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**NOTE**

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From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	5314/14
Subject:	Council Framework Decision 2009/829/JHA on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention - Notification made by the Slovak Republic

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Delegations will find attached the notification made by the Slovak Republic in relation to Framework Decision 2009/829/JHA on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention.

This notification is also included in doc. 5314/14 and in doc. 6883/14, comprising several notifications by the Slovak Republic, but is distributed in this individual format at the request and for the convenience of delegations.

**Notification made by the Slovak Republic**

**Council Framework Decision 2009/829/JHA of 23 October 2009 on the application, between Member States of the European Union, of the principle of mutual recognition to decisions on supervision measures as an alternative to provisional detention**

The Slovak Republic hereby issues the following notification:

**Article 6(1)**

"The competent authority of the Slovak Republic as issuing State for the transfer of the execution of a decision on supervision measures to another Member State is the court or judge for the preparatory proceedings who decides on custody pursuant to the general provisions on criminal proceedings. The competent authority of the Slovak Republic as executing State for the recognition and execution of a decision on supervision measures is the district court in whose area of jurisdiction the sentenced person ordinarily resides; if the sentenced person ordinarily resides in the Slovak Republic and has both a permanent place of residence and a temporary place of residence, the competent authority is the district court in whose area of jurisdiction the sentenced person permanently resides."

**Article 8(2)**

"In addition to the supervision measures referred to in Article 8(1) of the Framework Decision, the Slovak Republic is also prepared to monitor the following supervision measures:

- an obligation not to engage in specified activities in relation with the offence(s) allegedly committed, in particular involvement in a specified profession or field of employment;
- an obligation not to drive a vehicle."

#### **Article 9(4)**

"The Slovak Republic as issuing State, upon request of the person concerned, will forward a decision on supervision measures to a Member State other than the Member State in which the person ordinarily resides, on condition that the competent judicial authority of the Member State to which the decision on supervision measures is to be forwarded gives consent in advance.

The Slovak Republic as executing State will recognise and execute a decision on supervision measures only on condition that the person concerned ordinarily resides in the Slovak Republic, unless prevented from doing so by other grounds arising from the Framework Decision."

#### **Article 24**

"Certificates forwarded to the Slovak judicial authorities must be drawn up in Slovak, or accompanied by a translation into Slovak. The Slovak Republic will accept certificates pursuant to this legal act in respect of the Czech Republic in Czech."

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