

SCHEDULE 2

Saving and transitional provisions

PART 3

Saving provisions in relation to asylum

Eurodac

10.—(1) Notwithstanding the revocation of the Eurodac Regulation by regulation 54 and Part 2 of Schedule 1 the provisions of the Eurodac Regulation referred to in sub-paragraph (2) continue to have effect in relation to data obtained before commencement day from Eurodac by a competent authority of the United Kingdom.

(2) The provisions referred to in sub-paragraph (1) are—

- (a) Article 34(2), sub-paragraphs (a) to (d), (h) and (i) (data security);
- (b) Article 35(1) (prohibition of transfers of data to third countries etc.);
- (c) Article 36 (logging and documentation).

(3) The provisions referred to in paragraph (2) are to be construed as if the United Kingdom continued to be a Member State.

(4) For the purposes of paragraph (2), references to provisions in the Council Framework Decision 2008/977/JHA on the protection of personal data processed in the framework of police and judicial cooperation in criminal matters are to be construed as references to relevant provisions in Part 3 of the Data Protection Act 2018 ^{M1}.

(5) In this paragraph—

“Eurodac” means the system including a central fingerprint database for the European Union as described in Article 3 of the Eurodac Regulation;

“the Eurodac Regulation” means Regulation (EU) No 603/2013.

Commencement Information

- II** Sch. 2 para. 10 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1(2)**

Marginal Citations

- M1** 2018 c. 12.

Changes to legislation:

There are currently no known outstanding effects for the The Immigration, Nationality and Asylum (EU Exit) Regulations 2019, Paragraph 10.