



Council of the  
European Union

040732/EU XXV. GP  
Eingelangt am 07/10/14

Brussels, 7 October 2014  
(OR. en)

13990/14

---

---

**Interinstitutional File:**  
**2013/0255 (APP)**

---

---

EPPO 56  
EUROJUST 172  
CATS 145  
FIN 719  
COPEN 241  
GAF 55

**NOTE**

---

From: the Polish Delegation  
To: Delegations  
Subject: Proposal for a Regulation on the establishment of the European Public  
Prosecutor's Office  
- *Proposal of the Polish Delegation on Article 30*

---

**PROPOSAL OF THE POLISH DELEGATION ON ARTICLE 30**

**EPPO**

*Article 30*

**Admissibility of evidence**

**OPTION 1**

1. Evidence presented by the prosecutors of the European Public Prosecutor's Office to the trial court, where the court considers that its admission would not adversely affect the fairness of the procedure or the rights of defence or other rights as enshrined in the Charter of Fundamental Rights of the European Union, shall be admitted in the trial without any validation or similar legal process even if the national law of the Member State where the court is located provides for different rules on the collection or presentation of such evidence.

**1a. The trial court may refuse to admit evidence referred to under para 1, if it considers it irrelevant for the case.**

2. (...)

## **OPTION 2**

1. Evidence presented by the prosecutors of the European Public Prosecutor's Office to the trial court, where the court considers that its admission would not adversely affect the fairness of the procedure or the rights of defence or other rights as enshrined in the Charter of Fundamental Rights of the European Union, shall ~~be admitted in the trial without~~ **not be subject to** any validation or similar legal process even if the national law of the Member State where the court is located provides for different rules on the collection or presentation of such evidence.

---