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COVER NOTE

from:	Mr F. TEEVEN, State Secretary for Security and Justice, Ministry of Security and Justice in the Netherlands
to:	Mr. Rafael Fernández-Pita y González, Director-General, Council of the European Union
date of receipt:	20 September 2012
Subject:	Council Framework Decision 2008/947/JHA on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions - Notification of the implementation of the Council Framework Decision by the Netherlands

Please find below the declarations to be made by the Netherlands pursuant to Council Framework Decision 2008/947/JHA of 27 November 2008 on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions (OJ L 337).

Declaration by the Netherlands
pursuant to Article 3(1) of Framework Decision 2008/947/JHA

The competent authority in the Netherlands, regardless of whether the Netherlands is the issuing State or the executing State, is the public prosecutor's office.

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Declaration by the Netherlands
pursuant to Article 4(2) of Framework Decision 2008/947/JHA

The Netherlands hereby declares that it is prepared to assume responsibility for the execution of electronic supervision linked to the probation measures and alternative sanctions referred to in Article 4(1) of the Framework Decision.

Declaration by the Netherlands
pursuant to Article 10(4) of Framework Decision 2008/947/JHA

The Netherlands hereby declares that it will not apply Article 10(1) of the Framework Decision.

Declaration by the Netherlands
pursuant to Article 14(3) of Framework Decision 2008/947/JHA

The Netherlands hereby declares that it will refuse to assume responsibility for the subsequent decisions referred to in Article 14(1)(b) and (c) of the Framework Decision:

- (a) in cases where the judgment imposes an alternative sanction within the meaning of Article 2(4) of the Framework Decision and does not contain a custodial sentence or measure involving deprivation of liberty to be enforced in case of non-compliance with the penalty concerned;
- (b) in cases where the judgment relates to a conditional sentence within the meaning of Article 2(3) of the Framework Decision.

Declaration by the Netherlands
pursuant to Article 21 of Framework Decision 2008/947/JHA

The Netherlands hereby declares that, in addition to certificates translated into Dutch, it will also accept certificates drafted in English.

(Complimentary close)

(s.) F. TEEVEN
