ANNEX I

FREEZING CERTIFICATE

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| SECTION A:  Issuing State: ……………………………………………………………………………………….  Issuing authority: …………………………………………………………………………………...  Validating authority (if applicable): ………………………………………………………………..  Executing State: …………………………….……………………………………………….…….….  Executing authority (if known): …………………………………………………………………… |
| SECTION B: Urgency and/or requested date for execution  1. Please indicate the particular grounds for urgency:  □ There are legitimate grounds to believe that the property in question will imminently be removed or destroyed, namely:  ……………………………………………………………………………………………….……………………………………………………………………………...  □ Investigative or procedural needs in the issuing State, namely:  ……………………………………………………………………………………………….……………………………………………………………………………… |
| 2. Date for execution:  □ A specific date is requested, namely:……………………………………………..  □ Coordination needed between the Member States involved  Grounds for this request: ……………………………………………………………………………………………………………………………………………………………………………………………………………… |
| SECTION C: Affected person(s)  Identity of the person(s) against whom the freezing order is issued, or of the person(s) that owns/own the property that is covered by the freezing order (if more than one person is affected, please provide the information for each person):  1. Identification data  (i) In the case of natural person(s)  Name: ………………………………………………………………………………………………  First name(s): …………………………………………………………………………………………  Other relevant name(s), if applicable: ……………………………………………...........................  Aliases, if applicable: ………………………………………………………………………………  Sex: ………………………………………………………………………………………………… |
| Nationality: …………………………………………………………………………………………  Identity number or social security number, if available: .………………………………………….…  Type and number of the identity document(s) (identity card or passport), if available:  ……………………………………………………………………..………….....................................  Date of birth: …………………………………………….....................................................................  Place of birth: ………………………………………………………………………………………  Residence and/or known address (if the address is not known, the last known address):  ………………………………………………………………………………………………………  Language(s) which the affected person understands ……………………………………………….  Please indicate the position of the affected person in the proceedings:  □ person against whom the freezing order is directed  □ person that owns the property that is covered by the freezing order  (ii) In the case of legal person(s)  Name: ………………………………………………………………………………………………  Legal form: …………………………………………………………………………………..…….. |
| Shortened name, commonly used name or trading name, if applicable: …..……….…..…………..  Registered seat: …………………………………………………………………..…………………  Registration number: ……………………………………………………………………………….  Address: ………………………………………………………………………………………………  Name of the representative: …………………………………………………………………………..  Please indicate the position of the affected person in the proceedings:  □ person against whom the freezing order is directed  □ person that owns the property that is covered by the freezing order  2. If different from the address above, please give the location where the freezing order is to be executed:  ……………………………………………………………………………………………….  3. Third parties whose rights in relation to the property that is covered by the freezing order are directly prejudiced by the order (identity and grounds):  ……………………………………………………………………………………………… ……………………………………………………………………………………………….  4. Provide any other information that will assist with the execution of the freezing order:  ………………………………………………………………………………………………. |
| SECTION D: Information on property to which the order relates  1. Please indicate if the order concerns:  an amount of money  specific item(s) of property (corporeal or incorporeal, movable or immovable)  property of equivalent value (in the context of value-based confiscation)  2. If the order concerns an amount of money or property of equivalent value to that amount of money:   * The amount for execution in the executing State, in figures and words (indicate currency): ………………………………………………………………………………………………. * The total amount covered by the order, in figures and words (indicate currency): ……………………………………………………………………………………………….   Additional information:   * Grounds for believing that the affected person has property/income in the executing State:  ………………………………………………………………………………………………. |
| * Description of the property/ source of income of the affected person(when possible):  ………………………………………………………………………………………………. * Exact location of the property/source of income of the affected person (if not known, the last known location):  ………………………………………………………………………………………………. * Details of the bank account of the affected person (if known):  .................................................................................................................................................   3. If the order concerns specific item(s) of property or property of equivalent value to such property:  Grounds for the transmission of the order to the executing State:  the specific item(s) of property is/are located in the executing State  the specific item(s) of property is/are registered in the executing State  the issuing authority has reasonable grounds to believe that all or part of the specific item(s) of property covered by the order is/are located in the executing State. |
| Additional information:   * Grounds for believing that the specific item(s) of property is/are located in the executing State:  ………………………………………………………………………………………………. * Description of the item of property:  ………………………………………………………………………………………………. * Location of the item of property (if not known, the last known location):  ………………………………………………………………………………………………. * Other relevant information (e.g. appointment of a judicial administrator):  ………………………………………………………………………………………………. |
