

Delegations will find attached updated information about the state of implementation of Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders (OJ L 328, 24.11.2006, p. 59).

In accordance with Article 22, the Framework Decision should have been implemented by 24 November 2008. So far, 23 Member States have notified that they have implemented the Framework decision.

This information is based on notifications communicated to the General Secretariat by Member States, to which reference is made in the last column. It is up-to-date as at 3 June 2015.

Delegations are invited to communicate any further information in relation to the implementation status of the Framework Decision to secretariat.criminal-law@consilium.europa.eu

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ANNEX

| **Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders** | | | | | |
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| **Member State** | **State/date of implementation of Framework Decision** | **Notification re Article 3**  **(Competent Authorities)** | **Notification re Article 7(5)**  **(extended powers of confiscation)** | **Notification re Article 19(2)**  **(languages)** | **Notification re Article 22(2)**  **(Implementation)** |
| BELGIUM | Implemented  Entry into force of legislation :  14 April 2012 | FEDERAL PUBLIC SERVICE JUSTICE  Directorate General for Legislation, Fundamental Rights and Freedoms  Central Authority for International Cooperation in Criminal Matters  Boulevard de Waterloo 115  1000 Brussels  Belgium  Fax: +32 2 542 71 99  Email: centralauthority.iccm@just.  fgov.be  (see doc.15548/13 COPEN 176 EUROJUST 99 EJN 68) | will not recognise/execute  (see doc. 8994/12 COPEN 93 EUROJUST 37 EJN 30) | Dutch, French, German or English | (see doc. 8994/12 COPEN 93 EUROJUST 37 EJN 30) |
| BULGARIA | Implemented  Entry into force of legislation :  27 February 2010 | **1/** **When Bulgaria is executing state:**  The district court (for Sofia district – the Sofia City court) within whose district the person against whom/which the decision has been issued: a) is domiciled or permanently resident, and in the case of a legal person, has its registered seat, registered office or address for correspondence; b) owns property, or c) receives income.  **2/ When Bulgaria is issuing state:**  The Regional or District Court which has ruled the decision at first instance.  A list of the district and regional courts in the Republic of Bulgaria was originally contained in the Notification, drawn up by the Ministry of Justice to the Secretariat. However this list is not contained in document (see doc. 15217/10 COPEN 227 EUROJUST 114 EJN 53).  **3/ Central authority:**  In cases where direct contact between the competent authorities is not possible, the authority responsible for the administrative transmission and receipt of decisions on the enforcement of financial penalties in the Republic of Bulgaria, shall be the Ministry of Justice.  MINISTRY OF JUSTICE  Address: 1040 Sofia,"Slavyanska" Street 1  Fax: + 359 2 980 92 22, Tel.: + 359 2 9237 545, + 359 2 9237 466  e-mail: n\_hringova@justice.government.bg  (see 15217/10 COPEN 227 EUROJUST 114 EJN 53) | will not recognise/execute  (see doc.15217/10 COPEN 227 EUROJUST 114 EJN 53) | Bulgarian | (see doc.15217/10 COPEN 227 EUROJUST 114 EJN 53) |
| CZECH REPUBLIC | Implemented  Entry into force of legislation :  1 January 2009 | 1/ Czech Republic as the issuing State:   1. the locally competent high, regional (including Prague Municipal Court), district (including Brno Municipal Court) and the Supreme Court of the Czech Republic; 2. Office of the Government Representation in Property Affairs.   2/ Czech Republic as the executing State:   1. the locally competent high and regional courts and Prague Municipal Court; 2. Office of the Government Representation in Property Affairs.   (see doc.12002/09 COPEN135) | will not recognise/execute  (see doc.12002/09 COPEN 135) |  | (see doc. 12002/09 COPEN 135) |

