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COVER NOTE

From :	Mrs Ingrid MASCHL-CLAUSEN, Attaché/Judicial affairs, Permanent Representation of Austria to the European Union
date of receipt :	24 January 2008
Recipient:	Mr Ivan BIZJAK, Director General, General Directorat H (Justice and Home Affairs) of the Council of the European Union
Subject :	Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders - Declarations by the Republic of Austria and list of competent authorities

Dear Mr BIZJAK,

Please find enclosed declarations by the Republic of Austria pursuant to Article 3 (authorities), Article 7(5) (extended powers of confiscation) and Article 19 (languages) of Framework Decision 2006/783/JHA and a list of competent authorities.

(Complimentary close)

(signed) Ingrid MASCHL-CLAUSEN

Declarations by the Republic of Austria pursuant to Article 3, Article 7(5) and Article 19 of Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders

– Article 3 of the Framework Decision (Determination of the competent authorities):

The competent authorities in respect of confiscation orders are the district courts (Bezirksgerichte) and the regional courts (Landesgerichte). The regional courts have jurisdiction for execution. The certificate should be forwarded, together with the confiscation order, to the regional court in whose jurisdiction the money or property covered by the confiscation order is located or in which the person concerned has property. If it cannot be determined where this is, the place where the person concerned is domiciled or resident shall apply or, in the case of a legal person, the place where it has its headquarters, branch or other establishment. If it cannot be determined which particular Austrian court has jurisdiction under these criteria, the Regional Criminal Court in Vienna will assume jurisdiction.

List and addresses of the regional courts with jurisdiction

To establish the geographical jurisdiction of the following regional courts, we recommend consulting the European Atlas on the European Judicial Network website (<http://www.ejn.crimjust.europa.eu>).

1. Landesgericht Eisenstadt (Eisenstadt Regional Court)	Wiener Straße 9 7001 Eisenstadt Tel: +43/2682/701 Fax: +43/2682/701-444 lgeisenstadt.praesidium@justiz.gv.at
2. Landesgericht Feldkirch (Feldkirch Regional Court)	Schillerstraße 1 6800 Feldkirch Tel: +43/5522/302-0 Fax: +43/5522-31779 lgfeldkirch.praesidium@justiz.gv.at
3. Landesgericht für Strafsachen Graz (Graz Regional Criminal Court)	C. v. Hötzen Dorfstraße 41 8010 Graz Tel: +43/316/8047 Fax: +43/316-8047-5600 lgsgraz.praesidium@justiz.gv.at
4. Landesgericht Innsbruck (Innsbruck Regional Court)	Maximilianstraße 4 6020 Innsbruck Tel: +43/512/5930-0 Fax: +43/512-585986 lginnsbruck.praesidium@justiz.gv.at

5. Landesgericht Klagenfurt (Klagenfurt Regional Court)	Dobernigstraße 2 9020 Klagenfurt Tel: +43/463/5840-0 Fax: +43/4635840-300 lgklagenfurt.praesidium@justiz.gv.at
6. Landesgericht Korneuburg (Korneuburg Regional Court)	Hauptplatz 18 2100 Korneuburg Tel: +43/2262/799-0 Fax: +43/2262/799-275 lgkorneuburg.praesidium@justiz.gv.at
7. Landesgericht Krems an der Donau (Krems an der Donau Regional Court)	Josef Wichner Straße 2 3500 Krems Tel: +43/2732/809-0 Fax: +43/2732/809-401 lgkrems.praesidium@justiz.gv.at
8. Landesgericht Leoben (Leoben Regional Court)	Justizzentrum Leoben Dr. Hanns-Groß-Straße 7 8700 Leoben Tel: +43/3842/404-0 Fax: +433842/404-1035 lgleoben.praesidium@justiz.gv.at
9. Landesgericht Linz (Linz Regional Court)	Fadingerstraße 2 4020 Linz Tel: +43/5 7601-21 Fax: +43/5 7601-2930 lglinz.praesidium@justiz.gv.at
10. Landesgericht Ried im Innkreis (Ried im Innkreis Regional Court)	Bahnhofstraße 56 4910 Ried im Innkreis Tel: +43/5 7601 Fax: +43/5 7601-12930 lgried.praesidium@justiz.gv.at

11. Landesgericht Salzburg (Salzburg Regional Court)	Rudolphsplatz 2 5010 Salzburg Tel: +43/5 7601-233 Fax: +43/5 7601-233-1201 lgsalzburg.praesidium@justiz.gv.at
12. Landesgericht St. Pölten (St. Pölten Regional Court)	Schießstattring 6 3100 St. Pölten Tel: +43/2742/809 Fax: +43/2742-79566 lgstpoelten.praesidium@justiz.gv.at
13. Landesgericht Steyr (Steyr Regional Court)	Spitalskystraße 1 4400 Steyr Tel: +43/5 7601-26 Fax: +43/5 7601-26-61188 lgsteyr.praesidium@justiz.gv.at
14. Landesgericht Wels (Wels Regional Court)	Maria-Theresia-Straße 12 4600 Wels Tel: +43/5 7601-24 Fax: +43/5 7601-24-41108 lgwels.praesidium@justiz.gv.at
15. Landesgericht für Strafsachen Wien (Vienna Regional Criminal Court)	Landesgerichtsstraße 11 1082 Wien Tel: +43/1/40127 Fax: +43/4025904 lgswien.praesidium@justiz.gv.at
16. Landesgericht Wiener Neustadt (Wiener Neustadt Regional Court)	Maria-Theresien-Ring 5 2700 Wiener Neustadt Tel: +43/2622/21510 Serie Fax: +43/2622/21510-272 oder 276 lgwiernerneustadt.praesidium@justiz.gv.at

– Article 7(5) of the Framework Decision (extended powers of confiscation)

Austria declares that its competent authorities will neither recognise or execute confiscation orders under circumstances where confiscation of the property was ordered under the extended powers of confiscation referred to in Article 2(d)(iv).

– Article 19 (languages)

Austria declares that the certificate must be accompanied by a translation into German. Certificates in other languages will be accepted on a reciprocal basis, i.e., if the Member State concerned accepts certificates in German when acting as executing State.
