SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5326 GIBRALTAR Tuesday 14th July 2026

LEGAL NOTICE NO. 213 OF 2026

TREATY ON GIBRALTAR AND THE EUROPEAN UNION ACT 2026

TGEU IMPLEMENTATION (EXCHANGE OF CRIMINAL RECORD INFORMATION) REGULATIONS 2026

In exercise of the powers conferred on the Government by section 13 of the Treaty on Gibraltar and the European Union Act 2026, and all other enabling powers, for the purposes of implementing Chapter 4 of Title V, of Part Two, and Annex 12 of the Agreement in respect of Gibraltar 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; and for connected purposes, the Government has made these Regulations—

Title.

1. These Regulations may be cited as the TGEU Implementation (Exchange of Criminal Record Information) Regulations 2026.

Commencement.

2. These Regulations come into operation on the Implementation Date.

Interpretation.

3.(1) In these regulations-

"central authority" means-

(a) for Gibraltar, in accordance with Article 108 of the TGEU, the central authority designated pursuant to Article 645 of the Trade and Cooperation Agreement;

(b) for Member States, the authority designated by that Member State as competent pursuant to Article 645 of the Trade and Cooperation Agreement;

"conviction" means a final decision of a criminal court against an individual in respect of a criminal offence, to the extent that it is–

(a) in the case of Gibraltar, entered in the Gibraltar criminal records database and includes a spent conviction if it is entered in the criminal records database of Gibraltar; and

(b) for Member States, entered in the criminal records database of the relevant Member State;

"criminal proceedings" means-

(a) proceedings before a court for dealing with an individual accused of an offence; or

(b) proceedings before a court for dealing with an individual convicted of an offence, including proceedings in respect of a sentence or order;

"criminal records database" means-

(a) in relation to Gibraltar, the names database held by the Commissioner of the Royal Gibraltar Police;

(b) in relation to a Member State, the names database maintained in respect of the Member State that corresponds to the criminal records database for Gibraltar;

"the data protection legislation" has the meaning given in section 2 of the Data Protection Act 2004;

"day" means a calendar day;

"Gibraltar Resident" means a UK national holding a valid identity card or residence permit issued in Gibraltar on behalf of the Government of Gibraltar;

"the law enforcement purposes" means the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, including the safeguarding against and the prevention of threats to public security;

"spent conviction" has the meaning given to it in section 2(1) of the Criminal Procedure and Evidence Act 2011;

"Trade and Cooperation Agreement" means the 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 which entered into force on 1 May 2021;

"UK national" means an individual who is-

(a) a British citizen, a British overseas territories citizen, a British National (Overseas) or a British Overseas citizen,

(b) a person who under the British Nationality Act 1981 is a British subject, or

(c) a British protected person within the meaning of that Act.

(2) Section 519 of the Criminal Procedure and Evidence Act 2011 (which deems a conviction of a person discharged not to be a conviction) does not apply for the purposes of these Regulations to a conviction of an individual for an offence in respect of which an order has been made discharging the individual absolutely or conditionally.

Purpose.

4. The purpose of these Regulations is to give effect to Chapter 4 of Title V of Part Two and Annex 12 to the TGEU.

Designated person.

5.(1) In order to facilitate the exchange of information referred to in Articles 106 to 114 of and Annex 12 to the TGEU, for the purposes of these Regulations the Commissioner of Police is designated as the person ("the designated person") responsible for-

(a) the extraction of information contained in the Gibraltar criminal records database;

(b) the recording of information received in the Gibraltar criminal records database;

(c) requesting or receiving information from, or providing information to, the central authority for Gibraltar; and

(d) fulfilling any other obligation set out in these Regulations.

(2) The Commissioner of Police may discharge his responsibilities under these Regulations through any officer under his command.

(3) The Minister with responsibility for justice may from time to time, by notice in the Gazette, appoint a person to be the designated person in place of the Commissioner of Police.

Duty to notify Member States of convictions.

6.(1) This regulation applies where-

(a) an individual who is a national of a Member State has been convicted by or before a court in Gibraltar; and

(b) the conviction is recorded in the Gibraltar criminal records database.

(2) The designated person must provide the central authority for Gibraltar with details of the conviction so that it may notify the central authority of the relevant Member State.

(3) If the individual is a national of more than one Member State, the designated person must notify the central authority for Gibraltar accordingly so that it can notify the central authority of each of those Member States of the conviction.

(4) Notification under this regulation must be given to the relevant Member State before the end of the period of 28 days beginning with the day on which the conviction is recorded in the criminal records database for Gibraltar.

