
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 339

**The Criminal Justice (EU Exit) (Scotland)
(Amendment etc.) Regulations 2020**

PART 3

Council Framework Decision 2009/829/JHA on the application between member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention

Transitional and saving provision: decisions on supervision measures received before IP completion day

9.—(1) The 2014 Regulations continue to apply, as if they had not been revoked by regulation 8, to relevant decisions on supervision measures⁽¹⁾.

(2) In paragraph (1) “relevant decisions on supervision measures” are decisions received before IP completion day by—

- (a) the central authority or competent authority in the executing State under paragraph 2(3) of schedule 1 of the 2014 Regulations (request to executing State for recognition of a bail order) or any other authority in the executing State with no competence to recognise a decision on supervision measures but which forwards the decision to the competent authority,
 - (b) the Scottish central authority under paragraph 2(1) (receipt of a request to forward a decision on supervision measures) or paragraph 3(1) (receipt of a request for recognition of a decision on supervision measures) of schedule 2 of the 2014 Regulations or any other authority in Scotland with no competence to recognise a decision on supervision measures but which forwards the decision to the competent authority.
- (3) For the purposes of this regulation—
- (a) “central authority” and “competent authority” have the same meaning as in regulation 2(1) of the 2014 Regulations,
 - (b) “the executing State” means the member State of the central authority or competent authority to which the request is made,
 - (c) “Scottish central authority” has the same meaning as in paragraph 1(1) of schedule 2 of the 2014 Regulations,
 - (d) the 2014 Regulations are to be read as if the term “member State” included the United Kingdom.

(1) See Article 62(1)(i) of the withdrawal agreement and sections 7A and 7C of the European Union (Withdrawal) Act 2018.