



Council of the
European Union

Brussels, 11 October 2021
(OR. en)

11861/1/21
REV 1

LIMITE

UK 207

NOTE

From: General Secretariat of the Council

To: Delegations

Subject: Notification by the European Union made in accordance with the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part

Delegations will find in the Annex the notification by the European Union to the United Kingdom of Great Britain and Northern Ireland under the Trade and Cooperation Agreement.

The European Union hereby notifies the United Kingdom of the following in relation to the Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part (the 'Trade and Cooperation Agreement').

I. REVISION TO THE LIST OF COMPETENT AUTHORITIES

The details below replace or amend the corresponding details notified to the United Kingdom on 29 January 2021.

1. LIST OF PROVISIONS OF THE TRADE AND COOPERATION AGREEMENT WHICH REQUIRE A NOTIFICATION TO BE MADE UPON THE ENTRY INTO FORCE OR START OF APPLICATION OF THAT AGREEMENT

b) Article 690(7)(b)¹: Notification of the authority competent by virtue of the domestic law of each Member State to execute an arrest warrant

Finland

Helsinki District Court

Sweden

Public prosecutors and general courts

c) Article 690(7)(b)²: Notification of the authority competent by virtue of the domestic law of each Member State to issue an arrest warrant

Denmark

The Danish courts are competent to issue an arrest warrant.

Finland

Public Prosecutors

¹ ex Article LAW.OTHER.134(7)(b)

² ex Article LAW.OTHER.134(7)(b)

Sweden

Public prosecutors

d) Article 690(7)(c)³: Notification of the authority competent for receiving requests for transit through the Member State's territory of a requested person who is to be surrendered

Sweden

The Swedish Police Authority

The National Operations Department (NOA)

Box 12256

10226 Stockholm

e) Article 690(7)(e)⁴: Notification of the central authority competent for the exchange of information extracted from the criminal record under Title IX and for the exchanges referred to in Article 22(2) of the European Convention on Mutual Assistance in Criminal Matters

Finland

Legal Register Centre

PO Box 157

FI-13101 Hämeenlinna

FINLAND

Email: ecris@om.fi

3. OTHER NOTIFICATIONS

a) Member States that wish to notify its central authority, or, if the legal system of the relevant Member State so provides, its central authorities, to assist the judicial authorities competent to issue and execute an arrest warrant

³ ex Article LAW.OTHER.134(7)(c)

⁴ ex Article LAW.OTHER.134(7)(e)

Sweden withdraws its notification.

II. REVISION OF THE OTHER NOTIFICATIONS UNDER THE TRADE AND COOPERATION AGREEMENT

The details below replace or amend the corresponding details notified to the United Kingdom on 26 February 2021.

2. Notification under Article 611(4)/Article 690(1)⁵

Sweden allows the revocation of consent to surrender as well as the revocation of a renunciation of entitlement to the speciality rule. In accordance with general principles of procedural law, a revocation of consent to surrender will be considered if it is made before the decision on surrender is made. A revocation of a renunciation of entitlement to the speciality rule will be considered if it is made before the decision on surrender is executed.

The applicable procedures in case of revocation are as follows:

Revocation of consent to surrender

The requested person can revoke his or her consent to surrender by informing the public prosecutor before the decision on surrender is made. The revocation should be noted on a form for that purpose.

Revocation of a renunciation of entitlement to the speciality rule

The requested person can revoke his or her consent to a renunciation of entitlement to the speciality rule by informing the public prosecutor or the police before the decision on surrender is executed. The revocation should be noted on a form for that purpose.

3. Notification under Article 603(2))/Article 690(1)⁶

Denmark withdraws its notification.

⁵ ex Article LAW.SURR.91(4)/Article LAW.OTHER.134(1)

⁶ ex Article LAW.SURR.83(2)/Article LAW.OTHER.134(1)

III. ADDITIONAL OTHER NOTIFICATIONS

The notifications below are added to the notifications made to the United Kingdom on 26 February 2021 and 17 May 2021.

1. Notification under Article 599(4)/Article 690(2)⁷

The European Union notifies, on behalf of the following State, that, on the basis of reciprocity, the condition of double criminality referred to in Article 599(2) will not be applied provided that the offence on which the warrant is based is one of the offences listed under Article 599(5), as defined by the law of the issuing State, and punishable in the issuing State by a custodial sentence or a detention order for a maximum period of at least three years:

Denmark

4. Notification under Article 606(2)/Article 690(2)⁸

The European Union makes, on behalf of the following Member States, the following notification on accepting an arrest warrant issued or translated in one or more other languages of the States:

Sweden accepts arrest warrants in English besides in Swedish.

8. Notification under Article 659(4)/Article 690(2)⁹

The European Union notifies, on behalf of the following Member States, that Article 659 will be extended to accounts held in non-bank financial institutions:

Sweden. This notification is not subject to the principle of reciprocity.

9. Notification under Article 660(5)/Article 690(2)¹⁰

The European Union notifies, on behalf of the following Member States, that Article 660 will be extended to accounts held in non-bank financial institutions:

Sweden. This notification is not subject to the principle of reciprocity.

⁷ ex Article LAW.SURR.79(4)/Article LAW.OTHER.134(2)

⁸ ex Article LAW.SURR.86(2)/Article LAW.OTHER.134(2)

⁹ ex Article LAW.CONFISC.4(4)/Article LAW.OTHER.134(2)

¹⁰ ex Article LAW.CONFISC.5(5)/Article LAW.OTHER.134(2)

10. Notification under Article 661(5)/Article 690(2)¹¹

The European Union notifies, on behalf of the following Member States, that Article 661 will be extended to accounts held in non-bank financial institutions:

Sweden. This notification is not subject to the principle of reciprocity.

12. NOTIFICATION UNDER ARTICLE 678(3)/ARTICLE 690(2)¹²

The European Union notifies, on behalf of the following Member States, of the following language or languages which, in addition to the official language or languages of that Member State, may be used for making requests under Title eleven of this Agreement:

Sweden: English

¹¹ ex Article LAW.CONFISC.6/Article LAW.OTHER.134(2)

¹² ex Article LAW.CONFISC.23(3)/Article LAW.OTHER.134(2)