(5) A notification under this regulation-

(a) must include the information listed in Schedule 1; and

(b) may include any other information that the designated person considers appropriate.

(6) If the record of the conviction is amended so as to alter or delete any of the information, subregulations (2) to (5) apply in relation to the amendment as they apply in relation to the conviction.

(7) Nothing in this regulation requires the designated person to disclose any information if the disclosure would contravene the data protection legislation (but, in determining whether the disclosure would contravene that legislation, the duties imposed by this regulation are to be taken into account).

(8) For the purposes of this regulation it does not matter if the individual is a Gibraltar Resident as well as a national of a Member State.

Retention of information received from Member States.

7.(1) This regulation applies where-

(a) an individual who is a Gibraltar Resident has been convicted under the law of a Member State; and

(b) the central authority of the Member State notifies the central authority for Gibraltar of the conviction.

(2) The designated person must, on receipt of the information from the central authority for Gibraltar, retain a record of-

(a) the conviction; and

(b) any other information listed in Schedule 1 that is included in the notification.

(3) The record may be retained in whatever way the designated person considers appropriate, subject to the data protection legislation.

(4) If the designated person is notified by the central authority for Gibraltar of any amendment or deletion relating to the information contained in the record, the designated person shall amend the record accordingly.

(5) Nothing in this regulation requires the designated person to retain any information if the retention would contravene the data protection legislation (but, in determining whether the retention would contravene that legislation, the duty imposed by subregulation (2) is to be taken into account).

Transfers to third countries of personal data notified under regulation 7.

8.(1) Subject to subregulation (2), personal data notified to the designated person as mentioned in regulation 7 may not be transferred to a third country unless the conditions in subregulation (3) are met.

(2) This regulation shall not apply to the transfer of personal data notified to the designated person as mentioned in regulation 7, where the designated person is transferring that data to the central authority for Gibraltar in accordance with his obligations under regulation 10.

(3) The conditions are-

(a) the personal data are disclosed only on a case-by-case basis;

(b) the functions of the authority to which the personal data are to be disclosed are directly related to the purposes for which the personal data are disclosed under (c) below;

(c) the personal data are disclosed only if necessary;

(i) for the purposes of criminal proceedings;

(ii) any purposes other than that of criminal proceedings; or

(iii) to prevent an immediate and serious threat to public security;

(d) the personal data may be used by the requesting third country only for the purposes for which it was requested and within the limits specified by the Member State from which the personal data was received; and

(e) the personal data are disclosed only if the designated person, having assessed all the circumstances surrounding the transfer of the personal data to the third country, concludes that appropriate safeguards exist to protect that personal data.

(4) This regulation does not apply to personal data recorded in the Gibraltar criminal records database which was obtained other than via a notification received and stored in accordance with regulation 7.

(5) See also section 82 of the Data Protection Act 2004 for the additional conditions that must be met before personal data may be transferred to a third country (in particular, that the transfer must be necessary for any of the law enforcement purposes).

(6) Where personal data within subregulation (1) is transferred to a third country, the person making the transfer must make it a condition of the transfer that the data may be used only for the purpose for which it is being transferred.

(7) In this regulation-

"personal data" has the same meaning as in the Data Protection Act 2004 (see section 2(1) of that Act);

"third country" means a country or territory other than-

(a) Gibraltar; or

(b) a Member State.

Requests for information from Member States.

9.(1) The designated person may, for any of the law enforcement purposes, make a request to the central authority of a Member State, via the central authority for Gibraltar, for information relating to any overseas conviction of an individual recorded in a criminal records database of the Member State.

(2) If an individual who is a national of a Member State makes a request to the designated person for information relating to the individual's overseas convictions, the designated person must make a request, via the central authority for Gibraltar, to the central authority of that Member State for information relating to any overseas convictions of the individual recorded in a criminal records database of the Member State.

(3) If the individual is a national of more than one Member State, the designated person must address the request to the central authority of each of those Member States for the information.

(4) Any information provided to the designated person in response to a request made under this regulation may be used only-

(a) for the purpose or purposes for which it was requested; and

(b) in accordance with any restrictions specified by the central authority that provided it.

(5) But subregulation (4) does not prohibit the use of such information for the purpose of preventing an immediate and serious threat to public security.

(6) In this regulation "overseas conviction" means a conviction under the law of a country or territory outside Gibraltar.

Requests for information made by Member States.

