



**COUNCIL OF
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NOTE

from: Mr Matija VIDMAR, Director General, Ministry of Justice of Slovenia
to: General Secretariat of the Council

Subject: Implementation of the Council Framework Decision 2006/783/JHA of 6 October 2006 on the principle of mutual recognition to confiscation orders
- Declaration

Under the Article 22(2) of the Framework Decision, Member States are obliged to transmit to the Council and to the Commission the text of the provisions transposing into their national laws the obligations imposed on them under the Framework Decision.

Consequently the Republic of Slovenia in accordance with the Council Framework Decision 2006/783/JHA of 6 October 2006 on the principle of mutual recognition to confiscation orders, herewith notifies the competent institutions of the European Union on the adoption of new act, which replaced the existing implementing act. Attached please find the provisions of the Act on International Co-operation in Criminal Matters between the Member States of the European Union – 1, adopted by the National Assembly of the Republic of Slovenia on 23rd May 2013, which enters into force on 20th September 2013 (published in the Official Gazette of the Republic of Slovenia, no.48/20133 of 4th June 2013, hereinafter ZSKZDČEU -1).

In accordance with the provisions of the Council Framework Decision 2006/783/JHA of 6 October 2006 on the principle of mutual recognition to confiscation orders the Republic of Slovenia makes the following statements and declarations. Since there has been no modifications regarding the issues, related to the statements and declarations, all declaration remains the same.

1. Designation of competent authorities - Article 3(1)

a) Issuing Authorities

Judicial authorities in the Republic of Slovenia competent to issue Confiscation order are Local Courts (okrajna sodišča) and District Courts (okrožna sodišča). Local Courts are competent in cases of criminal offences carrying as principal penalty a fine or a prison term of up to three years, while the jurisdiction of district courts covers the rest of the decision-making in the first instance.

b) Executing Authorities

Judicial authorities in the Republic of Slovenia competent to execute the Confiscation order are District Courts. The territorial jurisdiction of the court shall be determined according to the place where the property which is the subject of the enforcement, is located. If more resources or objects are indicated in the proposal concerning the property, the court with territorial jurisdiction shall be the court competent according to the first indicated means of execution. If the territorial jurisdiction can not be determined as stated, it shall be determined according to the permanent or temporary residence of the person subject to the confiscation and for a legal person, according to the registered office, and if it has a branch office, according to the place of such branch office. If the competent court can not be determined as stated, the District Court in Ljubljana shall be competent.

District courts (okrožna sodišča):

Okrožno sodišče v Celju

Prešernova 22

SLO-3000 Celje

Tel: (+386) 3 427 51 00

Fax: (+386) 3 427 51 73

Okrožno sodišče v Kopru

Ferrarska 9

SLO-6000 Koper

Tel: (+386) 5 668 30 00

Fax: (+386) 5 639 52 47

Okrožno sodišče v Novi Gorici

Kidričeva 14

SLO-5000 Nova Gorica

Tel: (+386) 5 335 17 00

Fax: (+386) 5 335 16 97

Okrožno sodišče v Kranju

Zoisova 2

SLO-4000 Kranj

Tel: (+386) 4 271 12 00

Fax: (+386) 4 271 12 03

Okrožno sodišče v Krškem

Cesta krških žrtev 12

SLO-8270 Krško

Tel: (+386) 7 488 17 00

Fax: (+386) 7 488 17 68

Okrožno sodišče v Ljubljani

Tavčarjeva 9

SLO-1000 Ljubljana

Tel: (+386) 1 366 44 44

Fax: (+386) 1 366 45 18

Okrožno sodišče v Novem mestu

Jerebova ulica 2

SLO-8000 Novo mesto

Tel: (+386) 7 338 11 00

Fax: (+386) 7 332 20 58

Okrožno sodišče na Ptuj

Kremljeva ulica 7

SLO-2250 Ptuj

Tel: (+386) 2 748 08 00

Fax: (+386) 2 748 08 10

Okrožno sodišče v Mariboru

Sodna ulica 14

SLO-2000 Maribor

Tel: (+386) 2 234 71 00

Fax: (+386) 2 234 73 06

Okrožno sodišče v Murski Soboti

Slomškova 21

SLO-9000 Murska Sobota

Tel: (+386) 2 535 29 00

Fax: (+386) 2 535 29 45

Okrožno sodišče v Slovenj Gradcu

Kidričeva 1

SLO-2380 Slovenj Gradec

Tel: (+386) 2 884 69 08

Fax: (+386) 2 884 69 10

2. Extended confiscation - Article 7 (5)

The Republic of Slovenia declares that Slovenian competent authorities will not recognize and execute confiscation orders under circumstances where confiscation of the property was ordered under the extended powers of confiscation referred to in article 2(d)(iv) of the Council Framework Decision of 6 October 2006 on the application of the principle of mutual recognition of confiscation orders.

3. Language regime - Article 19 (2)

The Republic of Slovenia declares that it will also accept certificates translated in English language.
