

EU-UK Trade and Cooperation Agreement (TCA)
Second meeting of the Specialised Committee on Law Enforcement
and Judicial Cooperation (LEJC)
London & virtual, 13 October 2022 | 11:00 to 13:00 GMT
Minutes of the Meeting

Review of TCA Implementation and Operation

- The Parties reaffirmed that overall, implementation of the Law Enforcement and Judicial Cooperation Part of the TCA had gone well, and that the agreement continues to operate effectively.
- Both Parties welcomed progress in resolving the implementation issues highlighted at last year's meeting and agreed to continue efforts to address a small number of ongoing operational issues.
- Both Parties agreed on the importance of respective authorities adhering to the timelines set in the agreement.
- The parties discussed relevant legislative developments, including on the Data Protection and Digital Information Bill, the Bill of Rights Bill, and the Economic Crime (Transparency and Enforcement) Act 2022 and Economic Crime and Corporate Transparency Bill.
- The Parties discussed the application of Article 651 of the TCA in relation to onward transfers to territories not covered by Part Three of the TCA of criminal record information shared by the Member States under the TCA; the UK said that it was meeting the requirements in Article 651 and offered to provide further clarification of how the requirements are met.

Further work mandated under the TCA

(a) DNA profiles and fingerprints (Prüm) ex ante evaluation (Article 540)

- The Parties welcomed that, following the conclusion of the EU evaluation visit and report provided for in Article 540 of the TCA, biometric exchanges between the UK and EU vital to investigating and combating serious crime could take place beyond 30 June 2022. This has been determined by the EU in a unilateral declaration set out in the Annex to Council Implementing Decision 2022/1014 of 17 June 2022.
- The UK informed that technical preparations are ongoing to build the Vehicle Registration Data component of the Prüm system. The UK expressed its intention to go forward with the procedure to start the evaluation next year.

(b) Mutual Legal Assistance standard form (Article 635)

- Both Parties welcomed progress made in negotiations to agree a standard form for UK-EU Mutual Legal Assistance requests in criminal matters and acknowledged the operational efficiencies which would be secured when the form comes into force.

- They agreed that the procedural steps necessary to allow the form to enter into force in the first half of 2023 should be completed as quickly as possible.

(c) Passenger Name Record Data – UK report and assessment (Article 552)

- The Parties considered the report provided by the UK under Article 552(12)(a) of the TCA, and the UK's assessment under Article 552(12)(b) that substantial progress to transform the United Kingdom PNR processing systems into systems which would enable PNR data to be deleted in accordance with Article 552(4) has been made whilst noting that the special circumstances referred to in Article 552(10) persist.
- Further to questions from the EU, including on compliance with the interim period safeguards of Article 552(11), the UK provided explanations.
- The Parties noted that the Partnership Council will decide on the extension of the interim period pursuant to Article 552(13). The extension would be for one last year (until 31 December 2023).

Conclusion and forward look to future meeting agendas

- The Parties agreed that a third meeting of the Specialised Committee should take place at an appropriate point in 2023 where it will further review the implementation and proper functioning of the Law Enforcement and Judicial Co-operation Part of the TCA.

*Approved by the Joint Secretariat of
the Specialised Committee on Law
Enforcement and Judicial Cooperation*

Annex 1: Participants of the second meeting of the Specialised Committee on Law Enforcement and Judicial Cooperation (LEJC)

EU delegation (43)

- EU Co-Chairs of the Specialised Committee on LEJC
- European Commission Officials
- Delegation of the European Union to the UK Officials
- Representatives of EU Member States

UK delegation (21)

- UK Co-Chair of the Specialised Committee on LEJC
- UK Government Officials from Home Office, Foreign, Commonwealth and Development Office, Department for Business, Energy and Industrial Strategy, HM Treasury and UK Mission to the European Union
- Scottish Government EU Office Official
- Northern Ireland Department of Justice Official