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| DENMARK | Implemented  Entry into force of legislation :  1 January 2005 | As issuing and executing State:  Ministry of Justice. If it is accompanied by the certificate provided for, an order may be transmitted to:  Ministry of Justice  Slotsholmsgade 10  1216 København K  Tel: +45 7226 8400  Fax: +45 3392 2689  Email: jm@jm.dk  (see doc. 15970/09) |  | Danish | (see doc. 15970/09) |
| GERMANY | Implemented  Entry into force of legislation :  22 October 2009 | State prosecutor  and  Senatsverwaltung für Justiz in Berlin  (see doc.17509/10 COPEN 281) | will not recognise / execute | German  and  official language of other member States which accept confiscation orders in German | (see doc.17509/10 COPEN 281) |
| ESTONIA | (The FD is in drafting process and will be submitted to Parliament in September 2011 and will be implemented) |  |  |  |  |
| GREECE |  |  |  |  |  |

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| SPAIN | Entry into force of legislation :  21 November 2014 | As issuing state: the Criminal Courts or Judges presiding over the enforcement of sentences where the confiscation of property is imposed as an additional consequence  As executing state: The criminal court where the property is located or has been located initially;  in case of request concerning more items or in case of multiple requests - the criminal court, which has received a request first.  (see doc. 8721/15) | Will not recognise/execute when the competent court considers that the confiscation order is incompatible with the fundamental rights and freedoms enshrined in the Spanish Constitution | Spanish | (see doc. 8138/15 and 8721/15) |

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| FRANCE | Implemented  Adoption of legislation :  9 July 2010 | Pour l'article 3§1:  a) pour la mise à exécution d'une décision de confiscation :  les magistrats et officiers du ministère public;  b) pour la réception d'une demande de confiscation :  les procureurs de la République territorialement compétents. | La France n’a effectué aucune déclaration au titre de l’article 7, paragraphe 2 de la décision-cadre  (see doc.17038/10 COPEN 272) | French | (see doc.17038/10 COPEN 272) |

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| CROATIA | Implemented as part of the acquis - 1 July 2013 | 1) When HR is executing State:  a) The county state attorney's offices for the place where the property or objects are located, or, in the case of natural persons, where the person in question is permanently or temporarily resident or stays, or, in the case of legal persons, where the person in question has its registered seat (competent to receive a decision on confiscation);  b) the county courts (competent to recognise and execute a decision on confiscation);  2) When HR is issuing State:  - competent courts under national law  (list provided in doc. 12335/14 COPEN 203 EUROJUST 140 EJN 75 Annex II) | Will not recognise/execute  (see doc. 12335/14 COPEN 203 EUROJUST 140 EJN 75) | Croatian;  English (in urgent cases) on a reciprocal basis | (see doc. 12335/14 COPEN 203 EUROJUST 140 EJN 75) |

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| IRELAND |  |  |  |  |  |
| ITALY |  |  |  |  |  |

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| CYPRUS | Implemented  Entry into force of legislation:  25 June 2010 with the amending law (No. 58(I)/10), of the Prevention and Suppression of Money Laundering and Terrorist Financing Law of 2007 | Unit for Combating Money Laundering (MOKAS), Attorney General's Office  Tel: +357 22446018, 22446004  Fax: +357 22317063  E-mail: mokas@mokas.law.gov.cy |  | Greek and English |  |

