



Council of the
European Union

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NOTE

From:	Mr Kornelios Korneliou, Ambassador/Permanent Representative, Permanent Representation of Cyprus to the European Union
On:	20 January 2017
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the 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 Cyprus
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Dear Secretary-General,

In fulfilment of the obligations of the Republic of Cyprus arising from the above Framework Decision 2009/829/JHA, I hereby forward to you the relevant notifications by the Republic of Cyprus and the text of its Law No 121(I)/2016, which transposes the abovementioned Framework Decision into its national legal order.

(Complimentary close)

(s.) Kornelios Korneliou

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

Notification pursuant to Article 27(2)

In accordance with Article 27(2) of the Framework Decision, the Republic of Cyprus hereby transmits to the General Secretariat of the Council the text of the national legislation, Law No 121(I)/2016 transposing the above Framework Decision into its national legal order.

Law No 121(I)/2016 entered into force on 18 November 2016 upon its publication in the Official Gazette of the Republic.

Notification pursuant to Article 6(1)

The competent authorities of the Republic of Cyprus are:

1. Where the Republic of Cyprus is the issuing State, the authority competent for issuing decisions in the Republic of Cyprus is the Assize Court or the District Court which exercises criminal jurisdiction, which is competent to hear the offence or which has issued a decision on supervision measures.
2. Where the Republic of Cyprus is the executing State, the authority competent in the Republic of Cyprus for recognising a decision by another Member State on supervision measures is:
 - (a) the District Court within the territorial jurisdiction of which the person against whom the decision on supervision measures has been issued in another Member State is resident.

- (b) the District Court of Nicosia, if the residence of the person in question is not known or if he/she is not resident in the Republic of Cyprus.

Notification pursuant to Article 7(3)

The Ministry of Justice and Public Order is the central authority which assists the authorities competent for issuing and recognising decisions with their administrative transmission and reception and with the determination referred to in Article 9, as well as all official correspondence relating thereto.

The contact details for the Ministry of Justice and Public Order are:

Leoforos Athalassas 125
1461 Nicosia, Cyprus
Tel.: +357 22805950/951
Fax: +357 22518356
Email: registry@mjpo.gov.cy

Notification pursuant to Article 8(2)

The Republic of Cyprus hereby notifies the General Secretariat of the Council that, in addition to the measures referred to in Article 8(1) of the Framework Decision, it also intends to monitor the following supervision measures:

- 1) the obligation for the person not to engage in specified activities in relation with the offence(s) allegedly committed, which may include involvement in a specified profession or field of employment;

- 2) an obligation to deposit a certain sum of money as a guarantee or to give another type of guarantee, which may either be provided through a specified number of instalments or entirely at once;
- 3) an obligation to avoid contact with specific objects in relation with the offence(s) allegedly committed, or which are taken as evidence.

Statement pursuant to Article 9(4)

The Republic of Cyprus declares that it will only accept the forwarding of a decision on supervision measures in respect of a person who does not lawfully and ordinarily reside in the Republic of Cyprus when that person is resident in its territory for a period of at least three (3) months.

Notification pursuant to Article 21(3)

The Republic of Cyprus notifies the General Secretariat of the Council that, in deciding on the surrender of the person to the issuing State, it will also apply Article 2(1) of Framework Decision 2002/584/JHA on the European Arrest Warrant.

Declaration pursuant to Article 24

The Republic of Cyprus accepts certificates in Greek or English.