10.(1) If-

(a) the central authority of a Member State makes a request to the central authority for Gibraltar for information relating to an individual's convictions, and

(b) conditions A and B are met,

the designated person must, after receipt of the request from the central authority for Gibraltar, provide the information to the central authority for Gibraltar so that it may transmit the information to the requesting Member State (but see subregulation (5)) before the end of the relevant period.

(2) Condition A is that the request is made-

(a) for any of the law enforcement purposes, or

(b) for the purposes of enabling the central authority to comply with a request made by an individual who is a Gibraltar Resident for information relating to the individual's convictions.

(3) Condition B is that the information-

(a) is recorded in the criminal records database, or

(b) is retained in accordance with regulation 7.

(4) "The relevant period" means the period of 20 working days beginning with the day on which the central authority for Gibraltar receives the request.

(5) Subregulation (1) does not require the designated person to provide any information relating to a conviction that is spent unless-

(a) the request has been made for the purposes of any criminal investigation or criminal proceedings; or

(b) subregulation (6) applies.

(6) If the request has been made for the purposes of determining the suitability of an individual to work with children, the information to be provided under subregulation (1) must include any information relating to any conviction of the individual for a child sexual offence (whether or not spent).

(7) Nothing in this regulation requires the designated person to disclose any information if the disclosure would contravene the data protection legislation (but, in determining whether

the disclosure would contravene that legislation, the duties imposed by this regulation are to be taken into account).

(8) In this regulation-

"ancillary offence" means-

(a) an offence of attempting or conspiring to commit a child sexual offence,

(b) an offence under sections 36 to 38 of the Crimes Act 2011 in relation to a child sexual offence,

(c) an offence of inciting a person to commit a child sexual offence, or

(d) an offence of aiding, abetting, counselling or procuring the commission of a child sexual offence;

"child" means an individual under the age of 18;

"child sexual offence" means-

(a) an offence consisting of-

(i) the sexual abuse or sexual exploitation of a child, or

(ii) conduct relating to such abuse or exploitation,

(b) an offence relating to indecent images of a child,

(c) an offence consisting of any other behaviour carried out in relation to a child that is of a sexual nature or carried out for sexual purposes, or

(d) an ancillary offence,

and for these purposes "offence" includes an offence under a law that is no longer in force;

"working day" means any day other than-

(a) Saturday or Sunday;

(b) Christmas Day;

(c) Good Friday; and

(d) any day which is a public or bank holiday under the Interpretation and General Clauses Act or under the Banking and Financial Dealings Act.

(9) For the purposes of this regulation a conviction is "spent" if it is a spent conviction for the purposes of Part 25 of the Criminal Procedure and Evidence Act 2011.

Form and method of communication of information.

11.(1) Information transmitted by the designated person in accordance with these Regulations shall be transmitted electronically.

(2) Any requests for information referred to in regulation 9 shall be submitted in the standardised electronic format according to the model form set out in Annex A of Schedule 2 in one of the official languages of the requested Member State.

(3) All replies to requests referred to in regulation 10 shall be-

(a) submitted in a standardised electronic format according to the model form set out in Annex A in Schedule 2;

(b) accompanied by a list of convictions; and

(c) in either English or in any other language accepted for the exchange of criminal record information between the United Kingdom and Member States.

(4) Subject to subregulation (5), when transmitting information in accordance with these Regulations relating to the name or legal classification of the offence and to the applicable legal provisions, the designated person shall refer to the corresponding code for each of the offences referred to in the transmission, as provided for in the table of offences in Annex B of Schedule 2.

(5) If the offence does not correspond to any specific sub-category, the designated person must use the 'open category' code of the relevant or closest category offences or, in the absence of the latter, an 'other offences' code shall be used for that particular offence.

(6) The designated person may also provide available information relating to the level of completion and the level of participation of the offence and, if applicable, to the existence of total or partial exemption from criminal responsibility, or to recidivism.

(7) Subject to subregulation (8), when transmitting information relating to the contents of the conviction, notably the sentence as well as any supplementary penalties, security measures and subsequent decisions modifying the enforcement of the sentence, the designated person shall refer to the corresponding code for each of the penalties and measures referred to in the transmission, as provided for in Annex B of Schedule 2.

(8) By way of exception, if the penalty or measure does not correspond to any specific sub-category, the designated person must use the 'open category' code of the relevant or closest category of penalties and measures or, in the absence of the latter, an 'other penalties and measures' code, shall be used for that particular penalty or measure.

(9) The designated person shall also provide, where applicable, available information relating to the nature and conditions of execution of the penalty or measure imposed as provided for in the table of parameters in Annex B of Schedule 2.