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| LATVIA | Implemented  Entry into force of legislation :  14 July 2009 | Competent authority as executing State:  any district (city) court  Competent authority as issuing State: any court  Central authority:  Tieslietu ministrija (Ministry of Justice)  Brīvības bulv. 36 - Riga  LV-1536  Latvia  tel.: +371 67036801  +371 67285575  fax: +371 670720823  e-mail: tm.kanceleja@tm.gov.lv  (see doc. 15586/09) |  | Latvian | (see doc. 15586/09 COPEN 224) |
| LITHUANIA | Implemented  Entry into force of legislation :  21 March 2013 | 1) Competent authority as executing State:  District courts  2) Competent authority as issuing State:  Courts of general jurisdiction (district courts, regional courts, the Lithuanian Court of Appeal and the Supreme Court of Lithuania)  Central authority:  Ministry of Justice of the Republic of Lithuania  Gedimino pr. 30/12,  LT-01104, Vilnius, Lithuania  Tel: +370 5266 2933  Fax: +370 5262 5940  (see doc.: 17911/13 COPEN 248 EUROJUST 149 EJN 80) | will recognise/execute (only when this is consistent with the national law of the Republic of Lithuania) | Lithuanian, English | (see doc. 17911/13 COPEN 248 EUROJUST 149 EJN 80) |
| LUXEMBOURG |  |  | will not recognise/execute  (see doc. 13075/06 COPEN 98) |  |  |
| HUNGARY | Implemented  ***(official notification containing relevant declarations will be submitted to GSC)***  Entry into force of legislation :  8 January 2009 | If Hungary is the executing State, implementation measures are undertaken by the local court operating in the County Court. The competence of the local court grounds on  a) the location of the asset or item which is covered by the order from the Member State to implement confiscation, or  b) if the location of the asset or item is unknown  ba) the place of abode of the accused, or in the absence of such, the place of residence, or  bb) if the order from the Member State to implement confiscation is directed against a legal entity, the seat of the legal entity.  The implementation measures are undertaken by the Central District Court of Buda for matters in Budapest. If the competent court cannot be otherwise established, or if the asset which is the subject of the sanction for definitive deprivation, the order is accepted by the Central District Court of Buda, which takes measures to enforce the order.  If Hungary is the issuing state, a court under whose procedures confiscation or confiscation of assets may be implemented may take measures for implementation of confiscation of an item used, or intended to be used, in any Member State of the European Union by making a direct request towards the judicial authority in the Member State within whose scope and competency the matter falls. |  | Hungarian | Yes |

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| MALTA | Implemented  Entered into force on:  22 October 2010; applies to decisions issued after 24 November 2008 | Office of the Attorney General  The Palace  Valletta , Malta  Tel: +356 2568 3144  Fax: +356 2568 3103  E-mail: agmla.mjha@gov.mt  (doc. 16711/10 COPEN 263) |  | Maltese/English | (doc.16711/10 COPEN 263) |

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| NETHERLANDS | Implemented  Entry into force of legislation :  1 June 2009 | Centraal Justitieel Incassobureau  Afdeling Executie Grensoverschrijdende Sancties  Centrale Autoriteit  Postbus 185 8900 AD Leeuwarden  T: 0031 (0) 58 - 253 3700 Fax: 0031 (0) 58 - 253 3030  E-mail: centralauthority@cjib.minjus.nl  (see doc. 12709/09) |  | English and Dutch and all other official EU languages if together with a EN translation | (see doc. 12709/09) |
| AUSTRIA | Implemented  Entry into force of legislation :  1 July 2007 | Austria as the issuing state:  district courts (Bezirksgerichte) and the regional courts (Landesgerichte)  Austria as the executing state:  regional courts (Landesgerichte)  (for a detailed list see doc. 5880/08 COPEN 18) | will not recognise/execute  (see doc. 5880/08 COPEN 18) | German. Certificates in other languages will be accepted on a reciprocal basis  (see doc. 5880/08 COPEN 18) | (see doc. 5880/08 COPEN 18) |
| POLAND | Implemented    Entry into force of legislation :  5 February 2009 | - Issuing state: the regional and district courts with territorial jurisdiction;  - Executing state: the district courts with territorial jurisdiction  Authority responsible:  Ministerstwo Sprawiedliwości Rzeczypospolitej Polskiej  Departament Współpracy Międzynarodowej i Prawa Europejskiego  Aleje Ujazdowskie 11, 00-950 Warsaw, Poland  Tel. +48 22 2390 870  Fax +48 22 6280 949  e-mail dwm@ms.gov.pl  www http://www.ms.gov.pl  (see doc. 5314/10) | will not recognise / execute  ( see doc. 5314/10 COPEN 10 ) |  | (see doc. 5314/10 COPEN 10 ) |

