



**COUNCIL OF
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COVER NOTE

from: Mr Dimiter TZANTCHEV, Ambassador, Permanent Representation of the Republic of Bulgaria to the European Union

to: Mr. Rafael Fernández-Pita y González, Deputy Director-General, Council of the European Union

date of receipt: 22 May 2012

Subject: Council Framework Decision 2008/947/JHA on the application of the principle of mutual recognition to judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions
- Notification of the implementation of the Council Framework Decision by Bulgaria

Dear Mr. Fernández-Pita,

With regard to the Member States obligation under Article 25, paragraph 2 of the Council Framework Decision 2008/947/JHA I would like to inform you that the Law on recognition, enforcement and sending of judgments and probation decisions with a view to the supervision of probation measures and alternative sanctions has been adopted by the Bulgarian National assembly on the 14 March 2012.

I am sending you enclosed the Bulgarian declarations according to Article 3, paragraph 1 and Article 21 of the Council Framework Decision 2008/947/JHA, the text of the implementing law, as well as the table of correspondence of the law provisions with the requirements of the Framework Decision in Bulgarian language.

The information is also sent to the following e-mail address :
secretariat.criminal-law@consilium.europa.eu

(Complimentary close)

(s.) Dimiter TZANTCHEV

**DECLARATIONS AND NOTIFICATIONS BY THE REPUBLIC OF BULGARIA
PURSUANT TO EU COUNCIL FRAMEWORK DECISION 2008/947/JHA OF
27 NOVEMBER 2008 ON THE APPLICATION OF THE PRINCIPLE OF
MUTUAL RECOGNITION TO JUDGMENTS AND PROBATION DECISIONS
WITH A VIEW TO THE SUPERVISION OF
PROBATION MEASURES AND ALTERNATIVE SANCTIONS**

(1) Notification pursuant to Article 3(1) (Designation of competent authorities)

(a) Where the Republic of Bulgaria is the executing State:

The competent authorities in the Republic of Bulgaria for the recognition of judgments and probation decisions delivered in another Member State of the European Union, are the provincial courts at the individual's place of residence. In cases where the sentenced person's place of residence in the Republic of Bulgaria is not known or the sentenced person does not reside in the country, the competent authority for the recognition of such judgments shall be Sofia City Court.

(b) Where the Republic of Bulgaria is the issuing State:

The competent authority for issuing judgments in criminal matters delivered in the Republic of Bulgaria which have entered into force and impose a probationary penalty or lay down probationary measures in the case of a conditional sentence or conditional early release, for recognition and execution in other Member States of the European Union, shall be the Bulgarian first-instance court which delivers the judgments.

(2) Declarations pursuant to Article 21 (languages):

The Republic of Bulgaria declares that it accepts the certificate pursuant to Article 6(1) of the Framework Decision with the translation into the Bulgarian language.
