

NOTIFICATION

41/2017

FROM THE MINISTRY OF JUSTICE OF THE SLOVAK REPUBLIC
with regard to notifications from the Slovak Republic concerning Directive 2014/41/EU
of the European Parliament and of the Council of 3 April 2014 regarding the European
Investigation Order in criminal matters

The Ministry of Justice of the Slovak Republic hereby gives notice that it issued notifications on 10 November 2017 pursuant to Article 33(1)(a), (b) and (c), Article 33(2) and Article 34 of Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters. In light of the importance of these notifications, the Ministry of Justice of the Slovak Republic is publishing the wording thereof:

Notifications from the Slovak Republic
concerning Directive 2014/41/EU of the European Parliament and of the Council of
3 April 2014 regarding the European Investigation Order in criminal matters

Notification pursuant to Article 33(1)(a):

‘**Article 2(c)** – If the Slovak Republic is the state of origin, the European Investigation Order shall be issued by the judicial authority which needs to carry out an investigative act in another Member State in order to gather evidence for criminal proceedings;

- in pre-trial proceedings, by the competent prosecutor or, if proceedings pursuant to Article 23 of the Directive are concerned, the competent court in whose district the person in custody or serving a custodial sentence is located;
- in proceedings before a court, by the presiding judge or the judge.’.

‘**Article 2(d)** – If the Slovak Republic is the executing state, the Regional Prosecutor's Office in whose district the requested investigative act is to be carried out shall have competence.’.

Regional Prosecutor's Office Banská Bystrica
Partizánska cesta 1
975 62 Banská Bystrica

Regional Prosecutor's Office Bratislava
Vajnorská 47
812 56 Bratislava

Regional Prosecutor's Office Košice
Mojmírova 5
041 62 Košice

Regional Prosecutor's Office Nitra
Damborského 1
949 01 Nitra

*Regional Prosecutor's Office Prešov
Masarykova 16
080 01 Prešov*

*Regional Prosecutor's Office Trenčín
Legionárska 7158/5
912 50 Trenčín*

*Regional Prosecutor's Office Trnava
Dolné Bašty 1
917 44 Trnava*

*Regional Prosecutor's Office Žilina
Moyzesova 20
011 04 Žilina*

If the subject of the European Investigation Order is exclusively an investigative act which is to be carried out by the court owing to the applicability of the investigative act in criminal proceedings in the state of origin, *the district court in whose district the investigative act is to be carried out* shall have competence.

The competent authority for the recognition and execution of a European Investigation Order issued for the interception and recording of telecommunications in the Slovak Republic with technical assistance from the Slovak Republic is:

*Regional Prosecutor's Office Bratislava
Vajnorská 47
812 56 Bratislava’.*

Notification pursuant to Article 33(1)(b):

‘**Article 5(2)** – The Slovak Republic shall accept a European Investigation Order in Slovak. The Czech Republic may send a European Investigation Order in Czech.’.

Notification pursuant to Article 33(1)(c):

‘**Article 7(3)** – The Slovak Republic has not made use of the possibility of designating a central authority. However, the Ministry of Justice of the Slovak Republic shall provide the necessary cooperation, particularly in obtaining the necessary information concerning the determining of competence, or verifying the requirements for the recognition and enforcement of a European Investigation Order:

*Ministry of Justice of the Slovak Republic
Župné námestie 13
813 11 Bratislava
e-mail: inter.coop@juslice.sk
tel.: +421 2 888 91 347
fax: +421 2 888 91 604.’.*

Notification pursuant to Article 33(2):

‘The Minister for Justice shall decide on an authorisation to transfer a person in custody or serving

a custodial sentence across the territory of the Slovak Republic. A European Investigation Order must be attached to a transfer authorisation request submitted within the meaning of the notification concerning Article 33(1)(b).’.

Notification pursuant to Article 34(4):

‘For the Member States bound by Directive 2014/41/EU of the European Parliament and of the Council, the Slovak Republic shall continue to apply those international treaties or provisions thereof not precluded by the application of the Directive.

On 29 October 2012, the Protocol amending the Treaty between the Slovak Republic and the Czech Republic on legal assistance provided by judicial bodies and on the settlement of certain legal relations in civil and criminal matters and the Final Protocol thereto were signed. The Protocol entered into force on 1 December 2014.’.

Lucia Žitňanská [signed]
Deputy Prime Minister and Minister for Justice
of the Slovak Republic