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Competent authorities, languages accepted, urgent matters and scope of the EIO Directive¹ of the instrument in the EU Member States


- as notified by the Member States which have transposed the Directive 2014/41/EU or on the grounds of the information provided by the EJM Tool Correspondents or National Correspondents
- according to Notifications made by the Member States pursuant to Article 33 (1) and (2) and Article 34(4) of the Directive 2014/41/EU

Please be advised that the contact information of any competent authority can be easily found in EJM Atlas!


 AUSTRIA	
ISSUING AUTHORITIES	Public Prosecution Services or Courts; in fiscal matters below the threshold for punishable acts before courts: financial criminal authority; in other administrative matters: district administrations and federal police authorities
VALIDATING AUTHORITIES	No validation in case of EIO issued by Public Prosecutors offices or Courts; in fiscal matters below the threshold for punishable acts before courts: Head of appraisal senate; in other administrative matters: Administrative Court
RECEIVING AUTHORITIES	Public Prosecution Services or Courts; in fiscal matters below the threshold for punishable acts before courts: financial criminal authority; in other administrative matters: district administrations and federal police authorities
EXECUTING AUTHORITIES	Same as receiving authorities
CENTRAL/SPECIFIC AUTHORITIES	In cases of serious economic crime and corruption (including: misuse of official power): the Central Prosecutor's Office for

¹ Article 3 states that the EIO shall cover any investigative measure with the exception of the setting up of a joint investigation team and the gathering of evidence within such a team. Article 34 (1) states that EIO replaces the corresponding provisions of three central "MLA" conventions. Here the Member States can specify, which measures would be excluded from/ included within the scope of the EIO.



	Economic Crime and Corruption in Vienna
URGENT MATTERS	Public Prosecution Services
SCOPE	<p>Austria is considering whether the simple notification of procedural documents or summoning of persons can be regarded as investigative measure falling under the scope of the EIO.</p> <p>Under AT law the criminal proceedings come to an end when the sentence is final. Therefore the term “criminal proceedings” leaves room for interpretation as to the question of application, e.g. in respect of asset tracing that is conducted after the sentence has become final.</p>
ACCEPTED LANGUAGES	German; in relation to Member States that accept German also their official languages are accepted
ENTRY INTO FORCE	1 July 2018
 BELGIUM	
ISSUING AUTHORITIES	<p>The following Belgian judicial authorities are, in accordance with requirements laid down in the law of 22 May 2017 and the Code of Criminal Procedure, competent to issue an EIO:</p> <ul style="list-style-type: none">• the public prosecutor;• the investigative judge. <p>The General Customs and Excise Administration is competent to issue an EIO concerning offences that fall under its exclusive competence if this administration is competent to order the measure itself in a similar domestic case.</p>
VALIDATING AUTHORITIES	When an EIO is issued by the General Customs and Excise Administration, it needs to be validated by an investigative judge.
RECEIVING AUTHORITIES	<p>The Belgian authority competent to receive an EIO is the public prosecutor locally competent to execute the investigative measure or one of the investigative measures indicated in the EIO.</p> <p>EIOs may also be sent to the Federal Prosecutor, in particular in the following cases:</p> <ul style="list-style-type: none">• urgency;• the location of the investigative measure needs to be determined;• coordination of the execution of the EIO is needed.




	EIOs concerning offences falling under the exclusive competence of the General Customs and Excise Administration may be sent directly to this administration.
EXECUTING AUTHORITIES	<p>The following Belgian judicial authorities are, in accordance with requirements laid down in the law of 22 May 2017 and the Code of Criminal Procedure, competent to execute an EIO:</p> <ul style="list-style-type: none"> • the public prosecutor; • the investigative judge. <p>The General Customs and Excise Administration is competent to execute an EIO concerning offences that fall under its exclusive competence if this administration is competent to order the measure itself in a similar domestic case.</p>
CENTRAL/SPECIFIC AUTHORITIES	<p>Belgium has not designated a central authority. EIOs may also be sent to the Federal Prosecutor, in particular in the following cases:</p> <ul style="list-style-type: none"> • urgency; • the location of the investigative measure needs to be determined; • coordination of the execution of the EIO is needed.
URGENT MATTERS	Belgian public prosecutors are able to act on direct urgent requests before receiving the formal EIO if they can be assured that the formal EIO will follow in a very short notice. This is not a general directive or rule but it is seen as a best practice.
SCOPE	<p>The EIO covers all investigative measures within the framework of a procedure listed in article 4 of the Directive, with the exception of:</p> <ul style="list-style-type: none"> • cross-border surveillance; and • the setting up of JITs and the gathering of evidence with such teams – according to Article 3 of the Directive 2014/41/EU.
ACCEPTED LANGUAGES	<p>French, Dutch, German or English. Important remark: before the execution, the EIO will be internally translated if the language is not the language of the judicial area where the EIO has to be executed. In case of urgency, it is recommended - where possible - to translate the EIO in the language of the region.</p>
ENTRY INTO FORCE	22 May 2017.
 BULGARIA	
ISSUING AUTHORITIES	<p>The competent authorities able to issue an EIO are the following:</p> <ul style="list-style-type: none"> • A public prosecutor – in the pre-trial criminal proceedings <p>If the EIO refers to organized crime, the competent authority is the Specialized Prosecutor's Office regardless of the place of commitment the crime. In all other cases, the competent authority is the respective first instance prosecutor's office according to the rules of subject matter and territorial jurisdiction according to the Bulgarian legislation – art. 35 and art. 36</p>




