



LIETUVOS NUOLATINĖ ATSTOVYBĖ EUROPOS SĄJUNGOJE
PERMANENT REPRESENTATION OF LITHUANIA TO THE EUROPEAN UNION

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General Secretariat of the Council of the
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European Commission
Directorate-General for Justice and
Consumers
B-1049 Brussels

**CONCERNING COUNCIL FRAMEWORK DECISION 2006/783/JHA AND REGULATION
2018/1805**

Please find enclosed the notification from the Ministry of Justice of the Republic of Lithuania No (1.13E) 7R-7493 regarding the Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders (Annex I) and the Regulation 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders (Annex II).

ENCLOSED. 4 pages.

Permanent Representative of Lithuania to the EU
ad interim

Simonas Šatūnas



LIETUVOS RESPUBLIKOS TEISINGUMO MINISTERIJA
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Data have been accumulated and stored in the Register of Legal Entities, code 188604955

General Secretariat of the Council of the European
Union

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**REGARDING COUNCIL FRAMEWORK DECISION 2006/783/JHA AND REGULATION
2018/1805**

Please find attached the notifications of the Republic of Lithuania concerning the Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders (Annex I) and the Regulation 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders (Annex II).

Vice minister of Justice

Ernestas Jurkonis

FRAMEWORK DECISION 2006/763/JHA

Executing authority

In accordance with Article 3(1) of the Framework Decision district courts are the competent executing authorities. District courts are competent to receive confiscation decisions transmitted directly by competent authorities of the other Member States of the European Union.

A decision on confiscation by a court of a Member State of the European Union is recognized by the district court of the place of residence of the natural person in respect of whose property the decision on confiscation was issued, or of the registered seat of the legal person in respect of whose property the decision on confiscation was issued. In cases where the natural person in respect of whose property the decision on confiscation was issued has no residence in the Republic of Lithuania or the legal person in respect of whose property the decision on confiscation was issued has no registered seat in the Republic of Lithuania, the decision on confiscation is recognized by the district court of the place where the property or the principal part thereof in respect of which confiscation is sought is located.

Issuing authority

In accordance with Article 3(1) of the Framework Decision the court that has adopted the decision on confiscation decides whether to issue a confiscation order to another Member State, i. e. acts as a competent issuing authority.

Language

In accordance with the provisions of Article 19(2) of the Framework Decision, the Republic of Lithuania will accept certificates under Article 4(2) of the Framework Decision in Lithuanian.

REGULATION 2018/1805**Freezing orders***Executing authority*

In accordance with Article 2(9) of the Regulation the prosecutor of the Regional Prosecutor's Office of the location of the property or of the General Prosecutor's Office is the competent executing authority. When the criminal investigation is being held exercising the competence of the EPPO, European delegated prosecutor is the competent executing authority. The prosecutor of the Regional Prosecutor's Office of the location of the property or of the General Prosecutor's Office receives freezing orders from the competent issuing authorities directly or through the Prosecutor's General Office.

Issuing authority

In accordance with Article 2(8) of the Regulation the Prosecutor's General Office and Regional Prosecutor's Office and when the criminal investigation is being held exercising the competence of the EPPO, European delegated prosecutor is the competent issuing authority.

Language

In accordance with Article 6(3) of the Regulation the Republic of Lithuania will accept certificates in Lithuanian.

Other declarations

In accordance with Article 4(2) of the Regulation Lithuania hereby declares that when a freezing certificate is transmitted to the Republic of Lithuania with a view to the recognition and execution of a freezing order, the issuing authority is to transmit the original freezing order or a certified copy thereof together with the freezing certificate.

Confiscation orders*Executing authority*

In accordance with Article 2(9) of the Regulation district courts are the competent executing authorities. District courts are competent to receive confiscation decisions transmitted directly by competent authorities of the other Member States of the European Union.

A decision on confiscation by a court of a Member State of the European Union is recognised by the district court of the place of residence of the natural person in respect of whose property the decision on confiscation was issued, or of the registered seat of the legal person in respect of whose property the decision on confiscation was issued. In cases where the natural person in respect of whose property the decision on confiscation was issued has no residence in the Republic of Lithuania or the legal person in respect of whose property the decision on confiscation was issued has no registered seat in the Republic of Lithuania, the decision on confiscation is recognised by the district court of the place where the property or the principal part thereof in respect of which confiscation is sought is located.

Issuing authority

In accordance with Article 2(8) of the Regulation the court that has adopted the decision on confiscation decides whether to issue a confiscation order to another Member State, i. e. acts as a competent issuing authority.

Language

In accordance with Article 17(3) of the Regulation the Republic of Lithuania will accept certificates in Lithuanian.

Other declarations

In accordance with Article 14(2) of the Regulation Lithuania hereby declares that when a confiscation certificate is transmitted to them with a view to the recognition and execution of a confiscation order, the issuing authority is to transmit the original confiscation order or a certified copy thereof together with the confiscation certificate.