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STATUTORY INSTRUMENTS

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**2014 No. 3141**

**The Criminal Justice and Data Protection  
(Protocol No. 36) Regulations 2014**

**PART 7**

**European Supervision Order**

**CHAPTER 2**

**European supervision orders: England and Wales**

*Recognition of supervision measures: requests from other member States*

**Recognition of decision on supervision measures**

**88.**—(1) If a magistrates' court notifies the competent authority of the issuing State under regulation 85(5) or (7) that it has decided to recognise the decision on supervision measures—

- (a) it becomes responsible for monitoring the supervision measures, and
- (b) it must without delay take the measures it considers necessary for securing that the supervision measures are monitored.

(2) But the magistrates' court must notify the competent authority without delay if it is not possible, in practice, to monitor the supervision measures because the person subject to the decision on supervision measures cannot be found in England and Wales.

(3) The law of England and Wales which applies in relation to the monitoring of requirements imposed on a person as a condition of bail also applies, with any necessary modifications, in relation to the monitoring of the supervision measures by virtue of paragraph (1).

(4) In particular—

- (a) a magistrates' court may, if it considers it necessary to do so for the purpose of any supervision measure, impose electronic monitoring requirements on a person,
- (b) sections 3AA(1), 3AB(1) and (3)(2) and 3AC(1)(3) of the Bail Act 1976 apply to electronic monitoring requirements relating to supervision measures, and
- (c) section 3AC(2) of that Act, and orders and rules under section 3AC(2) and (3) of that Act, apply to electronic monitoring relating to supervision measures.

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(1) Section 3AA was inserted by the Criminal Justice and Police Act 2001 (c. 16), section 131(2) and subsequently amended by the Criminal Justice and Immigration Act 2008, Schedule 11 paragraphs 1, 3 and 4.  
(2) Section 3AB was inserted by the Criminal Justice and Immigration Act 2008, Schedule 11 paragraphs 1 and 4.  
(3) Section 3AC was inserted by the Criminal Justice and Immigration Act 2008, Schedule 11 paragraphs 1 and 4.