	<p>of Criminal Procedure Code of the Republic of Bulgaria. If the crime is committed outside the territory of Bulgaria and the perpetrator is a Bulgarian citizen, the competent authority is the prosecutor's office at his/her place of residence. In the same case, but if the perpetrator is not a Bulgarian citizen, the competent authority is a Prosecutor's Office in Sofia.</p> <ul style="list-style-type: none"> • A judge – during the trial stage <p>If the EIO refers to organized crime, the competent authority is the Specialized Criminal Court regardless of the place of commitment of crime. In all other cases the competent authority is the respective first instance court according to the rules described in connection to the pre-trial criminal proceedings.</p>
VALIDATING AUTHORITIES	N/A.
RECEIVING AUTHORITIES	<p>The competent authorities to receive an EIO are the following:</p> <ul style="list-style-type: none"> • For the pre-trial criminal proceedings <p>A prosecutor of the respective District Prosecutor's Office or Military District Prosecutor's Office within whose judicial area of competence the relevant investigative measure or other procedural measures are requested to be carried out, of evidence which is already in possession is requested to be transferred, or a prosecutor of the Specialized Prosecutor's Office.</p> <ul style="list-style-type: none"> • For the criminal proceedings during the trial stage <p>A judge of the respective District Court or Military District Court within whose judicial area of competence the relevant investigative measure or other procedural measures are requested to be carried out, of evidence which is already in possession is requested to be transferred, or a judge of the Specialized Criminal Court.</p> <p>Where an EIO requests the carrying out of an investigative measure or other procedural measures which extend to multiple judicial districts, the authority competent to recognise any such order shall be the authority within whose judicial district the most urgent measure is to be carried out.</p>
EXECUTING AUTHORITIES	<p>The same as receiving authorities.</p> <p><i>Please, be advised that the contact details of all District prosecutors offices and courts are available on the EJN Website.</i></p>
CENTRAL/SPECIFIC AUTHORITIES	<ul style="list-style-type: none"> • With regard to a temporary transfer of a person held in custody on the territory of the Republic of Bulgaria for the purpose of carrying out an investigative measure and other procedural measures <p>The authority competent to recognise and execute an EIO in such cases shall be a judge of the respective District Court within whose judicial area of competence the person held in custody is located.</p> <ul style="list-style-type: none"> • With regard to a transit of persons in custody through the territory of the Republic of Bulgaria for temporary transfer for the purpose of carrying out an investigative measure and other procedural measures




