Basic information

2017/0807(CNS) CNS - Consultation procedure	Procedure completed
Automated data exchange with regard to dactyloscopic data in Portugal **Subject** 1.20.09 Protection of privacy and data protection 7.30 Police, judicial and customs cooperation in general **Geographical area** Portugal	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	ŠTĚTINA Jaromír (PPE)	25/09/2017
	Shadow rapporteur BEŇOVÁ Monika (S&D) HYUSMENOVA Filiz (ALDE)	

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	3564	2017-10-12

European Commission

Commission DG	Commissioner
Internal Market, Industry, Entrepreneurship and SMEs	BIEŃKOWSKA Elżbieta

Key events

Date	Event	Reference	Summary
19/06/2017	Legislative proposal published	09898/2017	Summary
06/07/2017	Committee referral announced in Parliament		
25/09/2017	Vote in committee		
27/09/2017	Committee report tabled for plenary, 1st reading/single reading	A8-0289/2017	Summary
04/10/2017	Decision by Parliament	T8-0371/2017	Summary
04/10/2017	Results of vote in Parliament		

12/10/2017	Act adopted by Council after consultation of Parliament		
12/10/2017	End of procedure in Parliament		
17/10/2017	Final act published in Official Journal		

Technical information

Procedure reference	2017/0807(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/10325

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE610.713	19/09/2017	
Committee report tabled for plenary, 1st reading/single reading		A8-0289/2017	27/09/2017	Summary
Text adopted by Parliament, 1st reading/single reading		T8-0371/2017	04/10/2017	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	09898/2017	19/06/2017	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2017/1867
OJ L 266 17.10.2017, p. 0008 Summary

Automated data exchange with regard to dactyloscopic data in Portugal

2017/0807(CNS) - 12/10/2017 - Final act

PURPOSE: to authorise Portugal to receive and supply personal data in respect of fingerprint data (dactyloscopic data).

NON-LEGISLATIVE ACT: Council Implementing Decision (EU) 2017/1867 on the launch of automated data exchange with regard to dactyloscopic data in Portugal.

CONTENT: this Council Implementing Decision **authorises Portugal to receive and supply transmit personal data** in accordance with Decision 2008/615/JHA for the purpose of automated searching of dactyloscopic data, as from 18 October 2017.

As a reminder, Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, in particular with a view to combating terrorism and cross-border crime, provides that the supply of personal data may not take place until the general provisions on data protection have been implemented in the national law of the territories of the Member States involved in such supply.

An **overall evaluation report**, including a summary of the results of the data protection questionnaire sent to Portugal, the evaluation visit to this country and the pilot test with Austria, the Czech Republic and Hungry on the exchange of data fingerprints was presented to the Council.

On 19 June 2017, the Council concluded that Portugal had fully implemented the general provisions on data protection set out in Decision 2008/615/JHA.

ENTRY INTO FORCE: 18.10.2017.

Automated data exchange with regard to dactyloscopic data in Portugal

2017/0807(CNS) - 04/10/2017 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 596 votes to 72, with 18 abstentions, following the consultation procedure, a legislative resolution on the draft Council implementing decision on the launch of automated data exchange with regard to dactyloscopic data in Portugal.

In line with the Committee on Civil Liberties, Justice and Home Affairs, **Parliament approved the Council draft**.

For the purposes of automated searching of dactyloscopic data, the draft Council Implementing Decision seeks to authorise Portugal to receive and supply personal data in accordance with Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime.

Automated data exchange with regard to dactyloscopic data in Portugal

2017/0807(CNS) - 19/06/2017 - Legislative proposal

PURPOSE: to authorise Portugal to receive and supply personal data in respect of dactyloscopic data in Portugal (fingerprint data).

PROPOSED ACT: Council Implementing Decision.

ROLE OF THE EUROPEAN PARLIAMENT: the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

BACKGROUND: Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in **combating terrorism and cross-border crime**, confers implementing powers upon the Council with a view to adopting measures necessary to implement that Decision, in particular as regards the receiving and supply of personal data.

The supply of personal data provided for under that Decision may not take place until the **general provisions on data protection** set out in that Decision have been implemented in the national law of the territories of the Member States involved in such supply.

Council Decision 2008/616/JHA provides that the verification aiming to establish the condition with respect to automated data exchange is to be done on the basis of an evaluation report based on: (i) a questionnaire, (ii) an evaluation visit and, (iii) a pilot run.

An **overall evaluation report**, summarising the results of the questionnaire, the evaluation visit and the pilot run concerning dactyloscopic data exchange, has been presented to the Council.

On 18 May 2017, the Council concluded that Portugal had fully implemented the general provisions on data protection set out in Decision 2008/615/JHA.

CONTENT: for the purposes of automated searching of dactyloscopic data, the draft Council Implementing Decision seeks to authorise Portugal to receive and supply personal data in accordance with Decision 2008/615/JHA.

The United Kingdom and Ireland are taking part in the adoption of the proposed Decision.

Automated data exchange with regard to dactyloscopic data in Portugal

2017/0807(CNS) - 27/09/2017 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted, following the consultation procedure, the report by Jaromír ŠTĚTINA (EPP, CZ) on the draft Council implementing decision on the launch of automated data exchange with regard to dactyloscopic data in Portugal.

The committee called on Parliament to **approve the Council draft**.