



Council of the
European Union

Brussels, 25 October 2017
(OR. en)

13690/17

**Interinstitutional File:
2017/0145 (COD)**

**DAPIX 351
DATAPROTECT 171
CODEC 1684
ENFOPOL 489
EUROJUST 162
FRONT 446
VISA 408
EURODAC 38
ASILE 79
SIRIS 178
CSCI 57
SAP 20
COMIX 719
JAI 969**

COVER NOTE

From:	Sir Tim Barrow, Permanent Representative of the United Kingdom to the EU
date of receipt:	23 October 2017
To:	Mr Andres Anvelt and Mr Urmas Reinsalu Presidents of the Justice and Home Affairs Council
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice, and amending Regulation (EC) 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) 1077/2011 - Notification made by the United Kingdom ("opt-in")

Delegations will find attached a letter from the Permanent Representative of the United Kingdom to the EU regarding the subject above.

IM 11057 2017
23.10.2017

UNCLASSIFIED



UK Representation
to the EU Brussels

The Permanent Representative
Sir Tim Barrow KCMG

Avenue d'Auderghem 10
1040 Brussels
Belgium

Tel.: +32 (2) 287 8271
Fax: + 32 (2) 287 8333
e-mail: ps.permrep@fco.gov.uk

23 October 2017

Mr Andres Anvelt and Mr Urmas Reinsalu
Presidents of the Justice and Home Affairs Council
Council of the European Union
Rue de la Loi 175
B1048 Brussels

Dear Mr Anvelt and Mr Reinsalu,

Proposal for a Regulation of the European Parliament and of the Council, on the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice, and amending Regulation (EC) 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) 1077/2011 (COM(2017) 352)

The purpose of this letter is to communicate the United Kingdom's formal notification, in accordance with Article 3(1) of the Protocol (No 21) to the Treaties on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice, that it intends to take part in the adoption and application of the proposal for a Regulation of the European Parliament and of the Council, on the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice, and amending Regulation (EC) 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) 1077/2011 (COM(2017) 352), to the extent that the measure does not build on the Schengen acquis.

For the avoidance of doubt, to the extent that the measure does build upon the Schengen acquis, the UK is taking part so far as its provisions relate to SIS II as governed by Decision 2007/533/JHA, in accordance with Article 5(1) of Protocol (No 19) on the Schengen acquis integrated into the framework of the European Union, annexed to the TEU and to the TFEU (Protocol on the Schengen acquis) and Article 8(2) of Council Decision 2000/365/EC of 20 May 2000 concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis.

UNCLASSIFIED



UK Representation
to the EU Brussels

The Permanent Representative
Sir Tim Barrow KCMG

Avenue d'Auderghem 10
1040 Brussels
Belgium

Tel.: +32 (2) 287 8271
Fax: + 32 (2) 287 8333
e-mail: ps.permrep@fco.gov.uk

I am copying this letter to Alexander Italianer, Secretary General of the Commission
and Jeppe Tranholm-Mikkelsen, Secretary General of the Council.

Yours,

SIR TIM BARROW