| SECTION E: Grounds for issuing the freezing order  1. Summary of the facts  Set out the reasons why the freezing order is issued, including:   * summary of the facts, including a description of the criminal offence(s):  ………………………………………………………………………………………………. ………………………………………………………………………………………………. |
| * stage of the investigation:  ………………………………………………………………………………………………. ………………………………………………………………………………………………. * grounds for freezing:  ………………………………………………………………………………………………. ………………………………………………………………………………………………. * other relevant information:  ………………………………………………………………………………………………. ……………………………………………………………………………………………….   2. Nature and legal classification of the criminal offence(s) in relation to which the freezing order was issued and the applicable legal provision(s):  ………………………………………………………………………………………………. ……………………………………………………………………………………………….  3. Is the criminal offence in relation to which the freezing order is issued punishable in the issuing State by a custodial sentence of a maximum of at least three years and included in the list of criminal offences set out below? (please tick the relevant box). Where the freezing order concerns several criminal offences, please indicate numbers in the list of criminal offences below (corresponding to the criminal offences as described under points 1 and 2 above).  □ participation in a criminal organisation |
| □ terrorism  □ trafficking in human beings  □ sexual exploitation of children and child pornography  □ illicit trafficking in narcotic drugs and psychotropic substances  □ illicit trafficking in weapons, munitions and explosives  □ corruption  □ fraud, including fraud and other criminal offences affecting the Union's financial interests as defined in Directive (EU) 2017/1371  □ laundering of the proceeds of crime  □ counterfeiting currency, including the euro  □ computer-related crime  □ environmental crime, including illicit trafficking in endangered animal species and in endangered plant species and varieties  □ facilitation of unauthorised entry and residence  □ murder or grievous bodily injury |
| □ illicit trade in human organs and tissue  □ kidnapping, illegal restraint or hostage-taking  □ racism and xenophobia  □ organised or armed robbery  □ illicit trafficking in cultural goods, including antiques and works of art  □ swindling  □ racketeering and extortion  □ counterfeiting and piracy of products  □ forgery of administrative documents and trafficking therein  □ forgery of means of payment  □ illicit trafficking in hormonal substances and other growth promoters  □ illicit trafficking in nuclear or radioactive materials  □ trafficking in stolen vehicles  □ rape  □ arson |
| □ crimes within the jurisdiction of the International Criminal Court  □ unlawful seizure of aircraft or ships  □ sabotage  4. Any other relevant information (e.g. relation between the property and the criminal offence):  ………………………………………………………………………………………………. |
| SECTION F: Confidentiality of the order and/or request for specific formalities  Need to maintain the information in the order confidential after execution:  ……………………………………………………………………………………………….  Need for specific formalities at the time of execution:  ………………………………………………………………………………………………. |
| SECTION G: Where a freezing certificate has been transmitted to more than one executing State, provide the following information:  1. A freezing certificate has been transmitted to the following other executing State(s) (State and authority):  ………………………………………………………………………………………………. ……………………………………………………………………………………………….  2. A freezing certificate has been transmitted to more than one executing State for the following reasons:  Where the freezing order concerns specific items of property:  Different items of property covered by the order are believed to be located in different executing States  The freezing of a specific item of property requires action in more than one executing State  Where the freezing order concerns an amount of money:  The estimated value of the property which may be frozen in the issuing State and in any one executing State is not likely to be sufficient for the freezing of the full amount covered by the order  Other specific needs:  ………………………………………………………………………………… |
| 3. Value of assets, if known, in each executing State:  ………………………………………………………………………………………………. ……………………………………………………………………………………………….  4. Where the freezing of the specific item(s) of property requires action in more than one executing State, description of the action to be taken in the executing State:  ………………………………………………………………………………………………. ………………………………………………………………………………………………. |
| SECTION H: Relation to an earlier freezing order and/or other order(s) or request(s)  Please indicate whether this freezing order relates to an earlier order or request (e.g. freezing order, European Investigation Order, European arrest warrant or mutual legal assistance). If applicable, provide the following information relevant to identify the previous order or request:   * Type of the order/request: ………………………………………………………………………………………………. * Date of issue: ………………………………………………………………………………………………. * Authority to which the order/request was transmitted: …………………………………………………………………………………………….… * Reference number given by the issuing authority: ………………………………………………………………………………………………. |
| * Reference number(s) given by the executing authority(ies): …………………………………………………………………………………………….. |
| SECTION I: Confiscation  Please indicate whether:  □ this freezing certificate is accompanied by a confiscation certificate issued in the issuing State (reference number of the confiscation certificate): …………………………….........................................................................................  □ the property shall remain frozen in the executing State pending the transmission and execution of the confiscation order (estimated date for submission of the confiscation certificate, if possible):  ………………………………………………………………………………………. |
