

Regulation (EU) 2018/1862 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU

## CHAPTER X

### *Alerts on objects for seizure or use as evidence in criminal proceedings*

#### Article 38

#### **Objectives and conditions for entering alerts**

- 1 Member States shall enter into SIS alerts on objects sought for the purposes of seizure or for use as evidence in criminal proceedings.
- 2 Alerts shall be entered on the following categories of readily identifiable objects:
  - a motor vehicles regardless of the propulsion system;
  - b trailers with an unladen weight exceeding 750 kg;
  - c caravans;
  - d industrial equipment;
  - e boats;
  - f boat engines;
  - g containers;
  - h aircraft;
  - i aircraft engines;
  - j firearms;
  - k blank official documents which have been stolen, misappropriated, lost or purport to be such a document but are false;
    - l issued identity documents, such as passports, identity cards, residence permits, travel documents and driving licences which have been stolen, misappropriated, lost or invalidated or purport to be such a document but are false;
  - m vehicle registration certificates and vehicle number plates which have been stolen, misappropriated, lost or invalidated or purport to be such a document or plate but are false;
  - n banknotes (registered notes) and false banknotes;
  - o items of information technology;
  - p identifiable component parts of motor vehicles;
  - q identifiable component parts of industrial equipment;
  - r other identifiable objects of high value, as defined in accordance with paragraph 3.

With regard to the documents referred to in points (k), (l) and (m), the issuing Member State may specify whether such documents are stolen, misappropriated, lost, invalid or false.

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**Changes to legislation:** There are outstanding changes not yet made to Regulation (EU) 2018/1862 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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3 The Commission shall be empowered to adopt delegated acts in accordance with Article 75 to amend this Regulation by defining new sub-categories of objects under points (o), (p), (q) and (r) of paragraph 2 of this Article.

4 The Commission shall adopt implementing acts to lay down and develop technical rules necessary for entering, updating, deleting and searching the data referred to in paragraph 2 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 76(2).

### *Article 39*

#### **Execution of the action based on an alert**

1 Where a search brings to light an alert on an object which has been located, the competent authority shall in accordance with its national law seize the object and contact the authority of the issuing Member State in order to agree on the measures to be taken. For this purpose, personal data may also be communicated in accordance with this Regulation.

2 The information referred to in paragraph 1 shall be communicated through the exchange of supplementary information.

3 The executing Member State shall take the requested measures in accordance with national law.

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**Changes and effects yet to be applied to :**

- Regulation revoked in part by S.I. 2019/742, reg. 119(2)(h) (as inserted) by [S.I. 2020/1408 reg. 35\(b\)](#)