Council of the European Union

Brussels, 8 April 2026
(OR. en)

5976/26

Interinstitutional File: 2026/0027 (NLE)

LIMITE

UK 15
IXIM 33
CRIMORG 35
ENFOPOL 33
JAI 148

PUBLIC

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	5878/26 + ADD 1
Subject:	Council Decision on the position to be taken on behalf of the European Union vis-à-vis the United Kingdom of Great Britain and Northern Ireland regarding the determination under Article 540(2) of 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, of the date from which personal data under Article 537 of that Agreement may be supplied by Member States to the United Kingdom - Adoption

1. On 30 January 2026, the Commission submitted to the Council a proposal for a Council decision on the position to be taken on behalf of the European Union vis-à-vis the United Kingdom of Great Britain and Northern Ireland regarding the determination under Article 540(2) of 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 (TCA), of the date from which personal data under Article 537 of that Agreement may be supplied by Member States to the United Kingdom, as set out in documents ST 5878/26 + ADD 1.

2. The preparatory work, including the development and analysis of a questionnaire relating to the automated exchange of vehicle registration data pursuant to Article 1 of Chapter 4 of Annex 39 to TCA, organisation of the pilot run pursuant to Article 2 of Chapter 4 of Annex 39 to TCA and of the evaluation visit pursuant to Article 3 of Chapter 4 of Annex 39 to TCA has been conducted by the Council Working Party on JHA Information Exchange and the Council Working Party on the United Kingdom on 13 November 2024.

3. Pursuant to Article 5 of Chapter 4 of Annex 39 to TCA, the overall evaluation report, summarising the results of the questionnaire, the evaluation visit and the pilot run, was presented to the Council on 27 October 2025.

4. The Commission presented the proposal on 3 February 2026 to the Working Party on the United Kingdom. After an examination of the above proposal, the Working Party on the United Kingdom in its meeting on 24 March 2026 reached an agreement on the text as set out in documents ST 5889/26 REV1 + ADD 1.

5. The missing date in recital 9 of the Council Decision (ST 5975/26) and in the Declaration by the Union (ST 5975/26 ADD1) will be inserted prior to the Council adoption.

6. In light of the above, the Permanent Representatives Committee is invited to:

   – confirm its agreement on the text of the Council Decision on the position to be taken on behalf of the European Union vis-à-vis the United Kingdom of Great Britain and Northern Ireland regarding the determination under Article 540(2) of 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 (TCA), of the date from which personal data under Article 537 of that Agreement may be supplied by Member States to the United Kingdom, as set out, after finalisation by the legal linguists, in documents ST 5975/26 + ADD 1;

   – recommend that the Council adopts the above-mentioned Council Decision set out in documents ST 5975/26 + ADD 1.

7. The European Parliament will be informed of this decision in accordance with Article 218(10) TFEU.

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