| SECTION J: Alternative measures  1. Please indicate whether the issuing State allows for the application by the executing State of alternative measures where it is not possible to execute the freezing order, either wholly or partially:  □ Yes  □ No  2. If yes, state which measures may be applied:  ………………………………………………………………………………………………. |
| SECTION K: RESTITUTION OF FROZEN PROPERTY  1. Please indicate if a decision to restitute frozen property to the victim has been issued:  □ Yes  □ No  If yes, please specify the following concerning the decision to restitute frozen property to the victim:  Authority that issued the decision (official name): ……………….………………………………………………………………………………………..  Date of the decision: ……...………………………………………………………………………….  Reference number of the decision (if available): ………………………………………….………...  Description of the property to be restituted: ……..……………………………………….………....  Name of the victim: …………………………….…………………………………………….….….  Address of the victim: …………………………………………………………………………..….. |
| If the victim's title to the property is contested, please provide details (persons contesting the title, reasons, etc):  ……………………………………………………………………………………………………… ………………………………………………………………………………………………………  If rights of affected persons could be prejudiced as a result of the restitution, please provide details (the affected persons, the rights that could be prejudiced, reasons, etc):  …………...…………………………………………………………………………………………… ………………………………………………………………………………………………………...  2. Is a demand for restitution of frozen property to the victim pending in the issuing State?  □ No  □ Yes, the outcome will be communicated to the executing authority  The issuing authority shall be notified in case of direct transfer to the victim. |
| SECTION L: Legal remedies  Authority in the issuing State which can supply further information on procedures for seeking legal remedies in the issuing State and on whether legal assistance, interpretation and translation is available:  The issuing authority (see Section M)  The validating authority (see Section N)  Other:  ………………………………………………………………………………………. |
| SECTION M: Details of the issuing authority  Type of the issuing authority:  □ judge, court, public prosecutor  □ another competent authority designated by the issuing State  Name of the authority: ……………………………………………………………………………...  Name of the contact person: ………………………………………………………………………..  Post held (title/grade): ……………………………………………………………………………...  File No: …………………………………………………………………………………………….. |
| Address: ………………………………………………………………………………………….....  Tel. No. (country code) (area/city code): ……………………………………………………….….  Fax No. (country code) (area/city code): …………………………………………………………...  E-mail: ……………………………………………………………………………………………...  Languages in which it is possible to communicate with the issuing authority: ……………………  If different from above, the contact details of the person(s) to contact for additional information or to make practical arrangements for the execution of the order:  Name/Title/Organisation: …………………………………………………………………………….  Address: ………………………………………………………………………………………………  E-mail/Tel. No.: ………………………………………………………………………………………  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Signature of the issuing authority and/or its representative certifying the content of the freezing certificate as accurate and correct: ………………………………………………………………… |
| Name: ………………………………………………………………………………………………  Post held (title/grade): ……………………………………………………………………………...  Date: ………………………………………………………………………………………………..  Official stamp (if available): ……………………………………………………………………….. |
| SECTION N: Details of the authority which validated the freezing order  Please indicate the type of authority which has validated the freezing order, if applicable:  □ judge or court  □ public prosecutor  Name of the validating authority: …………………………………………………………………….  Name of the contact person: ………………………………………………………………………….  Post held (title/grade): ………………………………………………………………………………..  File No.: …………………………………………………………………………………………….  Address: ……………………………………………………………………………………………… |
| Tel. No. (country code) (area/city code): ………………………………………………..................  Fax No. (country code) (area/city code): …………………………………………………………...  E-mail: ……………………………………………………………………………………………...  Languages in which it is possible to communicate with the validating authority: ………………....  Please indicate the main contact point for the executing authority:  □ issuing authority  □ validating authority  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Signature and details of the validating authority and/or its representative:  ...............................................................................................................................................................  Name: ……………………………………………………………………………………………....  Post held (title/grade): ……………………………………………………………………………...  Date: ………………………………………………………………………………………………..  Official stamp (if available): ………………………………………………………………………. |
| SECTION O: Central authority  Where a central authority has been made responsible for the administrative transmission and reception of freezing certificates in the issuing State, please indicate:  Name of the central authority: ……………………………………………………………...............  Name of the contact person: .................................................................................................................  Post held (title/grade): ……………………………………………………………………………...  File No.: …………………………………………………………………………………………….  Address: …………………………………………………………………………………………….  Tel. No. (country code) (area/city code): .............................................................................................  Fax No. (country code) (area/city code): ..............................................................................................  E-mail: ……………………………………………………………………………………………... |
| SECTION P: Attachments  Please indicate any attachments to the certificate: ……………………………………………........ |