



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 3 June 2008 (04.06)

**8390/08
(OR. cs,en)**

COPEN 74

NOTE

From:	Her Excellency Milena Vicenova, Permanent Representative of the Czech Republic to the EU
Received:	3 April 2008
Subject:	Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties - Notification

Brussels, 21 March 2008

Ref.

Dear Sir,

In accordance with Article 20(5) of Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties (Official Journal L 76, 22 March 2005, p. 16), I enclose herewith the amended legal texts of the Czech Republic adopted for the purpose of full transposition of the Framework Decision.

The provisions of the Framework Decision have been transposed into Act No 141/1961 (Code of Criminal Procedure). Act No 253/2006 Coll., which transposed the Framework Decision into the above-mentioned law of the Czech Republic, entered into force on 1 July 2006.

The Czech Republic has transposed the Framework Decision in full, with the exception of the provisions of Article 1(a) and Article 9(3), because to date the legal order of the Czech Republic does not recognise the notion of criminal liability of legal persons. The Czech Republic will therefore be unable to recognise or execute decisions with respect to legal persons. In the absence of this aspect of criminal law in respect of legal persons, the Czech Republic will also be unable to send any non-judicial decision for recognition and execution in another EU Member State.

We enclose herewith further information on the domestic arrangements adopted, in the form of a comparative table showing the relevant measures of our legislation that transpose the Framework Decision.

Please further find enclosed, in Annexes 2 and 3, the Czech Republic's notification pursuant to Article 2(1) determining the competent authorities for the Czech Republic when it is the state issuing or executing the request for recognition and execution of a decision concerning financial penalties.

The person to contact for consultation on technical questions on the legislation adopted is:

Mgr. Zuzana Černecká
International Crime Department
Ministry of Justice of the Czech Republic
Tel.: +420 221 997 480
Email: ZČernecká@msp.justice.cz

working language: English

x 3 Annexes

Milena Vicensova

Annex 2

Notification by the Czech Republic regarding Article 2(1) of Council Framework
Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual
recognition to financial penalties

In accordance with Article 2(1) of Council Framework Decision 2005/214/JHA of
24 February 2005 on the application of the principle of mutual recognition to financial penalties, the
Czech Republic declares that the competent bodies are

1/ in the event that the Czech Republic is the issuing State:

- the locally competent high, regional, district and area courts, Prague Municipal Court,
Brno Municipal Court and the Supreme Court of the Czech Republic;

2/ in the event that the Czech Republic is the executing State:

- the locally competent high and regional courts and Prague Municipal Court.

The bodies responsible for receiving a decision together with a certificate from other Member States
are the locally competent area courts and Prague Municipal Court. These bodies can be contacted at
the address given in Annex 3.

Annex to the notification by the Czech Republic regarding Article 2(1) of Council Framework
Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual
recognition to financial penalties

The locally competent regional courts and Prague Municipal Court can be contacted at the following addresses:

1. Prague Municipal Court

Spálená 2

112 16 Prague 1

Tel.: +420 221 931 111

Fax: +420 224 947 490

E-mail: slezska@msoud.pha.justice.cz

2. Brno Municipal Court

Rooseveltova 16

601 95 Brno

IČ 215 724

Tel.: +420 542 101 111

Fax: +420 542 103 362

E-mail: podatelna@ksoud.brn.justice.cz

3. Regional Court

Nám. Kinských 5

150 75 PRAGUE 5

Tel.: +420 257 005 111

Fax: +420 257 321 528

E-mail: podatelna@ksoud.pha.justice.cz

4. Ústí nad Labem Area Court

Národního odboje 1274

400 92 Ústí nad Labem

Tel.: +420 475 247 111

Fax: +420 475 247 369

E-mail: podatelna@ksoud.unl.justice.cz

5. Ostrava Regional Court

Havlíčkovo nábřeží 34

728 81 OSTRAVA

Tel.: +420 596 153 111

Fax: +420 569 120 981

E-mail: : ksostrava@ksoud.ova.justice.cz

6. České Budějovice Regional Court

Zátkovo nábřeží 2

370 84 České Budějovice

Tel.: +420 386 018 111

Fax: +420 386 354 309

E-mail: podatelna@ksoud.cbu.justice.cz

7. Plzeň Regional Court

Veleslavínova 40

306 17 Plzeň

Tel.: +420 377 868 888

Fax: +420 377 868 000

E-mail: epodatelna@ksoud.plz.justice.cz

8. Hradec Králové Regional Court

Československé armády 218

502 08 Hradec Králové

Tel.: +420 498 016 111

Fax: +420 495 514 021

E-mail: posta@ksoud.hrk.justice.cz

=====