**Form 5**

**Information on the enforcement of the decision on a financial penalty**

**(apart from full recognition and full execution)**

**Article 9, 11, 12 and 14 of Framework Decision 2005/214/JHA[[1]](#footnote-1)**

***Information from the executing State to the issuing State***

|  |
| --- |
| **a)**  **Authority of the executing State (Sender)**  Official name:………………………………………………………………………………………  Contact information:………………………………………………………………………………  **Authority of the issuing State (Addressee)**  Official name:……………………….…………………………………………………………….  Contact information:…………………………………………………………………………….. |
| **b)**  **File reference of the executing State:……………………………….……..………………**  **File reference of the issuing State:…………………………………………………………** |
| **c)**  **Name of the person concerned: ……………………………….……..……………………**  **Date and place of birth: ……………………………….……..………………………………**  **Place of residence: ……………………………….……..……………………………………**  **OR**  **Name of the legal person concerned: ……………………………….……..…………….**  **Registered seat: ……………………………….……..………………………………………** |

|  |
| --- |
| **d) Information about the ongoing enforcement of the case**  **Payment authorized in instalments of the recognized financial penalty**  — date of the decision on authorizing payment in instalments:………………………  — payment plan (details on the dates and amounts):………………….…………….. |
| **e) Information about the outcome of the enforcement of the case**  **e.1)** **Date of termination:**…………………………  **e.2)** **Result of the enforcement:**   The enforcement was not successful.  The financial penalty has been partially enforced:  - amount in euro: ..…….  if applicable, in other national currency of the executing State: ………  BGN/HRK/CZK/GBP/HUF/PLN/RON/SEK  - the amount is enforced for :  sum of money on conviction of an offence imposed in a decision  - amount of:  compensation imposed in the same decision for the benefit of  victims - amount of:…………..  sum of money in respect of the costs of court or administrative  proceedings leading to the decision - amount of:……….  sum of money to a public fund or victim support organisation,  imposed in the same decision - amount of:……….  - application of alternative sanction  — type of sanction:……………………………………..  — date of termination of the alternative sanction:…………  **e.3)  Deduction of payment** (Article 14 (c))  — amount in euro: ..…….  if applicable, in other national currency of the executing state: ………  BGN/HRK/CZK/GBP/HUF/PLN/RON/SEK  — date: ………………………  recovered in whatever manner in the issuing State or other country (Article 9(2)).\*[[2]](#footnote-2)  **e.4)** **Reason for termination of the enforcement:**  Termination of the enforcement based on the decision of withdrawal by the  issuing State (Article 12(2)).  Termination of enforcement, for the reason of granting in the issuing or the  executing State (Article 11(1)) of:  amnesty.  pardon.  Termination of enforcement, in accordance with the law of the executing State on  the following ground (Article 9(1)):  no assets.  insolvency.  all national possibilities for execution have been exhausted.  the person concerned has deceased (date)….….…..  the person concerned has moved to another (Member) State  (place)………………………… on (date) ……..……..  the person concerned has moved to unknown address.  the person, of whom the personal data were transmitted, cannot be  determined/found.  other reasons: ………………………………………………………………….. |
| **f) Closure of the file, if applicable**  **Herewith, the executing State declares that the present case is closed.** |
| **g) Other relevant additional information for the issuing State:** ………………………………………………………………………………………………………  ……………………………………………………………………………………………………… |
| **h) Signature of the authority of executing State and/or its representative.**  Name: ………………………………………………………………………………………………...  Post held (title/grade): ……………………………………………………………………………  Date: ………………………………………………………………………………………………….  Official stamp (if available) |

1. Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties (OJ L 76, 22.3.2005, p. 16) [↑](#footnote-ref-1)
2. \* Prior consultation between the executing State and the issuing State is obligatory before deducting the already paid amount. [↑](#footnote-ref-2)