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STATUTORY INSTRUMENTS

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**2019 No. 742**

**The Law Enforcement and Security  
(Amendment) (EU Exit) Regulations 2019**

**PART 21**

**Prüm – Exchange of Data Relating to DNA, Fingerprints and Vehicle Registration**

**[<sup>F1</sup>Saving provision – information received before commencement day**

**117B.**—(1) This regulation applies in relation to DNA profiles and personal data received by the United Kingdom before commencement day (and see Title VII of Part 3 of the withdrawal agreement and sections 7A and 7C of the Withdrawal Act).

(2) Subject to the modifications in paragraph (3), with the exception of Article 25, Chapter 6 of the Prüm Decision continues to have effect in relation to the data referred to in paragraph (1).

(3) The Prüm Decision applies with the following modifications—

(a) Article 26 is to be read as if—

(i) in paragraph 1—

(aa) “by the receiving Member State” were omitted;

(ab) the words from “and subject only to” to the end were omitted;

(ii) in paragraph 2, “by the searching or comparing Member State” were omitted;

(iii) in the text after paragraph 2(c), for “The Member State administering the file may process the data supplied to it”, substitute “The data supplied may be processed”;

(b) Article 27 is to be read as if “and in compliance with the law of the receiving Member State” were omitted;

(c) paragraph 1 of Article 28 is to be read as if—

(i) the first sentence were omitted;

(ii) after “have been supplied”, there were inserted “by the authorities in the United Kingdom”;

(iii) for “The Member State or Member States concerned shall be obliged to correct or delete the data”, substitute “The authorities in the United Kingdom shall be obliged to correct or delete any data in respect of which the supplying Member State has made such a notification”;

(d) paragraph 2 of Article 28 is to be read as if—

(i) “, in accordance with the national law of the Member States,” were omitted;

(ii) “subject to the national law of the Member States and” were omitted;

(e) paragraph 1 of Article 30 is to be read as if the first sentence were “In order to verify the admissibility of the supply, the authorities in the United Kingdom shall log every

non-automated supply of personal data by the body administering the file and every non-automated receipt of personal data by the searching body.”;

- (f) paragraph 2 of Article 30 is to be read as if—
  - (i) “other” were omitted from paragraph (a);
  - (ii) in paragraph (b), for “each Member State” substitute “the United Kingdom”;
- (g) Article 32 is to be read as if, for “The receiving Member State” substitute “The authorities in the United Kingdom”.]

**Textual Amendments**

- F1** Regs. 117A, 117B inserted (31.12.2020 immediately before IP completion day) by [The Law Enforcement and Security \(Separation Issues etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1408\)](#), regs. 1, 34

**Commencement Information**

- II** Reg. 117B in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Law Enforcement and Security (Amendment) (EU Exit) Regulations 2019, Section 117B.