



Council of the
European Union

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NOTE

From:	Mr Maurizio Massari, Permanent Representative, Permanent Representation of Italy to the European Union
On:	21 December 2016
To:	Ms Christine Roger, Director General, Council of the European Union
Subject:	Council Framework Decision 2009/829/JHA on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention - Notification made by Italy

Dear Director General,

Italy has implemented Council Framework Decision 2009/829/JHA on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention, by Legislative decree no. 36 of 15 February 2016, in force since 26 March 2016.

I hereby transmit for your attention a note from the Italian Ministry of Justice on the implementation of said Framework Decision, with attached:

- the text of the implementing legislation in Italian, as well as a courtesy translation into English; *[not reproduced]*
- declarations in accordance with Articles 6(1), 7(3), 8(2), 9(4), 21(3) and 24 of the Framework Decision;
- a list of competent authorities, including their contact details.

(Complimentary close)

(s.) Maurizio Massari

Declarations under the Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention

Article 6 § 1 Competent Authorities

Competent issuing authority: Public Prosecutor (Pubblico Ministero) attached to the Judge (Giudice) that pronounced the decision on supervision measure.

Competent executing authority: Court of Appeal (Corte di Appello) in which jurisdiction the person concerned has his/her lawful and habitual residence or expressed his/her will to transfer his/her lawful and ordinary residence or in any case to establish his/her abode in view of the execution of supervision measures.

Article 7§ 3 Central Authority

Without prejudice to the possibility of direct transmission between Courts, the Ministero della Giustizia (Dipartimento Affari di Giustizia - Direzione Generale della Giustizia Penale - Ufficio II - Cooperazione Giudiziaria internazionale), as Central Authority, shall send and receive the decisions on supervision measures and the certificate, as well as the relevant correspondence.

Article 8 § 2 Types of alternative measures

In addition to the provisions under Article 8 § 2 the decisions providing for temporary prohibition to engage in particular professional activities (article 4(1) (g) of the implementing legislative decree) shall be recognized.

Article 9 § 4 Decisions on supervisions measures

Transmission to a Member State other than that where the person concerned has his/her lawful or ordinary residence is admitted prior consent of the competent Authority of the executing State.

Article 21 § 3 Surrender of persons

The Italian Republic will apply in the decision on the surrender of the person concerned to the issuing State, also Article 2 § 1 of the Framework Decision on European Arrest Warrant.

Article 24 Languages

Italian.

ADDRESSES

Ministry of Justice

Department for Justice Affairs

Directorate General of Criminal Justice

Ufficio II- International Judicial Cooperation

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Judicial Authorities competent for enforcement

1) Court of Appeal of ANCONA

Address Via G. Carducci, 3

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Zip Code 60121

071 - 5061 switchboard

Phone 071 - 5063132 person in charge

Fax 071 - 2075975 secretariat

prot.ca.ancona@giustizia.it

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2) Court of Appeal of BARI

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Fax 080 - 5794510

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prot.ca.bari@giustiziacerit.it

Tax code 80018530727

Web site www.giustizia.bari.it

3) Court of Appeal of BOLOGNA

Address Piazza dei Tribunali, 4

City BOLOGNA

Zip Code 40124

Phone 051 - 201111

051 - 201848 (secretariat of the manager)

051 - 6449578 (secretariat of the President)

Fax **Extraditions and EAW Unit**

tel 051 - 201456 / 428

Fax 051 - 201471

E-mail ca.bologna@giustizia.it

Web site <http://www.giustizia.bologna.it/>

4) Court of Appeal of BRESCIA

Address Via Lattanzio Gambara, 40

City BRESCIA

Zip Code 25122

030 - 7673111 switchboard

Phone 030 - 7673325 / 7673305 / 7673314 / 7673316 Clerks of the Criminal divisions

Fax 030 - 7673331 Clerk's Office of the Criminal Divisions

E-mail ca.brescia@giustizia.it

Web site <http://www.distretto.brescia.giustizia.it/>

5) Court of Appeal of CAGLIARI

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City CAGLIARI

Zip Code 09125

Phone 070 - 60221

Fax 070 - 60222535 / 2789

E-mail ca.cagliari@giustizia.it

6) Court of Appeal of CALTANISSETTA

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0934 - 592695 (secretariat of the President)

Fax 0934 - 596417 (clerk's office of the first criminal division)
0934 - 71255 (clerk's office of the second criminal division)

E-mail ca.caltanissetta@giustizia.it

7) Court of Appeal of CAMPOBASSO

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City CAMPOBASSO

Zip Code 86100

0874 - 4001 (switchboard)
0874 - 400245 (secretariat for general affairs -person in charge)

Phone 0874 - 400255 (criminal clerk's office- person in charge)
0874 - 400254 (criminal clerk's office - staff)

0874 - 97445 (secretariat for general affairs)
Fax 0874 - 400304 (criminal clerk's office)

E-mail ca.campobasso@giustizia.it

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Web site www.ca.campobasso.giustizia.it

8) Court of Appeal of CATANIA

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City CATANIA

Zip Code 95100

Phone 095 – 366111

Fax 095 - 502603 (secretariat)

E-mail ca.catania@giustizia.it

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9) Court of Appeal of CATANZARO

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E-mail ca.catanzaro@giustizia.it

10) Court of Appeal of FLORENCE

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055 - 7995277 (criminal clerk's office)
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055 - 7995348 (3rd criminal division)

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11) Court of Appeal of GENOVA

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City GENOVA
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Phone 010 - 5691 (switchboard)

Fax 010 - 5692445 (criminal)
E-mail ca.genova@giustizia.it
Tax code 800466900105
Web site www.corteappello.genova.it
www.urp.ufficijudiziarigenova.it

12) Court of Appeal of L'AQUILA

Address Via Pile, 7
City L'AQUILA
Zip Code 67100
Phone 0862 - 632309 (Secretariat of the President of the Court)
0862 - 632324 / 838 (Secretariat of the Manager)
0862 - 632437 (Criminal Division, Directorate)
0862 - 632877 (Criminal Division- Enforcement Office)
Fax 0862 -632866 / 867 (Criminal Division)
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Phone 0832 - 660111 (switchboard)
0832 - 247977 (secretariat)
Fax 0832 - 244419 (secretariat)
0832 - 3331766 (Criminal Division)
E-mail ca.lecce@giustizia.it
Tax code 80012070753
Web site <http://www.corteappellolecce.it/>

14) Court of Appeal of MESSINA

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16) Court of Appeal of NAPOLI

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City NAPOLI
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19) Court of Appeal of POTENZA

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Web site <http://www.giustizia.basilicata.it/>

20) Court of Appeal of REGGIO CALABRIA

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