
STATUTORY INSTRUMENTS

2019 No. 742

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

PART 24

Miscellaneous

CHAPTER 4

Atlas – cooperation between special intervention units

Introductory

136. In this Chapter—

- (a) “the Atlas Council Decision” means Council Decision 2008/617/JHA of 23 June 2008 on the improvement of cooperation between the special intervention units of the Member States of the European Union in crisis situations ^{M1};
- (b) the expressions which are defined in Article 2 of the Atlas Council Decision (interpretation) have the meanings given in that provision (disregarding for this purpose the revocation of that decision by regulation 2).

Commencement Information

- I1** Reg. 136 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Marginal Citations

- M1** “Atlas” is the name given to the network of special intervention units established in 2001 and formalised by the Atlas Council Decision.

Revocation of the Atlas Council Decision

137. Subject to regulations 138 (transitional provisions – assistance provided to member States on or after commencement day) and 139 (transitional provisions – assistance provided to the United Kingdom after commencement day), the Atlas Council Decision is revoked.

Commencement Information

- I2** Reg. 137 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Transitional provisions – assistance provided to member States after commencement day

138.—(1) This regulation applies to a relevant case.

(2) For the purposes of this regulation, a “relevant case” is one in which, before commencement day—

- (a) a member State made a request for assistance under Article 3(1) of the Atlas Council Decision (assistance to another member State) to the competent authority of the United Kingdom, and—
- (b) either—
 - (i) the competent authority of the United Kingdom did not respond in relation to that request, or
 - (ii) the competent authority of the United Kingdom accepted the request for assistance or proposed a different kind of assistance, but some or all of the assistance has not been provided before commencement day.

(3) The following provisions of the Atlas Council Decision continue to have effect in relation to a relevant case (in so far as relevant in the circumstances of the case), subject to the modifications set out in paragraph (4)—

- (a) Article 2 (definitions), in so far as relevant to the provision referred to in sub-paragraph (b);
- (b) Article 3.

(4) The modifications are—

- (a) paragraph 1 of Article 3 is to be read as if—
 - (i) the first sentence were omitted;
 - (ii) for the words “such a request” there were substituted “a request made by a Member State under Article 3(1) ”;
 - (iii) for the words “the requested Member State” there were substituted “ the United Kingdom ”;
- (b) paragraph 3 of Article 3 is to be read as if the words “be authorised to operate in a supporting capacity on the territory of the requesting Member State and” were omitted.

(5) The provisions referred to in paragraph (3) are to be construed (so far as necessary) as if the United Kingdom continued to be a member State.

Commencement Information

I3 Reg. 138 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Transitional provisions – assistance provided to the United Kingdom after commencement day

139.—(1) This regulation applies to a relevant case.

(2) For the purposes of this regulation, a “relevant case” is one in which—

- (a) the competent authority of the United Kingdom made a request for assistance under Article 3(1) of the Atlas Council Decision (assistance to another member State) before commencement day, and
- (b) the requested member State is willing to provide assistance of the kind referred to in Article 3(2) of the Atlas Council Decision in relation to that request on or after commencement day.

(3) The following provisions of the Atlas Council Decision continue to have effect in relation to a relevant case (in so far as relevant in the circumstances of the case), subject to the modifications set out in paragraph (4)—

- (a) Article 2 (definitions), in so far as relevant to the provisions referred to in sub-paragraphs (b) to (d);
- (b) Article 3(3);
- (c) Article 4 (civil and criminal liability);
- (d) Article 6 (costs).

(4) The modifications are—

- (a) paragraph 3 of Article 3 is to be read as if—
 - (i) in the words before sub-paragraph (a), for the words “the requesting Member State” (in each place) there were substituted “ the United Kingdom ”;
 - (ii) in sub-paragraph (a)—
 - (aa) for the words “the requesting Member State”, in the first place it occurs, there were substituted “ the competent authority of the United Kingdom ”;
 - (bb) for the words “the requesting Member State”, in the second place it occurs, there were substituted “ the United Kingdom ”;
- (b) Article 4 is to be read as if—
 - (i) for the words “another Member State” there were substituted “ the United Kingdom ”;
 - (ii) the words “under this Decision” were omitted;
- (c) Article 6 is to be read as if for the words “The requesting Member State” there were substituted “ The United Kingdom ”.

(5) The provisions referred to in paragraph (3) are to be construed (so far as necessary) as if the United Kingdom continued to be a member State.

Commencement Information

I4 Reg. 139 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Law Enforcement and Security (Amendment) (EU Exit) Regulations 2019, CHAPTER 4.