(10) In complying with subregulation (9), the parameter 'non-criminal ruling' shall be indicated only in cases where information on such a ruling is provided on a voluntary basis by the designated person when replying to a request for information on convictions.

Duty to provide information to the Specialised Committee on the Circulation of Persons.

12.(1) The designated person shall provide, via the central authority for Gibraltar, to the Specialised Committee on the Circulation of Persons, the following information-

(a) a list of domestic offences in each of the categories referred to in the table of offences in Annex B of Schedule 2 including the following information in respect of each-

(i) the name or legal classification of the offence; and

(ii) reference to the applicable legal provisions;

and

(b) the list of types of sentences, possible supplementary penalties and security measures and possible subsequent decisions modifying the enforcement of the sentence as defined in domestic law, in each of the categories referred to in the table of penalties in Annex B of Schedule 2.

(2) In addition to the information set out at subregulation (1)(a), the designated person may also include a short description of the constitutive elements of the offence.

(3) In addition to the information set out in subregulation (1)(b), the designated person may also include a short description of the specific penalty or measure.

(4) The designated person shall regularly provide updated lists and descriptions referred to in subregulations (1), (2) and (3) to the central authority for Gibraltar for onward transfer to the Specialised Committee on the Circulation of Persons.

SCHEDULE 1

Regulation 6

INFORMATION TO BE INCLUDED IN NOTIFICATION OF CONVICTION

Introductory

1.(1) This Schedule sets out the information that is required by regulation 6(5) to be included in a notification of an individual's conviction.

(2) The information mentioned in paragraphs 4, 8 to 12, 15 and 18 is required to be included only if it is recorded in the criminal records database referred to in subregulation (1) of that regulation.

Information about the individual

2. The individual's name.

3. Any previous name of the individual.

4. Any other name used by the individual.

5. The individual's gender.

6. The individual's date and place of birth.

7. The individual's nationality or nationalities.

8. The names of the individual's parents.

9. The number of any passport held by the individual.

10. The issue number (if any) and description of any other identity document held by the individual.

11. The individual's fingerprints.

12. A photograph or other image of the individual's face.

Information about the conviction

13. The date of the conviction.

14. The name of the court by or before which the individual was convicted.

15. The reference number of the conviction.

16. The offence of which the individual was convicted.

17. The date on which the offence was committed (or, if the offence was committed over a period of time, that period).

18. The place where the offence was committed.

19. Any sentence imposed in respect of the offence.

20. Any other order made in respect of the offence.

SCHEDULE 2

Regulation 11

Annex A

Annex A reproduces Chapter 2 of Annex 12 to the TGEU

Request for information extracted from the criminal record

(a) Information on the requesting Member State or the United Kingdom, in respect of Gibraltar:

State:
Central authority(ies):
Contact person:
Telephone (with STD code):
Fax (with STD code):
E-mail address:
Correspondence address:
File reference, if known:

(b) Information on the identity of the person concerned by the request[1]:

[1]To facilitate the identification of the person as much information as possible is to be provided.

Full name (forenames and all surnames)
Previous names:
Pseudonym and/or alias, if any:
Gender: M ☐ F ☐
Nationality:
Date of birth (in figures: dd/mm/yyyy):
Place of birth (town and State):
Father's name:
Mother's name:
Residence or known address:
Person's identity number or type and number of the person's identification document:
Fingerprints:

Full name (forenames and all surnames)
Facial image:
Other available identification information:

(c) Purpose of the request:

Please tick the appropriate box

(1)	☐	criminal proceedings (Please identify the authority before which the proceedings are pending and, if available, the case reference number) … …	
(2)	☐	request outside the context of criminal proceedings (Please identify the authority before which the proceedings are pending and, if available, the case reference number, while ticking the relevant box):	
		(i) ☐	from a judicial authority … …
		(ii) ☐	from a competent administrative authority … …
		(iii) ☐	from the person concerned for information on own criminal record … …

Purpose for which the information is requested:

Requesting authority:

☐	the person concerned does not consent for this information to be divulged (if the person concerned was asked for his or her consent in accordance with the law of the requesting Member State or of the United Kingdom, in respect of Gibraltar).

