



Council of the
European Union

Brussels, 11 May 2020
(OR. en)

7854/20

COPEN 111
EUROJUST 65
EJN 49

COVER NOTE

From: Mr Nuno Brito, Ambassador, Permanent Representation of Portugal to the European Union

date of receipt: 5 May 2020

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

Subject: Implementation of Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence
- Notification by Portugal

Dear Sir,

In connection with the implementation by the Portuguese authorities of Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence, I am pleased to transmit the information contained in the document in annex.

(complimentary close)

Information to be communicated pursuant to Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence

I – Competent authorities

The authority competent to issue a request to freeze property is the public prosecutor's office (Ministério Público) of the court with jurisdiction to open criminal proceedings in the place in which the property subject to the freezing order is located at the time of the decision (Articles 11 and 12 of Law No 25/2009).

The authority competent to issue a request to freeze evidence is the Prosecutor-General's Office (Procuradoria-Geral da República) (Article 10 of Law No 88/2017 of 21 August 2017).

II – Communication of national transposition provisions under Article 14(2) of the Framework Decision

The Framework Decision was transposed by Law No 25/2009 of 5 June 2009 on the issuing and execution of orders freezing property or evidence in the European Union pursuant to Council Framework Decision 2003/577/JHA of 22 July 2003, and by Law No 88/2017 of 21 August 2017 on the execution of orders freezing evidence.

Current version available at:

http://www.pgdlisboa.pt/leis/lei_mostra_articulado.php?nid=1346&tabela=leis&so_miolo=