
DRAFT STATUTORY INSTRUMENTS

2020 No.

The Law Enforcement and Security (Separation
Issues etc.) (EU Exit) Regulations 2020

PART 2

Amendments of the Law Enforcement and Security
(Amendment) (EU Exit) Regulations 2019

CHAPTER 10

European Investigation Orders

Amendment relating to a European investigation order relating to the temporary transfer of a prisoner

28. In regulation 86 (European investigation order made in a participating State relating to the temporary transfer of a prisoner or EU prisoner)—

(a) in paragraph (1) for the words from “prisoner temporarily transferred” to “before commencement day” (including those words in each case) substitute “relevant temporary transfer or a relevant request”;

(b) after paragraph (1) insert—

“(1A) in paragraph (1)—

“relevant temporary transfer” means a prisoner temporarily transferred to an issuing State pursuant to a warrant issued by the Secretary of State or the Scottish Ministers under regulation 54 of the 2017 Regulations (temporary transfer of UK prisoner to issuing State for the purpose of issuing State’s investigation or proceedings) before commencement day;

“relevant request” means a European investigation order which includes a request for the transfer of a prisoner received by a central authority before commencement, regardless of whether that European investigation order was forwarded to the relevant UK central authority before commencement day.”;

(c) after paragraph (2) insert—

“(3) See Article 62(1)(l) and Title VII of Part 3 of the withdrawal agreement and sections 7A and 7C of the Withdrawal Act.”.