



**COUNCIL OF  
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**COVER NOTE**

from:	Janusz Gaciarz, Minister-Counsellor, Permanent Representation of Poland to the European Union
to:	Ivan Bizjak, Director-General, DGH Justice and Home Affairs, General Secretariat of the Council of the European Union
date of receipt:	22 October 2009
Subject:	Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders - Notification letter by Poland

Supplementing the notification letter WSISW/MF/4023/24-70/09 from 29<sup>th</sup> of July 2009, please find enclosed the list of competent authorities as well as the declaration by the Republic of Poland in accordance with Article 7(5) of the *Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders*.

(complimentary close)

Janusz Gaciarz  
Minister-Counsellor

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Notification by the Republic of Poland regarding Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders

The Republic of Poland declares that the competent Polish authorities within the meaning of Article 3(1) of Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders are:

- where the Republic of Poland is the issuing state: the regional and district courts with territorial jurisdiction;
- where the Republic of Poland is the executing state: the district courts with territorial jurisdiction.

The authorities responsible for receiving decisions, together with certificates, from other Member States are the district courts with territorial jurisdiction. These authorities can be contacted at the addresses given in the Annex "Regional and district courts in Poland".

The authority responsible for assisting the competent authorities (Article 3(2) of the Framework Decision) is the Department of International Cooperation and European Law at the Ministry of Justice of the Republic of Poland:

Ministerstwo Sprawiedliwości Rzeczypospolitej Polskiej  
Departament Współpracy Międzynarodowej i Prawa Europejskiego  
Aleje Ujazdowskie 11, 00-950 Warsaw, Poland  
Tel. +48 22 2390 870  
Fax +48 22 6280 949  
e-mail [dwm@ms.gov.pl](mailto:dwm@ms.gov.pl)  
www <http://www.ms.gov.pl>

The Ministry of Justice is the authority in the Republic of Poland responsible for concluding agreements with other Member States on the disposal of property seized or confiscated by the Republic of Poland on the basis of a decision on seizure or confiscation (Article 16(4) of the Framework Decision).

Declaration by the Republic of Poland regarding Article 7(5) of Framework Decision  
2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to  
confiscation orders

Pursuant to Article 7(5) of Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders, the Republic of Poland declares that its competent authorities will not will not recognise and execute confiscation orders in cases where confiscation of the property was ordered under the extended powers of confiscation referred to in Article 2(d)(iv) of the Framework Decision.

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