Contact person for any further information needed:
Name:
Telephone:
E-mail address:
Other information (e.g. urgency of the request):

Reply to the request

Information relating to the person concerned

Please tick the appropriate box

The undersigned authority confirms that:	
☐	there is no information on convictions in the criminal record of the person concerned
☐	there is information on convictions entered in the criminal record of the person concerned; a list of convictions is attached
☐	there is other information entered in the criminal record of the person concerned; such information is attached (optional)
☐	there is information on convictions entered in the criminal record of the person concerned but the convicting Member State or the United Kingdom, in respect of Gibraltar, intimated that the information about these convictions may not be retransmitted for any purposes other than that of criminal proceedings. The request for more information may be sent directly to … (Please indicate the convicting Member State or the United Kingdom, in respect of Gibraltar)
☐	in accordance with the national law of the requested Member State or of the United Kingdom, in respect of Gibraltar, requests made for any purposes other than that of criminal proceedings may not be dealt with.

Contact person for any further information needed:
Name:
Telephone:
E-mail address:
Other information (limitations of use of the data concerning requests outside the context of criminal proceedings):
Please indicate the number of pages attached to the reply form:
Done at
on
Signature and official stamp (if appropriate):
Name and position/organisation:

If appropriate, please attach a list of convictions and send the complete package to the requesting Member State or to the United Kingdom, in respect of Gibraltar. It is not necessary to translate the form or the list into the language of the requesting Member State or of the United Kingdom, in respect of Gibraltar.

Annex B

Annex B reproduces Chapter 3 of Annex 12 to the Agreement

Standardised Format of Transmission of Information

Common table of offences categories, with a table of parameters, referred to in Article 5(1) and (2) of Chapter 1

Code	Categories and sub-categories of offences
0100 00 open category	Crimes within the jurisdiction of the International Criminal Court
0101 00	Genocide
0102 00	Crimes against humanity
0103 00	War crimes
0200 00 open category	Participation in a criminal organisation
0201 00	Directing a criminal organisation
0202 00	Knowingly taking part in the criminal activities of a criminal organisation

Code	Categories and sub-categories of offences
0203 00	Knowingly taking part in the non-criminal activities of a criminal organisation
0300 00 open category	Terrorism
0301 00	Directing a terrorist group
0302 00	Knowingly participating in the activities of a terrorist group
0303 00	Financing of terrorism
0304 00	Public provocation to commit a terrorist offence
0305 00	Recruitment or training for terrorism

Code	Categories and sub-categories of offences
0400 00 open category	Trafficking in human beings
0401 00	Trafficking in human beings for the purposes of labour or services exploitation
0402 00	Trafficking in human beings for the purposes of the exploitation of the prostitution of others or other forms of sexual exploitation
0403 00	Trafficking in human beings for the purposes of organ or human tissue removal
0404 00	Trafficking in human beings for the purposes of slavery, practices similar to slavery or servitude
0405 00	Trafficking in human beings for the purposes of labour or services exploitation of a minor
0406 00	Trafficking in human beings for the purposes of the exploitation of the prostitution of minors or other forms of their sexual exploitation
0407 00	Trafficking in human beings for the purposes of organ or human tissue removal of a minor
0408 00	Trafficking in human beings for the purposes of slavery, practices similar to slavery or servitude of a minor
0500 00 open category	Illicit trafficking(1) and other offences related to weapons, firearms, their parts and components, ammunition and explosives
0501 00	Illicit manufacturing of weapons, firearms, their parts and components, ammunition and explosives
0502 00	Illicit trafficking of weapons, firearms, their parts and components ammunition and explosives at national level(2)
0503 00	Illicit exportation or importation of weapons, firearms, their parts and components, ammunition and explosives
0504 00	Unauthorised possession or use of weapons, firearms, their parts and components, ammunition and explosives

Code	Categories and sub-categories of offences
0600 00 open category	Environmental crime
0601 00	Destroying or damaging protected fauna and flora species
0602 00	Unlawful discharges of polluting substances or ionising radiation into air, soil or water
0603 00	Offences related to waste, including hazardous waste
0604 00	Offences related to illicit trafficking([1]) in protected fauna and flora species or parts thereof
0605 00	Unintentional environmental offences
0700 00 open category	Offences related to drugs or precursors, and other offences against public health
0701 00	Offences related to illicit trafficking([3]) in narcotic drugs, psychotropic substances and precursors not exclusively for own personal consumption
0702 00	Illicit consumption of drugs and their acquisition, possession, manufacture or production exclusively for own personal consumption
0703 00	Aiding or inciting others to use narcotic drugs or psychotropic substances illicitly
0704 00	Manufacture or production of narcotic drugs not exclusively for personal consumption
0800 00 open category	Crimes against the person
0801 00	Intentional killing
0802 00	Aggravated cases of intentional killing([4])
0803 00	Unintentional killing
0804 00	Intentional killing of a new-born by his/her mother
0805 00	Illegal abortion

