This document is meant purely as a documentation tool and the institutions do not assume any liability for its contents

►B ►C1 **COUNCIL DECISION 2006/1007/JHA**

of 21 December 2006

amending Decision 2001/886/JHA on the development of the second generation Schengen Information System (SIS II) ◄

(OJ L 411, 30.12.2006, p. 78)

Corrected by:

►C1 Corrigendum, OJ L 27, 2.2.2007, p. 43 (2006/1007/JHA)

▼B
▼C1

COUNCIL DECISION 2006/1007/JHA

of 21 December 2006

amending Decision 2001/886/JHA on the development of the second generation Schengen Information System (SIS II)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 30(1)(a) and (b), Article 31(1)(a) and (b) and Article 34(2)(c) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas:

(1) Council Regulation (EC) No 2424/2001 of 6 December 2001 on the development of the second generation Schengen Information System (SIS II) [1] and Council Decision 2001/886/JHA [2] constitute the required legislative basis to allow for the inclusion in the budget of the European Union of the necessary financial appropriations for the development of SIS II and the execution of that part of the budget. Decision 2001/886/JHA and Regulation (EC) No 2424/2001 both expire on 31 December 2006.

(2) The development of SIS II will take longer than initially foreseen, requiring the availability of financial appropriations beyond 31 December 2006.

(3) It is therefore necessary to extend the period of validity of Decision 2001/886/JHA so that the Commission can implement the budget after 2006 in order to complete the project for the development of SIS II, including the establishment of the communication infrastructure.

(4) Council Conclusions of 29 April 2004 state that for the development phase of SIS II the central unit of SIS II shall be located in France and the back-up central unit shall be located in Austria subject to certain arrangements that will be necessary before the sites become operational. Operational management and responsibility for liaison with the Commission for the sites shall be the responsibility of France and Austria respectively.

[1] OJ L 328, 13.12.2001, p. 4.
[2] OJ L 328, 13.12.2001, p. 1.

▼C1

(5) It is also necessary to confer on the Commission the responsibility for the preparation of technical integration into SIS II, in particular of the Member States which have acceded to the European Union in 2004.

(6) Decision 2001/886/JHA should, therefore, be amended accordingly.

(7) This Decision is without prejudice to the adoption in the future of legislative instruments for the establishment, operation and use of SIS II.

(8) The United Kingdom is taking part in this Decision in accordance with Article 5 of the Protocol integrating the Schengen *acquis* into the framework of the European Union annexed to the Treaty on European Union and to the Treaty establishing European Community, and Article 8(2) of Council Decision 2000/365/EC of 29 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* ([1]).

(9) Ireland is taking part in this Decision in accordance with Article 5 of the Protocol integrating the Schengen *acquis* into the framework of the European Union annexed to the Treaty on European Union and to the Treaty establishing European Community, and Article 5(1) and 6(2) of Council Decision 2002/192/EC of 28 February 2002 concerning Ireland's request to take part in some of the provisions of the Schengen *acquis* ([2]).

(10) As regards Iceland and Norway, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the association of those two States with the implementation, application and development of the Schengen *acquis* which fall within the area referred to in Article 1(G) of Council Decision 1999/437/EC ([3]) on certain arrangements for the application of that Agreement.

(11) As regards Switzerland, this Decision constitutes a development of the provisions of the Schengen *acquis* within the meaning of the Agreement signed between the European Union, the European Community and the Swiss Confederation concerning the association of the Swiss Confederation with the implementation, application and development of the Schengen *acquis*, which fall within the area referred to in Article 1(G) of Decision 1999/437/EC read in conjunction with Article 4(1) of Council Decision 2004/849/EC ([4]) on the signing, on behalf of the European Union, and on the provisional application of certain provisions of that Agreement,

([1]) OJ L 131, 1.6.2000, p. 43.
([2]) OJ L 64, 7.3.2002, p. 20.
([3]) OJ L 176, 10.7.1999, p. 31.
([4]) OJ L 368, 15.12.2004, p. 26.

▼C1

HAS DECIDED AS FOLLOWS:

Article 1

Decision 2001/886/JHA is hereby amended as follows:

1. the following sentence shall be added to Article 2:

   ‘The development comprises the preparation of technical integration into SIS II, in particular of the Member States which have acceded to the European Union in 2004.’;

2. the following Article shall be inserted:

   ‘Article 4A

   1. Without prejudice to the Commission's responsibility for the development of SIS II, the central unit of SIS II shall be located in Strasbourg (France) and the back-up central unit in Sankt Johann im Pongau (Austria) during the development of the system.

   2. France and Austria shall provide the appropriate infrastructure and means to host the central unit and the back-up central unit of SIS II respectively during the development of the system.

   3. The national authority providing for the infrastructure and means referred to in paragraph 2 may receive a Community grant for the preparation and maintenance of the site or for providing other services necessary for hosting SIS II during its development.’;

3. in Article 7, the second subparagraph shall be replaced by the following:

   ‘It shall expire on 31 December 2008.’

Article 2

This Decision shall take effect on the day following its publication in the *Official Journal of the European Union*.