



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 26 July 2013

12750/13

**JAI 670
CATS 39
JUR 387
POLGEN 152**

COVER NOTE

from: General Secretariat of the Council
to: Delegations
Subject: UK notification according to Article 10(4) of Protocol No 36 to TEU and TFEU

Delegations will find attached a letter of 24 July 2013 from the Permanent Representative of the United Kingdom to the Presidents of the Justice and Home Affairs Council.



UK Representation
to the EU Brussels

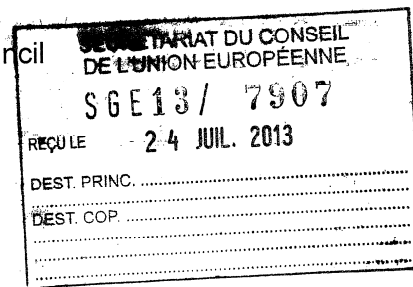
The Permanent Representative
Sir Jon Cunliffe KCMG

Avenue d'Auderghem 10
1040 Brussels
Belgium

Tel.: +32 (2) 287 8271
Fax: +32 (2) 287 8333
e-mail: jon.cunliffe@fco.gov.uk

Wednesday, 24 July 2013

Mr Bernatonis and Mr Barakauskas
Presidents of the Justice and Home Affairs Council
Council of the European Union
Rue de la Loi 175
B1048 Brussels



Dear Ministers,

I am writing to notify you that pursuant to Article 10(4) of Protocol (No 36) on Transitional Provisions annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union, the United Kingdom does not accept, with respect to the acts referred to in paragraph 1 of that Article, the powers of the institutions referred to in paragraph 1 as set out in the Treaties. Accordingly, those acts will cease to apply to the United Kingdom from 1 December 2014.

Please find enclosed a letter from The Rt Hon David Cameron MP, Prime Minister of the United Kingdom of Great Britain and Northern Ireland to Her Excellency Dalia Grybauskaitė, President of the Republic of Lithuania.

I am copying this letter to Catherine Day, Secretary General of the Commission and Uwe Corsepius, Secretary General of the Council.

*Yours,
Jon Cunliffe*

JON CUNLIFFE



10 DOWNING STREET
LONDON SW1A 2AA

24 July 2013

THE PRIME MINISTER

Dear President Grybauskaitė,

On Tuesday 9 July, the Home Secretary announced to our Parliament that the UK would opt out of all Acts in the field of police and judicial cooperation in criminal matters adopted prior to 1 December 2009 and seek to opt back into 35 measures that we consider to be central to EU co-operation in this field. Parliamentary committees in the UK will consider the Government's position on seeking to opt back into certain measures and will report in the autumn.

Further to the Home Secretary's announcement and subsequent votes in both Houses of Parliament, I write to notify you that pursuant to Article 10 (4) of Protocol 36 to the Treaty on European Union and the Treaty on the Functioning of the European Union, the UK does not accept the powers of the Commission and the Court of Justice of the European Union in respect of those Acts as referred to in Article 10 (1) of Protocol 36.

We look forward to working closely with you, the Council, Commission and other member states in making progress on this matter. Senior officials from the UK will start informal discussions with member states and the relevant EU institutions shortly.

Yours sincerely,
David Cameron

Her Excellency President Dalia Grybauskaitė