Code	Categories and sub-categories of offences
0806 00	Illegal euthanasia
0807 00	Offences related to committing suicide
0808 00	Violence causing death
0809 00	Causing grievous bodily injury, disfigurement or permanent disability
0810 00	Unintentionally causing grievous bodily injury, disfigurement or permanent disability
0811 00	Causing minor bodily injury
0812 00	Unintentionally causing minor bodily injury
0813 00	Exposing to danger of loss of life or grievous bodily injury
0814 00	Torture
0815 00	Failure to offer aid or assistance
0816 00	Offences related to organ or tissue removal without authorisation or consent
0817 00	Offences related to illicit trafficking([3]) in human organs and tissue
0818 00	Domestic violence or threat
0900 00 open category	Offences against personal liberty, dignity and other protected interests, including racism and xenophobia
0901 00	Kidnapping, kidnapping for ransom, illegal restraint
0902 00	Unlawful arrest or deprivation of liberty by public authority
0903 00	Hostage-taking
0904 00	Unlawful seizure of an aircraft or ship
0905 00	Insults, slander, defamation, contempt
0906 00	Threats
0907 00	Duress, pressure, stalking, harassment or aggression of a psychological or emotional nature
0908 00	Extortion

Code	Categories and sub-categories of offences
0909 00	Aggravated extortion
0910 00	Illegal entry into private property
0911 00	Invasion of privacy other than illegal entry into private property
0912 00	Offences against protection of personal data
0913 00	Illegal interception of data or communication
0914 00	Discrimination on grounds of gender, race, sexual orientation, religion or ethnic origin
0915 00	Public incitement to racial discrimination
0916 00	Public incitement to racial hatred
0917 00	Blackmail
1000 00 open category	Sexual offences
1001 00	Rape
1002 00	Aggravated rape([5]) other than rape of a minor
1003 00	Sexual assault
1004 00	Procuring for prostitution or sexual act
1005 00	Indecent exposure
1006 00	Sexual harassment
1007 00	Soliciting by a prostitute
1008 00	Sexual exploitation of children
1009 00	Offences related to child pornography or indecent images of minors
1010 00	Rape of a minor
1011 00	Sexual assault of a minor

Code	Categories and sub-categories of offences
1100 00 open category	Offences against family law
1101 00	Illicit sexual relations between close family members
1102 00	Polygamy
1103 00	Evading the alimony or maintenance obligation
1104 00	Neglect or desertion of a minor or a disabled person
1105 00	Failure to comply with an order to produce a minor or removal of a minor
1200 00 open category	Offences against the State, public order, course of justice or public officials
1201 00	Espionage
1202 00	High treason
1203 00	Offences related to elections and referendum
1204 00	Attempt against life or health of the Head of State
1205 00	Insult of the State, Nation or State symbols
1206 00	Insult or resistance to a representative of public authority
1207 00	Extortion, duress, pressure towards a representative of public authority
1208 00	Assault or threat on a representative of public authority
1209 00	Public order offences, breach of the public peace
1210 00	Violence during sports events
1211 00	Theft of public or administrative documents
1212 00	Obstructing or perverting the course of justice, making false allegations in the course of criminal or judicial proceedings, perjury
1213 00	Unlawful impersonation of a person or an authority
1214 00	Escape from lawful custody

Code	Categories and sub-categories of offences
1300 00 open category	Offences against public property or public interests
1301 00	Public, social security or family benefit fraud
1302 00	Fraud affecting European benefits or allowances
1303 00	Offences related to illegal gambling
1304 00	Obstructing of public tender procedures
1305 00	Active or passive corruption of a civil servant, a person holding public office or public authority
1306 00	Embezzlement, misappropriation or other diversion of property by a public official
1307 00	Abuse of a function by a public official
1400 00 open category	Tax and customs offences
1401 00	Tax offences
1402 00	Customs offences
1500 00 open category	Economic and trade related offences
1501 00	Bankruptcy or fraudulent insolvency
1502 00	Breach of accounting regulation, embezzlement, concealment of assets or unlawful increase in a company's liabilities
1503 00	Violation of competition rules
1504 00	Laundering of proceeds from crime
1505 00	Active or passive corruption in the private sector
1506 00	Revealing a secret or breaching an obligation of secrecy
1507 00	"Insider trading"

