
STATUTORY INSTRUMENTS

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

Renewal or modification of supervision measures which are being monitored

92.—(1) This regulation applies in relation to any time when a magistrates' court which has decided to recognise a decision on supervision measures—

- (a) has become responsible under regulation 88 for monitoring the supervision measures, and
- (b) has not yet ceased under regulation 93 to be responsible for monitoring them.

(2) If the competent authority of the issuing State informs the magistrates' court that it has taken a decision renewing the decision on supervision measures, or modifying the supervision measures—

- (a) that decision does not (subject as follows) affect the court's responsibility for monitoring the renewed or modified supervision measures, and
- (b) references in regulations 88 to 94 to monitoring or breach of the supervision measures are to be read as references to monitoring or breach of the renewed or modified measures.

(3) If the magistrates' court had adapted the supervision measures under regulation 87 and the decision renews the measures—

- (a) the adaptations apply to the renewed decision as they applied to the original decision, and
- (b) regulation 87(5) applies accordingly.

(4) If the decision modifies the supervision measures and the magistrates' court considers that the modified supervision measures include measures other than those of a kind mentioned in Article 8(1) of the Framework Decision, the magistrates' court must—

- (a) decide to refuse to monitor the modified supervision measures, and
- (b) inform the competent authority of that decision.

(5) If the decision modifies the supervision measures and the magistrates' court—

- (a) does not decide to refuse to monitor the modified supervision measures, but
- (b) considers that one or more of those measures is not compatible with the law of England and Wales,

regulation 87(2) to (5) applies in relation to those measures.