational and management aspects of the proposal forwarded by Portugal, so as to be in a position to take a final decision at its meeting in December on whether or not to proceed with the integration of the new Schengen States into the SIS 1+.

As regards the lifting of **internal border controls**, the Council invites, on the basis of the outcome of discussions on having an operational Schengen Information System in place in all Member States as soon as possible, the competent working groups to prepare a feasible and realistic global planning for the **lifting of the controls at the internal land, sea and air borders**, taking into account also the results of the Schengen evaluations required for permitting the putting into effect of the entire Schengen acquis for the Member States concerned. On the basis of this work, the Council intends to decide in **December 2006** on the date or dates for the lifting of those controls and to inform the European Council.

Schengen: access to the Second Generation Information System, SIS II, by the services in the Member States responsible for issuing vehicle registration certificates

2005/0104(COD) - 31/05/2005 - Legislative proposal

PURPOSE: To allow vehicle registration services the right to consult certain categories of data contained in the Schengen Information System II.

PROPOSED ACT: Regulation of the European Parliament and of the Council

CONTENT: This proposal is an update of a proposed Regulation, which was submitted by the Commission in 2003, relating to the Schengen Information System (SIS) and national bodies responsible for issuing registration certificates for vehicles (2003/0198 COD). The main objective of the current proposal is the same as that tabled in 2003, namely giving vehicle registration services of the Member States, the right to consult certain categories of data contained in SIS. This should allow for a more effective exchange of information and act as a valuable tool in the fight against fraud and the illegal trade in stolen vehicles. The Commission has fully followed the line of the aforementioned proposal and has only made formal amendments to it so as to ensure coherence with the new legal instruments for the establishment, operation and use of the second generation SIS

referred to as SIS II (see 2005/0106 COD and 2005/0103 CNS). This proposal completes the legal framework for SIS II and will replace Article 102a to be inserted in the Schengen Convention following adoption of the Commission's proposal of August 2003 and referred to above.

The ability of vehicle registration services to access SIS II is an appropriate provision helping the EU to fulfil its implementation of the common transport policy. This proposal is being forwarded on the same legal basis as that of the 2003 proposal, i.e. Title V of the EU Treaty and more specifically, Article 71. This signifies that access to SIS II data by the vehicle registration authorities has a basis in the EU Treaties.

In terms of participation it has been established that Norway and Iceland are fully associated to the development of SIS II, including access to data for vehicle registration services. In terms of the financial implications, Member States will need to create a connection between national vehicle registration services and SIS II. This will fall under the responsibility of a SIS II national office to be designated in accordance with the proposed Decision on the establishment, operation and use of SIS II.

The Commission has outlined the main budgetary implication in a financial statement, attached to its proposal for a Regulation on the establishment, operation and use of SIS II. Most of what has been said in the Financial Statement is summarised below.

FINANCIAL STATEMENT:

The present financial statement covers the expenditure necessary for operating SIS II as from 2007.

- Budget lines and headings: 18 08 02: Schengen Information System, second generation (SIS II)

- Overall figures: For Part B: EUR 132 Million for commitments until 2013. The costs foreseen include the following elements: The upkeep and operating costs of two premises, the updating of computer equipment and consumables, system maintenance, stationary, furniture and work equipment, direct access to point rental of the network, external support for maintaining the IT management systems, the development and operation of a search engine based on biometric identifies, the cost of external human resources including 21 security agents and 21 data input operators.

- Period of application: From 2007 to 2013 (for this statement). Undetermined duration, after 2013.

- Overall financial impact of human resources and other administrative expenditure: EUR 23 807 million. This will include 23 permanent posts from levels A, B and C.

Lastly, a total contribution from Iceland and Norway totaling 2.128% of the total cost is foreseen.

Schengen: access to the Second Generation Information System, SIS II, by the services in the Member States responsible for issuing vehicle registration certificates

2005/0104(COD) - 20/12/2006 - Final act

PURPOSE: to allow vehicle registration services the right to consult certain categories of data stored on SIS II.

LEGISLATIVE ACT: Regulation (EC) No 1986/2006 of the European Parliament and of the Council regarding access to the Second Generation Schengen Information System (SIS II) by the services in the Member States responsible for issuing vehicle registration certificates.

BACKGROUND: this Regulation forms part of a package of legislation defining the legal basis for SIS II. Given the different policy areas involved and the cross-pillar nature of the SIS, three legislative acts had to be adopted: two Regulations and one third pillar Decision. The package is as follows:

- [Regulation \(EC\) No 1986/2006](#) (vehicle registration certificates).
- [Regulation \(EC\) No 1987/2006](#) (movement of people).
- [Decision 2007/533/JHA](#) (processing data for police and judicial cooperation in criminal matters).

The fact that the legislative package consists of separate instruments does not, however, effect the principle that SIS II constitutes one single information system and that it should operate as such.

In 1999, the EU adopted legislation on the registration of documents for vehicles, the purpose of which was to allow the Member States to assist one another in the implementation of that Directive through the exchange of information on a bi-or multilateral level. This allowed national authorities to check, before the registration of a vehicle, the legal status in which it was previously registered.

Much of the information needed to fulfil this responsibility can be found, in electronic format, on the newly established SIS II system. In addition, alerts on objects, including motor vehicles are entered in SIS II for the purposes of seizure or use as evidence in criminal proceedings.

CONTENT: the purpose of this Regulation, therefore, is to allow Member States' services responsible for issuing registration certificates for vehicles, to have access to certain data on SIS II. These services, who may access data directly on SIS II, will be allowed to request the following information only:

- Data concerning motor vehicles with a cylinder capacity exceeding 50 cc.
- Data concerning trailers with an unladen weight exceeding 750 kg and caravans.
- Data concerning vehicle registration certificates and vehicle number plates which have been stolen, misappropriated, lost or invalidated.

Any other non-government service seeking data on SIS II will be able to do so through an official authority only.

ENTRY INTO FORCE: 17 January 2007.

Schengen: access to the Second Generation Information System, SIS II, by the services in the Member States responsible for issuing vehicle registration certificates

2005/0104(COD) - 27/04/2006

The Council reviewed the state of play of SIS II and discussed its legal basis. It confirmed the use of biometrics for identification purposes in the SIS II as soon as technically possible. Six of the new Member States (Czech Republic, Latvia, Lithuania, Hungary, Estonia and Slovakia), joined by Slovenia, presented a joint statement urging the Council to ensure that discussions on the legislative proposals would not delay the adoption of SIS II.

To recall, on 31 May 2005, the Commission submitted legislative proposals setting out the legal basis for SIS II: two Regulations to be adopted by the codecision procedure and one Council Decision. Discussions on these proposals have reached a crucial stage. In order to allow SIS II to be operational in 2007 and consequently to lift the checks at the internal borders for the new Member States, the legislative instruments have to be adopted quickly.

Schengen: access to the Second Generation Information System, SIS II, by the services in the Member States responsible for issuing vehicle registration certificates

2005/0104(COD) - 24/07/2006

The Mixed Committee (EU + Norway, Iceland and Switzerland) reached agreement on a number of outstanding issues concerning the legal instruments of the second generation of the Schengen Information System (SIS II), in particular:

- § the long-term operational management of SIS II;
- § the use of biometrics;
- § the transitional period applying to the content of the old alerts.

Regarding the question of alerts relating to surrender procedures, the Mixed Committee asked the Council preparatory bodies to finalise a compromise text. On that basis, the Presidency of the Council will negotiate with the European Parliament with a view to having the SIS II legal instruments adopted as soon as possible.