Code	Categories and sub-categories of offences
1600 00 open category	Offences against property or causing damage to goods
1601 00	Unlawful appropriation
1602 00	Unlawful appropriation or diversion of energy
1603 00	Fraud, including swindling
1604 00	Dealing in stolen goods
1605 00	Illicit trafficking(6) in cultural goods, including antiques and works of art
1606 00	Intentional damage or destruction of property
1607 00	Unintentional damage or destruction of property
1608 00	Sabotage
1609 00	Offences against industrial or intellectual property
1610 00	Arson
1611 00	Arson causing death or injury to persons
1612 00	Forest arson
1700 00 open category	Theft offences
1701 00	Theft
1702 00	Theft after unlawful entry into property
1703 00	Theft, using violence or weapons, or using threat of violence or weapons against person
1704 00	Forms of aggravated theft which do not involve use of violence or weapons, or use of threat of violence or weapons, against persons.

Code	Categories and sub-categories of offences
1800 00 open category	Offences against information systems and other computer-related crime
1801 00	Illegal access to information systems
1802 00	Illegal system interference
1803 00	Illegal data interference
1804 00	Production, possession, dissemination of or trafficking in computer devices or data enabling commitment of computer-related offences
1900 00 open category	Forgery of means of payment
1901 00	Counterfeiting or forging currency
1902 00	Counterfeiting of non-cash means of payment
1903 00	Counterfeiting or forging public fiduciary documents
1904 00	Putting into circulation/using counterfeited or forged currency, non-cash means of payment or public fiduciary documents
1905 00	Possession of a device for the counterfeiting or forgery of currency or public fiduciary documents
2000 00 open category	Falsification of documents
2001 00	Falsification of a public or administrative document by a private individual
2002 00	Falsification of a document by a civil servant or a public authority
2003 00	Supply or acquisition of a forged public or administrative document; supply or acquisition of a forged document by a civil servant or a public authority
2004 00	Using forged public or administrative documents

Code	Categories and sub-categories of offences
2005 00	Possession of a device for the falsification of public or administrative documents
2006 00	Forgery of private documents by a private individual
2100 00 open category	Offences against traffic regulations
2101 00	Dangerous driving
2102 00	Driving under the influence of alcohol or narcotic drugs
2103 00	Driving without a licence or while disqualified
2104 00	Failure to stop after a road accident
2105 00	Avoiding a road check
2106 00	Offences related to road transport
2200 00 open category	Offences against labour law
2201 00	Unlawful employment
2202 00	Offences relating to remuneration, including social security contributions
2203 00	Offences relating to working conditions, health and safety at work
2204 00	Offences relating to access to or exercise of a professional activity
2205 00	Offences relating to working hours and rest time
2300 00 open category	Offences against migration law
2301 00	Unauthorised entry or residence
2302 00	Facilitation of unauthorised entry and residence

Code	Categories and sub-categories of offences
2400 00 open category	Offences against military obligations
2500 00 open category	Offences related to hormonal substances and other growth promoters
2501 00	Illicit importation, exportation or supply of hormonal substances and other grown promoters
2600 00 open category	Offences related to nuclear materials or other hazardous radioactive substances
2601 00	Illicit importation, exportation, supply or acquisition of nuclear or radioactive materials
2700 00 open category	Other offences
2701 00	Other intentional offences
2702 00	Other unintentional offences

([1]) Unless otherwise specified in this category, "trafficking" means import, export, acquisition, sale, delivery, movement or transfer.
([2]) For the purposes of this sub-category trafficking includes acquisition, sale, delivery, movement or transfer.
([3]) For the purposes of this sub-category trafficking includes import, export, acquisition, sale, delivery, movement or transfer.
([4]) For example: particularly grave circumstances.
([5]) For example: rape with particular cruelty.
([6]) Trafficking includes import, export, acquisition, sale, delivery, movement or transfer.

Parameters		
Level of completion:	Completed act	C
	Attempt or preparation	A
	Non-transmitted element	Ø
Level of participation:	Perpetrator	M
	Aider and abettor or instigator/organiser, conspirator	H
	Non-transmitted element	Ø
Exemption from criminal responsibility:	Insanity or diminished responsibility	S
Recidivism		R

Common table of penalties and measures categories, with a table of parameters, referred to in Article 5(3) and (4) of Chapter 1

Code	Categories and sub-categories of penalties and measures
1000 open category	Deprivation of freedom
1001	Imprisonment
1002	Life imprisonment
2000 open category	Restriction of personal freedom
2001	Prohibition from frequenting some places
2002	Restriction to travel abroad
2003	Prohibition to stay in some places
2004	Prohibition from entry to a mass event
2005	Prohibition to enter in contact with certain persons through whatever means
2006	Placement under electronic surveillance([1])