	The authority competent to receive applications for transit in such cases shall be a prosecutor of the Supreme Prosecutor's Office of Cassation /International Unit/. This is not applicable in the case of transport by air without a scheduled stopover in the Republic of Bulgaria.
URGENT MATTERS	Bulgarian authorities will only recognise and execute legally valid EIOs even for urgent matters. This means that the EIO shall be transmitted to the executing authority by any means capable of producing a written record allowing the establishment of authenticity.
SCOPE	The following measures are excluded from the scope of the EIO: <ul style="list-style-type: none"> • Setting up of JIT and gathering of evidence with such teams – according to Article 3 of the Directive 2014/41/EU. • Freezing with a view of confiscation and the confiscation itself (Framework Decision 2006/783), taking into account that the existing legal basis for the latter is not replaced in accordance with Article 34 (1) of the Directive 2014/41/EU. • Service of procedural documents – according to Article 5 (1) of the Convention of 29 May 2000 on mutual assistance in criminal matters between the Member States of the European Union; • Extracts from criminal records, to which the ECRIS applies (within a criminal investigation Directive 2014/41/EU may also be used to obtain such information/; • Returning of a thing to the injured party – according to Article 8 of the Convention of 29 May 2000 on mutual assistance in criminal matters between the Member States of the European Union; • Cross-border observation – according to the Article 40 of the Convention implementing the Schengen Agreement. • Cross-border pursuit – according to the Article 41 of the Convention implementing the Schengen Agreement.
ACCEPTED LANGUAGES	Bulgarian or English. With regard to the prompt recognition and execution of the EIO, it is recommended the latter to be translated into Bulgarian language in advance.
ENTRY INTO FORCE	23 February 2018.
 CROATIA	
ISSUING AUTHORITIES	The competent authorities in Republic of Croatia to issue an EIO are: <ul style="list-style-type: none"> - Municipal and County State Attorney's Offices - Municipal Courts and County Courts - Misdemeanour Courts.
VALIDATING AUTHORITIES	N/A.
RECEIVING AUTHORITIES	The authority competent to receive an EIO is County State Attorney's Office (depending on the area of execution of requested investigative measure or depending on the area where an evidence is located)



	For the purpose of carrying out an investigative measure supervision of telecommunications when the subject of supervision is located on territory of the Republic of Croatia and the Republic of Croatia does not provide technical assistance to carry out the supervision (Article 31 of the Directive), the competent authority for receiving notifications regarding supervision (Annex C) is County Court in Zagreb .
EXECUTING AUTHORITIES	Same as receiving authorities.
CENTRAL/SPECIFIC AUTHORITIES	N/A. However, the Ministry of Justice may assist with identifying competent authorities or provide other relevant information if needed.
URGENT MATTERS	
SCOPE	The following measures will be excluded from the scope of the EIO: <ul style="list-style-type: none"> • setting of a JIT and gathering the evidence within such team • service of procedural documents • transfer of criminal proceedings and spontaneous exchange of information (applicable bilateral agreements and Art 21 of MLA 1959 Convention shall be applied) • freezing /seizure for the purpose of the confiscation (this measure is covered by the freezing order) • exchange of criminal records (this measure is covered by FD on ECRIS) • cross border surveillance as a type of police cooperation defined by the Article 41 of the SIS Convention • other specific police and custom cooperation measures
ACCEPTED LANGUAGES	Croatian. However, in urgent cases a translation into English will be accepted on condition of reciprocity.
ENTRY INTO FORCE	26 October 2017.
 CYPRUS	
ISSUING AUTHORITIES	The District Judge , in the district of which has jurisdiction to deal with the offense in respect of which it is issued an EIO
VALIDATING AUTHORITIES	The same as Issuing Authorities
RECEIVING AUTHORITIES	The Ministry of Justice & Public Order
EXECUTING AUTHORITIES	The competent authorities for executing an EIO are- <ul style="list-style-type: none"> • The competent Judge that has local jurisdiction to order such an investigative measure that is covered in the EIO,



	<ul style="list-style-type: none"> The authorities competent to decide to take such investigative measure covered by an EIO (The Office of the Attorney General, The Cyprus Police, The Director of Customs, The Commissioner of Taxation)
CENTRAL/SPECIFIC AUTHORITIES	The Ministry of Justice & Public Order
URGENT MATTERS	In urgent matters an EIO can be sent through the channels of Interpol and the Ministry of Justice & Public Order (by fax and email)
SCOPE	EIO will cover any investigative measures with the exception of the setting up of a joint investigation team and the gathering of evidence within such a team.
ACCEPTED LANGUAGES	Greek and English
ENTRY INTO FORCE	15 December 2017
 CZECH REPUBLIC	
ISSUING AUTHORITIES	<p>The competent authorities to issue an EIO are the following:</p> <ol style="list-style-type: none"> 1) in pre-trial stage: district public prosecutor's offices; district public prosecutor's offices in Prague; Brno Municipal Public Prosecutor's Office; regional public prosecutor's offices; Prague Municipal Public Prosecutor's Office; High Public Prosecutor's Offices. 2) in trial stage: district courts; district courts in Prague; Brno Municipal Court; regional courts; Prague Municipal Court; high courts.
VALIDATING AUTHORITIES	N/A.
RECEIVING AUTHORITIES	<p>The EIO should be submitted directly to the competent judicial authority.</p> <p>In the pre-trial stage of the proceedings: the relevant Regional Public Prosecutor's Office depending on place where an investigation should take place unless specified otherwise below:</p> <ul style="list-style-type: none"> · the High Public Prosecutor's Office in Prague in a case if an EIO concerns covert investigation (Art 29 of the Directive); · the Regional Public Prosecutor's Office in Prague in a case if an EIO concerns crossborder surveillance or control delivery (Art 28 of the Directive); · the Regional Public Prosecutor's Office in Prague in a case if an EIO concerns crossborder interception of





