
STATUTORY INSTRUMENTS

2019 No. 742

**EXITING THE EUROPEAN UNION
ARMS AND AMMUNITION
CRIMINAL LAW
DANGEROUS DRUGS
INVESTIGATORY POWERS
POLICE
PROCEEDS OF CRIME**

The Law Enforcement and Security
(Amendment) (EU Exit) Regulations 2019

Made - - - - 28th March 2019

Coming into force in accordance with regulation 1

**THE LAW ENFORCEMENT AND SECURITY
(AMENDMENT) (EU EXIT) REGULATIONS 2019**

PART 1

Introductory

1. Citation and commencement
2. Extent
3. General interpretation

PART 2

Child Pornography

4. Amendment of Council Decision 2000/375/JHA

Changes to legislation: There are currently no known outstanding effects for the The Law Enforcement and Security (Amendment) (EU Exit) Regulations 2019. (See end of Document for details)

PART 3

Counter-Terrorism

5. Amendment of the Terrorism Act 2000
6. Transitional provision in relation to amendment of Schedule 4 to the Terrorism Act 2000
7. Amendment of the Electronic Commerce Directive (Terrorism Act 2006) Regulations 2007

PART 4

Cross-border Surveillance

8. Revocation of Council Decisions relating to cross-border surveillance
9. Consequential amendment of the Regulation of Investigatory Powers Act 2000
10. Transitional provision – surveillance which is not completed before commencement day

PART 5

Drug Precursors and Psychoactive Substances

CHAPTER 1

Drug precursors

11. Amendment of the Controlled Drugs (Drug Precursors) (Intra-Community Trade) Regulations 2008
12. Amendment of the Controlled Drugs (Drug Precursors) (Community External Trade) Regulations 2008
13. Amendment of Regulation (EC) 273/2004 of the European Parliament and Council
14. Amendment of Council Regulation (EC) 111/2005
15. Amendment of Commission Delegated Regulation (EU) 2015/1011
16. Amendment of Commission Implementing Regulation (EU) 2015/1013

CHAPTER 2

Psychoactive substances

17. Amendment of the Psychoactive Substances Act 2016
18. Revocation of Regulation (EC) No 1920/2006
19. Revocation of Regulation (EU) 2017/2101

PART 6

Eurojust

20. Interpretation
21. Revocation of Eurojust Regulation
22. Saving provisions – information received before commencement day

PART 7

European Agency for Law Enforcement Training (CEPOL)

23. Revocation of The European Police College (Immunities and Privileges) Order 2004
24. Revocation of Council Decision 2005/681/JHA

PART 8

European Criminal Record Information System (ECRIS)

CHAPTER 1

Amendment of legislation extending to England and Wales, Scotland and Northern Ireland

25. Interpretation
26. Revocation of Part 6 of the CJDJ Regulations
27. Saving provisions – information transmitted to the UK Central Authority before commencement day or under Article 62(1)(h) of the withdrawal agreement
28. Transitional provisions – requests made before commencement day for information from the UK Central Authority
29. Revocation of Council Decision 2009/316/JHA

CHAPTER 2

Amendment of legislation extending to England and Wales and Northern Ireland only

30. Interpretation
31. Revocation of the Working with Children (Exchange of Criminal Conviction Information) (England and Wales and Northern Ireland) Regulations 2013
32. Transitional provision – requests made before commencement day

PART 9

European Judicial Network

33. Revocation of Council Decision 2008/976/JHA

PART 10

EU-LISA

34. Revocation of Regulation (EU) 2018/1726
35. Revocation of Council Decisions 2010/779/EU and (EU) 2018/1600

PART 11

Europol

36. Interpretation
37. Revocation of the Europol Regulation
38. Revocation of Europol Council Decisions
39. Revocation of Commission Decision (EU) 2017/388
40. Saving provisions – information provided before commencement day

Changes to legislation: There are currently no known outstanding effects for the The Law Enforcement and Security (Amendment) (EU Exit) Regulations 2019. (See end of Document for details)

41. Revocation of additional legislation

PART 12

Exchange of Information and Intelligence between Law Enforcement Authorities and Disclosure in Foreign Proceedings

CHAPTER 1

Exchange of information and intelligence between law enforcement authorities

- 42. Introductory
- 43. Revocation of Part 5 of the CJDJ Regulations
- 44. Transitional provision – requests for information or intelligence received before commencement day
- 45. Saving provision – information and intelligence supplied before commencement day or under Article 63(1)(d) of the withdrawal agreement or Article 52(b) of the EEA EFTA separation agreement
- 46. Saving provision – representations concerning use of information or intelligence
- 47. Saving provision – information obtained by a UK member of an international joint investigation team

CHAPTER 2

Disclosure in foreign proceedings.

