

09/12/2020

Ministry of Justice
Sweden

To: European Commission

Notification of national measures taken to comply with Sweden's obligations in the European Union

Regulation (EU) 2018/1805 of the European Parliament and of the Council of 14 November 2018 on the mutual recognition of freezing orders and confiscation orders

This legal act, which will apply from 19 December 2020, has been supplemented by the following national provisions:

1. Act (2020:968) containing provisions supplementing the EU Regulation on the mutual recognition of freezing orders and confiscation orders,
2. Act amending the Act (1963:193) on cooperation with Denmark, Finland, Iceland and Norway regarding the enforcement of sentences etc.,
3. Act amending the Act (1972:260) on international cooperation regarding the enforcement of criminal judgments,
4. Act amending the Act (2005:500) on the recognition and enforcement of freezing orders in the European Union,
5. Act amending the Act (2011:423) on the recognition and enforcement of confiscation orders in the European Union, and
6. Act amending the Act (2017:1000) on the European Investigation Order,
7. Ordinance (2020:974) containing provisions supplementing the EU Regulation on the mutual recognition of freezing orders and confiscation orders,
8. Ordinance amending the Ordinance (1999:1134) on criminal records,
9. Ordinance amending the Ordinance (1999:1135) on the criminal suspects register,
10. Ordinance amending the Ordinance (2005:501) on the recognition and enforcement of freezing orders in the European Union, and

11. Ordinance amending the Ordinance (2011:578) on the recognition and enforcement of confiscation orders in the European Union.

Further notifications concerning this legal act:

- In accordance with Article 2(8) and (9) of the Regulation, the Commission is hereby informed that public prosecutors and ordinary courts are competent to issue freezing orders or confiscation orders when Sweden is the issuing State and to decide on the recognition and execution of another Member State's freezing orders or confiscation orders when Sweden is the executing State.
- In accordance with Article 4(2) and Article 14(2) of the Regulation, the Commission is hereby informed that Act (2020:968) containing provisions supplementing the EU Regulation on the mutual recognition of freezing orders and confiscation orders requires a freezing certificate or confiscation certificate to be accompanied by the freezing order or confiscation order to which the certificate refers (cf. Chapter 4, Section 1, first sentence and Chapter 5, Section 1, first sentence of the Act).
- In accordance with Article 6(3) and Article 17(3) of the Regulation, the Commission is hereby informed that Act (2020:968) containing provisions supplementing the EU Regulation on the mutual recognition of freezing orders and confiscation orders requires a freezing certificate or confiscation certificate to be drawn up in, or translated into, Swedish or English (cf. Chapter 4, Section 1, second sentence and Chapter 5, Section 1, second sentence of the Act).

The Commission will be informed of any amendments to the national provisions.



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