	<p>telecommunications if a technical assistance is not needed (Art 31 of the Directive).</p> <p>During a trial stage of the proceedings: the relevant Regional Court depending on place where the EIO should be executed, unless specified otherwise below:</p> <ul style="list-style-type: none"> · the Regional Court in Prague in a case of an EIO in a trial stage concerns crossborder interception of telecommunications if a technical assistance is not needed (Art 31 of the Directive). <p>If the European Investigation Order is issued for the purpose of the temporary transfer of a person from the Czech Republic to another Member State:</p> <ul style="list-style-type: none"> · the relevant public prosecutor supervising the investigation (if the person whose temporary transfer is being requested is in pre-trial detention); · the court conducting the proceedings (if the person is in custody after an indictment); · the district court in whose district the person is serving the sentence or protective measure (if the person is serving a custodial sentence or detention order). <p>In case several public prosecutor's offices or courts are competent, the EIO will be executed by the public prosecutor's office or court, to which was the request first delivered or forwarded by an authority not competent to accept it. So, it is advisable for foreign authorities to issue one EIO in one criminal matter concerning all evidence gathering measures (even if measures should be executed in different regions) and to deliver it to the Regional Public Prosecutor's Office (in pre-trial proceedings) or Regional Court (in a trial) that is competent to at least one evidence gathering measure.</p>
EXECUTING AUTHORITIES	The same as the receiving authorities.
CENTRAL/SPECIFIC AUTHORITIES	<p>The Supreme Public Prosecutor's Office (in the pre-trial stage of the proceedings) and the Ministry of Justice (in the trial stage of the proceedings) can provide technical/administrative support.</p> <p>The competent judicial authorities should be contacted directly.</p>
URGENT MATTERS	<p>If the matter clearly cannot be delayed and if there is no doubt about the credibility of the request, the judicial or central authority may initiate execution of actions of international judicial cooperation on the basis of a request of a foreign authority made via telephone, facsimile, electronically, through international police cooperation, personally via a representative of the foreign authority or otherwise. Unless an international treaty or the Act on International Judicial Cooperation in Criminal Matters (Act. No. 104/2013 Coll.) provide otherwise, they will always request the foreign authority to send the original of the request in documentary form within a time period specified by them.</p> <p>Anyway, the language regime should be kept.</p> <p>To facilitate communication with the competent authority, it is recommended to consult the urgent matters with the EJNI</p>



	<p>contact points:</p> <ul style="list-style-type: none">- in the pre-trial stage of the proceedings – EJN contact points of the Supreme Public Prosecutor’s Office;- in the trial stage of the proceedings – EJN contact points of the Ministry of Justice;
SCOPE	<p>Not covered by the EIO Directive (besides the JITs):</p> <ul style="list-style-type: none">• service and sending of procedural documents, unless such a service of a document is a part of evidence gathering act (i.e. a hearing of a person);• transfer of criminal proceedings (Art. 21 of the 1959 Convention, including of course a transfer of a criminal prosecution according to the 1972 Convention);• returning of a thing to the injured party (Art. 8 of the 2000 Convention and Art. 12 of the Second Additional Protocol) including a seizure only for this purpose;• freezing/seizure for the purpose of confiscation;• freezing/seizure of the accused assets for the purpose of compensation of the victim;• exchange of criminal records (with exception of Art. 13 of 1959 MLA Convention, which has not been replaced by the ECRIS FWD and where the EIO should be sent between judicial authorities);• procedures of customs authorities according to the Naples II Convention;• cross border pursuit according to Art. 41 Schengen Implementing Convention;• providing spontaneous information;• a request for examining the files by an accused person after the police authority deems the investigation concluded and its results sufficient for filing an indictment;• a request for a consent to use information as evidence that has already been provided via police cooperation (the implementation of the Art 1(4) of the “Swedish initiative” and Art 39(2) of the Schengen Implementing Convention).• We will use an EIO also for a cross border surveillance (we will use a MLA request only for cross border surveillance