- 48. Amendment of the Anti-terrorism, Crime and Security Act 2001

PART 13

Explosive Precursors

- 49. Amendment of the Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014
- 50. Amendment of the Control of Poisons and Explosives Precursors Regulations 2015
- 51. Amendment of Regulation (EU) No 98/2013

PART 14

Extradition

- 52. Interpretation
- 53. Amendment of the 2003 Act
- 54. Amendment of the Anti-social Behaviour, Crime and Policing Act 2014
- 55. Amendment of the Extradition Act 2003 (Designation of Part 1 Territories) Order 2003
- 56. Amendment of the Extradition Act 2003 (Designation of Part 2 Territories) Order 2003
- 57. Transitional provision

PART 15

Firearms

CHAPTER 1

Amendment of legislation extending to England and Wales, Scotland and Northern Ireland

58. Amendment of Commission Implementing Regulation (EU) No 2015/2403

CHAPTER 2

Amendment of legislation extending to England and Wales and Scotland

59. Amendment of the Firearms Act 1968
60. Saving provision – exemptions from requirement of authority under section 5 of the Firearms Act 1968
61. Amendment of the Firearms (Amendment) Act 1988
62. Amendment to the Firearms Acts (Amendment) Regulations 1992
63. Amendment to the Firearms (Amendment) Act 1988 (Amendment) Regulations 2011

CHAPTER 3

...

64. Amendment to the Firearms (Northern Ireland) Order 2004
65. Saving provision – exemptions from requirement of authority under Article 45 of the Firearms (Northern Ireland) Order 2004

PART 16

Football Disorder

66. Revocation of retained law relating to football disorder

PART 17

Joint Investigation Teams

67. Amendment of the Police Act 1996
68. Amendment of the Police (Northern Ireland) Act 1998
69. Amendment of the Police and Fire Reform (Scotland) Act 2012
70. Amendment of the Crime and Courts Act 2013
71. Revocation of the International Joint Investigation Teams (International Agreement) Order 2004
72. Saving provision – investigation teams operating in the UK on or after commencement day

PART 18

Mutual Legal Assistance in Criminal Matters

CHAPTER 1

Interpretation

73. Interpretation

CHAPTER 2

Revocation of the 2017 Regulations

74. Revocation of the 2017 Regulations

CHAPTER 3

Amendment of primary legislation consequential upon amendments made by this Part

75. Amendment of the Criminal Justice Act 1987
76. Amendment of the Criminal Justice Act 1988
77. Amendment of the Criminal Procedure (Scotland) Act 1995
78. Amendment of the Criminal Law (Consolidation) (Scotland) Act 1995
79. Amendment of the Criminal Justice and Police Act 2001
80. Amendment of the Criminal Justice Act 2003
81. Amendment of the Criminal Justice (Evidence) (Northern Ireland) Order 2004
82. Amendment of the Investigatory Powers Act 2016

CHAPTER 4

Saving provisions relating to European investigation orders

83. Outgoing European investigation orders (other than relating to the temporary transfer of a prisoner or EU prisoner)
84. Incoming European investigation order (other than relating to a request for the temporary transfer of a prisoner)
85. European investigation order made in the United Kingdom relating to the temporary transfer of a prisoner or EU prisoner
86. European investigation order made in a participating State relating to the temporary transfer of a prisoner or EU prisoner

CHAPTER 5

Amendment of the 2003 Act

87. Amendment of the 2003 Act

CHAPTER 6

Amendment and revocation of subordinate legislation made under the 2003 Act

88. Amendment of the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (England, Wales and Northern Ireland) Order 2009
89. Amendment of the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (England, Wales and Northern Ireland) (No. 2) Order 2009
90. Amendment of the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (Scotland) Order 2009
91. Amendment of the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (Scotland) (No. 2) Order 2009
92. Amendment of the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (Scotland) (No. 3) Order 2009
93. Amendment of the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (England, Wales and Northern Ireland) Order 2010
94. Revocation of the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (Scotland) Order 2011
95. Revocation of the Crime (International Co-operation) Act 2003 (Designation of Participating Countries) (England, Wales and Northern Ireland) (No. 2) Order 2011