Code	Categories and sub-categories of penalties and measures
2007	Obligation to report at specified times to a specific authority
2008	Obligation to stay/reside in a certain place
2009	Obligation to be at the place of residence on the set time
2010	Obligation to comply with the probation measures ordered by the court, including the obligation to remain under supervision
3000 open category	Prohibition of a specific right or capacity
3001	Disqualification from function
3002	Loss/suspension of capacity to hold or to be appointed to public office
3003	Loss/suspension of the right to vote or to be elected
3004	Incapacity to contract with public administration
3005	Ineligibility to obtain public subsidies
3006	Cancellation of the driving licence([2])
3007	Suspension of driving licence
3008	Prohibition to drive certain vehicles
3009	Loss/suspension of the parental authority
3010	Loss/suspension of right to be an expert in court proceedings/witness under oath/juror
3011	Loss/suspension of right to be a legal guardian([3])
3012	Loss/suspension of right of decoration or title
3013	Prohibition to exercise professional, commercial or social activity
3014	Prohibition from working or activity with minors
3015	Obligation to close an establishment
3016	Prohibition to hold or to carry weapons
3017	Withdrawal of a hunting/fishing licence

Code	Categories and sub-categories of penalties and measures
3018	Prohibition to issue cheques or to use payment/credit cards
3019	Prohibition to keep animals
3020	Prohibition to possess or use certain items other than weapons
3021	Prohibition to play certain games/sports
4000 open category	Prohibition or expulsion from territory
4001	Prohibition from national territory
4002	Expulsion from national territory
5000 open category	Personal obligation
5001	Submission to medical treatment or other forms of therapy
5002	Submission to a social-educational programme
5003	Obligation to be under the care/control of the family
5004	Educational measures
5005	Socio-judicial probation
5006	Obligation of training/working
5007	Obligation to provide judicial authorities with specific information
5008	Obligation to publish the judgment
5009	Obligation to compensate for the prejudice caused by the offence
6000 open category	Penalty on personal property
6001	Confiscation
6002	Demolition
6003	Restoration

Code	Categories and sub-categories of penalties and measures
7000 open category	Placing in an institution
7001	Placing in a psychiatric institution
7002	Placing in a detoxification institution
7003	Placing in an educational institution
8000 open category	Financial penalty
8001	Fine
8002	Day-fine([4])
8003	Fine for the benefit of a special recipient([5])
9000 open category	Working penalty
9001	Community service or work
9002	Community service or work accompanied with other restrictive measures
10000 open category	Military penalty
10001	Loss of military rank([6])
10002	Expulsion from professional military service
10003	Military imprisonment
11000 open category	Exemption/deferment of sentence/penalty, warning
12000 open category	Other penalties and measures

Parameters (to be specified where applicable)	
ø	Penalty
m	Measure
a	Suspended penalty/measure
b	Partially suspended penalty/measure
c	Suspended penalty/measure with probation/supervision
d	Partially suspended penalty/measure with probation/supervision
e	Conversion of penalty/measure
f	Alternative penalty/measure imposed as principal penalty
g	Alternative penalty/measure imposed initially in case of non-respect of the principal penalty
h	Revocation of suspended penalty/measure
i	Subsequent formation of an overall penalty
j	Interruption of enforcement/postponement of the penalty/measure([7])
k	Remission of the penalty
l	Remission of the suspended penalty
n	End of penalty
o	Pardon
p	Amnesty
q	Release on parole (liberation of a person before end of the sentence under certain conditions)
r	Rehabilitation (with or without the deletion of penalty from criminal records)
s	Penalty or measure specific to minors
t	Non-criminal ruling([8])

([1]) Fixed or mobile placement.
([2]) Reapplication in order to obtain a new driving licence is necessary.
([3]) Legal guardian for a person who is legally incompetent or for a minor.
([4]) Fine expressed in daily units.
([5]) E.g.: for an institution, association, foundation or a victim.
([6]) Military demotion.
([7]) Does not lead to avoidance of enforcement of penalty.
([8]) This parameter will be indicated only when such information is provided in reply to the request received by the Member State of nationality of the person concerned or by the United Kingdom, in respect of Gibraltar, if the person is a national of the United Kingdom.

Dated: 14th July 2026.

N. FEETHAM KC,
Minister with responsibility of Justice,
For the Government.

EXPLANATORY MEMORANDUM

These Regulations implement Articles 106 to 114 and Annex 12 of the TGEU.