



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

From: Belgium, Bulgaria, the Czech Republic, Germany, Estonia, Greece, Spain, France, Croatia, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland and Sweden

To: Delegations

Subject: Initiative of Belgium, Bulgaria, the Czech Republic, Germany, Estonia, Greece, Spain, France, Croatia, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland and Sweden for a Regulation of the European Parliament and of the Council amending Decision 2005/681/JHA establishing the European Police College (CEPOL)

Delegations will find enclosed the letter (Annex 1) of a group of Member States presenting the initiative for a Regulation of the European Parliament and of the Council amending Decision 2005/681/JHA establishing the European Police College (CEPOL) (Annex 2).

13 November 2013

Mr. Uwe Corsepius
Secretary-General
General Secretariat of the Council of the
European Union
175 Rue de la Loi
1048 Brussels

Sir,

Pursuant to Article 76(b) of the Treaty on the Functioning of the European Union (TFEU), please find attached an initiative for a Regulation of the European Parliament and of the Council amending Decision 2005/681/JHA establishing the European Police College (CEPOL).

The initiative, which is based on Article 87(2)(b) of the TFEU, is accompanied by an explanatory memorandum allowing to assess compliance with the principles of subsidiarity and proportionality, in conformity with Article 5 of Protocol N° 2 to the Treaties, and an impact assessment.

The initiative is presented by the Member States mentioned below, in accordance with Article 76(b) of the TFEU.

We would be grateful if you could ensure that this initiative is translated into all the official languages of the Institutions of the European Union. Furthermore, please ensure that it is forwarded to the European Parliament in the framework of the ordinary legislative procedure, as well as forwarded to the national Parliaments in accordance with Article 4 of the above mentioned Protocol N° 2, and published in the Official Journal in conformity with Article 17(1)(c) of the Council's Rules of Procedure.

Yours sincerely,

(signed)
Dirk WOUTERS
Permanent Representative of Belgium
to the EU

(signed)
Dimitar TZANTCHEV
Permanent Representative of Bulgaria
to the EU

(signed)
Martin POVEJSIL
Permanent Representative of the
Czech Republic to the EU

(signed)
Peter TEMPEL
Permanent Representative of
Germany to the EU

(signed)
Matti MAASIKAS
Permanent Representative of Estonia
to the EU

(signed)
Théodoros N. SOTIROPOULOS
Permanent Representative of Greece
to the EU

(signed)
Alfonso DASTIS QUECEDO
Permanent Representative of Spain to
the EU

(signed)
Philippe ETIENNE
Permanent Representative of France
to the EU

(signed)
Mato ŠKRABALO
Permanent Representative of Croatia
to the EU

(signed)
Stefano SANNINO
Permanent Representative of Italy to
the EU

(signed)
Kornelios S. KORNELIOU
Permanent Representative of Cyprus
to the EU

(signed)
Ilze JUHANSONE
Permanent Representative of Latvia to
the EU

(signed)
Raimundas KAROBLIS
Permanent Representative of
Lithuania to the EU

(signed)
Christian BRAUN
Permanent Representative of
Luxembourg to the EU

(signed)
Péter GYÖRKÖS
Permanent Representative of Hungary
to the EU

(signed)
Marlene BONNICI
Permanent Representative of Malta to
the EU

(signed)
Pieter DE GOOIJER
Permanent Representative of the
Netherlands to the EU

(signed)
Walter GRAHAMMER
Permanent Representative of Austria
to the EU

(signed)
Marek PRAWDA
Permanent Representative of Poland
to the EU

(signed)
Domingos FEZAS VITAL
Permanent Representative of Portugal
to the EU

(signed)
Mihnea Ioan MOTOC
Permanent Representative of Romania
to the EU

(signed)
Rado GENORIO
Permanent Representative of Slovenia
to the EU

(signed)
Ivan KORČOK
Permanent Representative of Slovakia
to the EU

(signed)
Pilvi-Sisko VIERROS-
VILLENEUVE
Permanent Representative of Finland
to the EU

(signed)
Jan OLSSON
Chargé d'Affairs of the Permanent
Representation of Sweden to the EU

REGULATION (EU) No [xx/year]
OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of ...

amending Decision 2005/681/JHA

establishing the European Police College (CEPOL)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 87(2)(b) thereof,

Having regard to the initiative of Belgium, Bulgaria, the Czech Republic, Germany, Estonia, Greece, Spain, France, Croatia, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland and Sweden,¹

After transmission of the draft legislative act to the national parliaments,

Acting in accordance with the ordinary legislative procedure,

¹ OJ C

Whereas:

- (1) According to Article 4 of Council Decision 2005/681/JHA establishing the European Police College (CEPOL), CEPOL has its seat in Bramshill, United Kingdom.
- (2) By letters of 12 December 2012 and 8 February 2013, the United Kingdom informed CEPOL that it no longer wishes to host the seat on its territory. Apart from hosting CEPOL, Bramshill also hosts a national police training site of the National Policing Improvement Agency which the United Kingdom decided to replace by a new College of Policing to be located elsewhere. The United Kingdom has therefore decided to close the national police training site at Bramshill and to sell the site indicating that the related costs were high and no alternative business model to run the site had emerged.
- (3) In view of this situation, on 8 October 2013, the representatives of the Governments of the Member States agreed by common accord on arrangements to host CEPOL according to which CEPOL will be hosted in Budapest as soon as it moves from Bramshill. This agreement should be incorporated in Council Decision 2005/681/JHA.
- (4) In accordance with Articles 1 and 2 of Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and without prejudice to Article 4 of that Protocol, those Member States are not taking part in the adoption of this Regulation and are not bound by it or subject to its application.

OR

- (5) In accordance with Article 3 of Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, those Member States have notified their wish to take part in the adoption and application of this Regulation.

- (6) In accordance with Articles 1 and 2 of Protocol (No 22) on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.

HAVE ADOPTED THIS REGULATION:

Article 1

Council Decision 2005/681/JHA is hereby amended as follows:

Article 4 Seat shall read as follows:

"The seat of CEPOL shall be in Budapest, Hungary."

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

It shall apply from (...) 2014.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at ..., ...

For the European Parliament

The President

...

For the Council

The President

...