CHAPTER 7

Saving provisions relating to the amendment of the Crime (International Co-operation) Act 2003 and related legislation

96. Freezing orders
97. Requests for information about financial accounts and transactions
98. Certain mutual legal assistance requests from Iceland
- 98A. Transitional provision - requests received before commencement day

CHAPTER 8

Other retained EU law relating to mutual legal assistance in criminal matters and certain aspects of police cooperation

99. Provisions of the 1990 Schengen Convention relating to police cooperation and mutual legal assistance in criminal matters
100. Third Pillar Conventions
101. Consequential amendment of the Investigatory Powers (Consequential Amendments etc.) Regulations 2018
102. Saving provision: requests for the interception of telecommunications under the 2000 MLA Convention

PART 19

Passenger Name Record Data

103. Amendment of the Immigration and Police (Passenger, Crew and Service Information) Order 2008

Changes to legislation: There are currently no known outstanding effects for the The Law Enforcement and Security (Amendment) (EU Exit) Regulations 2019. (See end of Document for details)

- 104. Amendment of the Passenger Name Record Data and Miscellaneous Amendments Regulations 2018
- 105. Revocation of Council Decisions 2012/381/EU and 2012/472/EU
- 106. Revocation of Commission Implementing Decision 2017/759
- 106A Savings provision - requests received before commencement day
- 106B Savings provision – information received by virtue of the PNR Directive

PART 20

Proceeds of Crime

- 107. Amendment of the Proceeds of Crime Act 2002
- 108. Amendment of the Serious Organised Crime and Police Act 2005
- 109. Amendment of the Criminal Finances Act 2017
- 110. Amendment of the CJDPA Regulations
- 111. Transitional provisions in relation to amendment of the CJDPA Regulations
- 112. Revocation of Council Decision 2000/642/JHA and Council Decision 2007/845/JHA
- 113. Saving provision
- 113A Revocation of Regulation (EU) 2018/1805

PART 21

Prüm – Exchange of Data Relating to DNA, Fingerprints and Vehicle Registration

- 114. Interpretation
- 115. Revocation of the Prüm Decision and related Council Decisions
- 116. Revocation of Commission Decision (EU) 2016/809
- 117. Revocation of Council Implementing Decisions
- 117A Transitional provision – DNA profiles supplied before commencement day
- 117B Saving provision – information received before commencement day

PART 22

Schengen Information System (SIS II)

- 118. Introductory
- 119. Revocation of retained EU law relating to the Schengen information system (SIS II)
- 120. Saving provisions – SIS II data and national files
- 121. Saving provisions – supplementary information and national files

PART 23

Serious Crime and Fraud

- 122. Amendment of the Serious Crime Act 2007
- 123. Revocation of Council Regulation (EU) No 331/2014

PART 24

Miscellaneous

CHAPTER 1

Miscellaneous amendments to police legislation

SECTION 1

Amendment of primary legislation

124. Amendment of the Local Government (Miscellaneous Provisions) Act 1982
125. Amendment of the Licensing Act 2003
126. Amendment of the Anti-social Behaviour, Crime and Policing Act 2014
127. Amendment of the Human Trafficking and Exploitation (Criminal Justice and Support for Victims) Act (Northern Ireland) 2015
128. Amendment of the Policing and Crime Act 2017

SECTION 2

Amendment of secondary legislation

129. Amendment of the Police Pensions (Additional Voluntary Contributions) Regulations 1991
130. Amendment of the Electronic Commerce Directive (Trafficking People for Exploitation) Regulations 2013
131. Amendment of the Police Pensions Regulations 2015

CHAPTER 2

Miscellaneous amendments to investigatory powers legislation

132. Amendment of the Investigatory Powers Act 2016
133. Amendment of the Investigatory Powers (Interception by Businesses etc. for Monitoring and Record-keeping Purposes) Regulations 2018

CHAPTER 3

International agreements

134. Revocation of rights etc.
135. Saving provision

CHAPTER 4

Atlas – cooperation between special intervention units

136. Introductory
 137. Revocation of the Atlas Council Decision
 138. Transitional provisions – assistance provided to member States after commencement day
 139. Transitional provisions – assistance provided to the United Kingdom after commencement day
- Signature
Explanatory Note

Changes to legislation:

There are currently no known outstanding effects for the The Law Enforcement and Security (Amendment) (EU Exit) Regulations 2019.