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COVER NOTE

from:	Ivan Korčok, Ambassador, Permanent Representation of the Slovak Republic to the European Union
to:	Mr. Rafael Fernández-Pita y González, Deputy Director-General, Council of the European Union
date of receipt :	29 May 2012
Subject :	Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties - Notification of the implementation of the Framework Decision by the Slovak Republic

Dear Director-General,

Following transposition of Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties, as amended by Council Framework Decision 2009/299/JHA of 26 February 2009, I have pleasure in sending to you, annexed to this letter, notifications by the Slovak Republic pursuant to Article 2 and Article 16, together with the correlation table required under Article 20, of the abovementioned Framework Decision.

The Framework Directive has been transposed into Slovak law with the adoption of Act No 183/2011 of 1 June 2011 on the recognition and enforcement of decisions on financial penalties in the European Union, which entered into force on 1 August 2011.

The contact person for the purposes of the transposition of the Framework Directive into Slovak law is Dr Richard Sviežený, Legislation Division, Ministry of Justice of the Slovak Republic, Župné nám. 13, 813 11 Bratislava, Slovakia; e-mail: richard.sviezeny@justice.sk; tel. +421259353360; fax: +421259353609 (languages: English and German).

(Complimentary close)

(s.) Ivan Korčok

Draft notifications by the Slovak Republic
concerning Council Framework Decision 2005/214/JHA of 24 February 2005 on the
application of the principle of mutual recognition to financial penalties as amended by
Council Framework Decision 2009/299/JHA

The Slovak Republic hereby makes the following notifications pursuant to Article 2 of Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties as amended by Council Framework Decision 2009/299/JHA:

Article 2(1)

"The competent authority for proceedings concerning the recognition and enforcement of decisions on financial penalties handed down by a court in the issuing State is the regional court within the territory of which the place of residence or registered seat of the person required to pay the penalty in question is situated. If the place of residence or registered seat of the person concerned is not situated on the territory of the Slovak Republic, Bratislava Regional Court is competent for the proceedings.

The competent authority for proceedings concerning the recognition and enforcement of a decision on financial penalties handed down by an administrative body in the issuing State is Bratislava I District Court.

The competent authorities for issuing a decision on financial penalties are all courts in the Slovak Republic."

Article 2(2)

"The central authority responsible for the administrative transmission and reception of decisions on financial penalties is the Ministry of Justice of the Slovak Republic, Župné nám. 13, 813 11 Bratislava, Slovakia; e-mail: inter.coop@justice.sk; tel. +421259353347."

Article 16(1)

"Certificates addressed to the Slovak judicial authorities must be drawn up in Slovak.

Between the Slovak Republic and another Member State, the Slovak judicial authorities use the language adopted in mutual communication between the authorities of the respective States in the proceedings in question, on the basis of a declaration of reciprocity (Section 17(3) of the Act). The Act empowers the Ministry of Justice of the Slovak Republic to issue declarations of reciprocity which are binding on the Slovak authorities."