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| PORTUGAL | Implemented  Entry into force of legislation :  31 August 2009 |  |  |  | Yes |

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| ROMANIA | Implemented  Entry into force of legislation:  13 November 2008 | Executing authorities:  Ministry of Justice  Directorate of International Law and Judicial Cooperation  Division for international judicial cooperation in criminal matters)  Strada Apolodor 17, Sector 5 Bucureşti, Cod 050741  Tel: +40 37204 1077  +40 37204 1085  Outside office hours:  Tel: +40 733.737.769  Fax: +40 37204 1079/84  E-mail:  centralauthority\_copen@just.ro  (see doc. 5769/14 COPEN 25 EJN 17 EUROJUST 20) | will not recognise/execute  (see doc. 5769/14 COPEN 25 EJN 17 EUROJUST 20) | Romanian  (see doc.16284/08 COPEN 236) | (see doc. 16284/08 COPEN 236) |
| SLOVENIA | Implemented  Entry into force of legislation :  25 October 2007 | Local courts and District courts  (for details + list see doc. 5506/14 COPEN 14 EUROJUST 10 EJN 9) | will not recognise/execute  (see doc. 5506/14 COPEN 14 EUROJUST 10 EJN 9) | Slovenian and also English  (see doc.5506/14 COPEN 14 EUROJUST 10 EJN 9) | (see doc. 5506/14 COPEN 14 EUROJUST 10 EJN 9) |
| SLOVAKIA |  |  |  |  |  |
| FINLAND | Implemented  Entry into force of legislation :  24 November 2008 | Competent authority  Legal Register Centre :  Address: Legal Register Centre  Vanajantie 10 A  P.O. Box 157  FI-13101 Hämeenlinna  Finland  Tel. +358 29 56 65631  Fax +358 29 56 65782  e-mail : oikeusrekisterikeskus@om.fi  (see doc.5817/14 COPEN 31 EUROJUST 25 EJN 22) |  | Finnish, Swedish and English. Finland may also accept certificates provided in a different language if there are no obstacles for such acceptances | (see doc.5817/14 COPEN 31 EUROJUST 25 EJN 22) |

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| SWEDEN | Implemented  Entry into force of legislation :  1 July 2011 | Competent Authorities:  1) The Swedish Enforcement Authority  Östra enheten 5  S-106 65 Stockholm  SWEDEN  Tel: +46 10 578 3070  Fax: +46 10 578 3390  e-mail: konofogden@kronofogdemyndigheten.se  (see doc. 17842/11)  2) From 1 July 2014, where Sweden is the executing State, its courts are also competent authorities in accordance with the Framework Decision. All orders and accompanying certificates should however continue to be sent to the Swedish Enforcement Authority in accordance with the information previously submitted.  (see doc. 12005/14 COPEN 199 EUROJUST 137 EJN 72) | From 1 July 2014 Sweden will be able to recognise and execute orders including those issued under the extended powers of confiscation referred to Article 2(d)(iv) of the Framework Decision  (see doc. 12005/14 COPEN 199 EUROJUST 137 EJN 72) | Swedish, Danish, Norwegian or English, or be accompanied by a translation in one of those languages | (see doc. 12005/14 COPEN 199 EUROJUST 137 EJN 72) |

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| UNITED KINGDOM | Implemented  Entry into force of legislation :  3 December 2014 | 1) Any prosecutor in the UK can forward orders **made in UK** by the courts relating to property in other Member States.  2) In relation to orders **made by Member States** relating to property in the United Kingdom, a list of competent authorities is provided: (see doc. 6637/15 COPEN 66 EUROJUST 58 EJN 25). |  | English;  or requests accompanied by a certified English translation | (see doc. 6637/15 COPEN 66 EUROJUST 58 EJN 25) |

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