





Procedure file

Basic information	
CNS - Consultation procedure	2015/0806(CNS)
Automated data exchange with regard to dactyloscopic data in Poland	
See also Decision 2008/615/JHA 2007/0804(CNS)	
Subject	
1.20.09 Protection of privacy and data protection	
7.30 Police, judicial and customs cooperation in general	
Geographical area	
Poland	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Civil Liberties, Justice and Home Affairs	 BEŇOVÁ Monika	14/09/2015
		Shadow rapporteur	
		 UNGUREANU Traian	
		 HYUSMENOVA Filiz	
Council of the European Union	Council configuration	Meeting	Date
	Economic and Financial Affairs ECOFIN	3421	10/11/2015
European Commission	Commission DG	Commissioner	
	Migration and Home Affairs	AVRAMOPOULOS Dimitris	

Key events			
15/07/2015	Legislative proposal published	09989/2015	Summary
07/09/2015	Committee referral announced in Parliament		
13/10/2015	Vote in committee		
16/10/2015	Committee report tabled for plenary, 1st reading/single reading	A8-0302/2015	Summary
27/10/2015	Results of vote in Parliament		
27/10/2015	Decision by Parliament	T8-0365/2015	Summary

10/11/2015	Act adopted by Council after consultation of Parliament		
10/11/2015	End of procedure in Parliament		
11/11/2015	Final act published in Official Journal		

Technical information

Procedure reference	2015/0806(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
	See also Decision 2008/615/JHA 2007/0804(CNS)
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/03989

Documentation gateway

Legislative proposal	09989/2015	15/07/2015	CSL	Summary
Committee draft report	PE567.638	21/09/2015	EP	
Committee report tabled for plenary, 1st reading/single reading	A8-0302/2015	16/10/2015	EP	Summary
Text adopted by Parliament, 1st reading/single reading	T8-0365/2015	27/10/2015	EP	Summary

Final act

[Decision 2015/2009](#)
[OJ L 294 11.11.2015, p. 0070](#) Summary

Automated data exchange with regard to dactyloscopic data in Poland

PURPOSE: to launch of automated data exchange with regard to dactyloscopic data (fingerprints) in Poland.

PROPOSED ACT: Council implementing Decision.

ROLE OF THE EUROPEAN PARLIAMENT: the Council adopts the act after consulting the European Parliament but without being obliged to follow its opinion.

BACKGROUND: according to [Decision 2008/615/JHA](#) on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, the supply of personal data provided for under that Decision may not take place until the general provisions on data protection have been implemented in the national law of the territories of the Member States involved in such supply.

[Council Decision 2008/616/JHA](#) provides that the verification that the above condition has been met with respect to automated data exchange in accordance with Decision 2008/615/JHA is to be done on the basis of: (i) an evaluation report based on a questionnaire, (ii) an evaluation visit and (iii) a pilot run.

Poland has completed the questionnaire on data protection and the questionnaire on dactyloscopic data exchange. A successful pilot run has been carried out by Poland with Austria.

An evaluation visit has taken place in Poland.

On the basis of an overall evaluation report presented to it, the Council concluded, on 13 July 2015, that Poland had fully implemented the general provisions on data protection set out in Chapter 6 of Decision 2008/615/JHA.

CONTENT: the proposed Council implementing Decision seeks to authorise Poland to receive and supply personal data pursuant to Decision 2008/615/JHA as from the date of entry into force of the Decision.

Denmark and Ireland shall participate in the adoption of the proposed Decision whereas the United Kingdom shall not take part.

Automated data exchange with regard to dactyloscopic data in Poland

The Committee on Civil Liberties, Justice and Home Affairs adopted, in the framework of a special legislative procedure (Parliaments consultation), the report by Monika FLÁÍKOVÁ BE?OVÁ (S&D, SK) on the draft Council implementing decision on the launch of automated data exchange with regard to dactyloscopic data in Poland.

The committee approved the Council draft without amendment.

The proposed Council implementing Decision seeks to authorise Poland to receive and supply personal data pursuant to [Decision 2008/615/JHA](#) on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime.

Automated data exchange with regard to dactyloscopic data in Poland

The European Parliament adopted by 582 votes to 41, with 60 abstentions, in the framework of a special legislative procedure (Parliaments consultation), a legislative resolution on the draft Council implementing decision on the launch of automated data exchange with regard to dactyloscopic data in Poland.

Parliament approved the Council draft without amendment.

Automated data exchange with regard to dactyloscopic data in Poland

PURPOSE: to launch of automated data exchange with regard to dactyloscopic data (fingerprints) in Poland.

NON-LEGISLATIVE ACT: Council Implementing Decision (EU) 2015/2009 on the launch of automated data exchange with regard to dactyloscopic data in Poland.

CONTENT: by this Implementing Decision and for the purposes of automated searching of dactyloscopic data, Poland is entitled to receive and supply personal data pursuant to [Decision 2008/615/JHA](#) as from 12 November 2015. The United Kingdom is not bound by this Decision nor is it subject to its application.

To recall, according to Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, the supply of personal data provided for under that Decision may not take place until the general provisions on data protection set out in Chapter 6 of that Decision have been implemented in the national law of the territories of the Member States involved in such supply.

An overall evaluation report, summarising the results of a questionnaire, the evaluation visit and the pilot run concerning dactyloscopic data exchange, has been presented to the Council.

On 13 July 2015, the Council concluded that Poland had fully implemented the general provisions on data protection set out in Chapter 6 of Decision 2008/615/JHA.

ENTRY INTO FORCE: 12.11.2015.