



Council of the  
European Union

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From:	Dr. Olivér Várhelyi, Ambassador Extraordinary and Plenipotentiary/Permanent Representative, Permanent Representation of Hungary to the European Union
On:	1 June 2016
To:	Ms Christine Roger, Director General, Council of the European Union
Subject:	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 - Special notification made by Hungary

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Dear Madam,

In accordance with Article 3 paragraph 1 of the Council Framework Decision in subject, each Member State shall communicate which authority or authorities, under its national law, are competent to act according to this Framework Decision in the situation where that Member State is the issuing State or the executing State.

Please find attached to this note the relevant sections of Act No CLXXX of 2012 (on criminal cooperation in criminal matters between the Member States of the European Union) which determinate the competent authorities in the situation where Hungary is the executing State. In the case where Hungary is the issuing State the court which imposed the measure or alternative sanction is entitled to forward the enforceable judgment and the certificate to the executing State.

(Complimentary close)

(s.) Olivér Várhelyi

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Act CLXXX of 2012 on cooperation with European Union Member States in criminal matters (EU Act)

Section 137

(4) The district court operating at the seat of the court that is competent by virtue of the sentenced person's residence or habitual residence, and in Budapest the Central District Court of Buda (Budai Központi Kerületi Bíróság), shall take measures for the recognition and enforcement of the Member-State decision imposing an alternative sanction.

(5) If the sentenced person is not resident or habitually resident in Hungary and requests that the probation measure, community service, ban from attending sporting events or reparation work contained in the legally binding Member-State decision be enforced by the Hungarian authorities, and demonstrates that he or she has close family, cultural or economic ties with Hungary, the Central District Court of Buda shall rule on the recognition and enforcement of the Member-State decision imposing the alternative sanction, provided that the Member-State decision, together with the certificate set out in Appendix 10, has been sent to the court in Hungarian.