	done only by technical devices when no technical or personal assistance of other state is needed stipulated by the bilateral treaties with AT, DE and SK that provide the higher standard than the EIO Directive).
ACCEPTED LANGUAGES	Czech or Slovak language.
ENTRY INTO FORCE	16 August 2018
 ESTONIA	
ISSUING AUTHORITIES	In accordance with requirements laid down in the law of 14 June 2017 (amendments to the Criminal Procedure Code), competent to issue an EIO are: <ul style="list-style-type: none"> • The public prosecutor • The judge
VALIDATING AUTHORITIES	N/A.
RECEIVING AUTHORITIES	Estonian Prosecutor General's Office.
EXECUTING AUTHORITIES	In accordance with requirements laid down in the law of 14 June 2017 (amendments to the Criminal Procedure Code), competent to execute an EIO is the public prosecutor.
CENTRAL/SPECIFIC AUTHORITIES	Estonia has not designated a central authority.
URGENT MATTERS	EIOs in urgent matters can be sent by e-mail to the Office of the Prosecutor General
SCOPE	Setting up JIT-s is excluded from the EIO transposition law.
ACCEPTED LANGUAGES	English and/or Estonian.
ENTRY INTO FORCE	6 July 2017.
 FINLAND	
ISSUING AUTHORITIES	Where Finland is the issuing State, the competent authorities are: <ul style="list-style-type: none"> • an official with the power of arrest authorised to head investigations within the police, customs or the border guard. In this case the order is validated by the prosecutor; • prosecutor, district court, court of appeal, supreme court
VALIDATING AUTHORITIES	The prosecutor for the orders issued by the police, customs or the border guard.



RECEIVING AUTHORITIES	The same as the executing authorities.
EXECUTING AUTHORITIES	<p>Where Finland is the executing State, the competent authorities are:</p> <ul style="list-style-type: none"> • the police, border and customs authorities; • Helsinki district court and prosecutors operating under the jurisdiction of the Helsinki district court. However, the hearing of witnesses, experts and other parties in court is the jurisdiction of the court of the district in which the party to be heard has their place of domicile or permanent/temporary residence. If circumstances so warrant, another district court or prosecutor may act as executing authority.
CENTRAL/SPECIFIC AUTHORITIES	<p>Central Authority: The Ministry of Justice acts as the central authority within the meaning of Article 7(3) of the Directive. Its remit is to assist the competent authorities in communications relating to the transfer of an investigation order.</p> <p>Competent authorities for transit requests: The competent authorities of the other Member State must send the Prosecution Region of Southern Finland, making the transit decision the details of the identity of the individual to be transported through Finland and the investigation order.</p>
URGENT MATTERS	<p>EIOs are mostly executed by police in Finland, some by courts and very few by prosecutors.</p> <p>In urgent matters:</p> <p>For EIOs executed by the police, the National Bureau of Investigation (NBI) should be contacted. In NBI there is someone present 24/7 and their contact details are in the EJM Atlas. NBI should be contacted not only by written message but also make sure by phone that the execution has started. It is possible to start measures to ensure execution without the EIO form, if the person sending the request can be identified as competent authority and NBI is assured that EIO form will shortly follow. For identification reasons in urgent cases Interpol or Siena channels are advisable to be used. Also the Finnish desk at Europol is available.</p> <p>The EIOs executed by courts are such by nature that there is no real urgency. The courts would demand an EIO form, but they accept it by email or fax.</p> <p>Prosecutors would in the few cases they have (temporary transfer to Finland) as a rule need to have the EIO. It can be sent by email (or fax). Early warning by email is accepted and some action can be taken already then if necessary.</p>
SCOPE	Service of procedural documents, extracts from criminal records (FD ECRIS), transfer of proceedings, dual criminality




	<p>requests would not fall in the scope of EIO.</p> <p>EU MLA agreement Article 8 (restitution) and Schengen agreement 40 article (cross border surveillance) would also be out of the scope.</p>
ACCEPTED LANGUAGES	<p>Finnish, Swedish or English.</p> <p>The executing authority can always in urgent cases be asked if other languages besides Finnish, Swedish or English can be used.</p>
ENTRY INTO FORCE	3 July 2017.
FRANCE	
ISSUING AUTHORITIES	<p>The competent issuing authorities are:</p> <ul style="list-style-type: none"> • the public prosecutor; • the examining magistrate; • the examining chamber and its presiding judge; • the trial and sentencing courts and their presiding judges (in accordance with Article 694-20 of the Code of Criminal Procedure)
VALIDATING AUTHORITIES	N/A.
RECEIVING AUTHORITIES	The same as executing/central authorities in accordance with Article 694-30 of the Code of Criminal Procedure.
EXECUTING AUTHORITIES	The competent executing authority will be the public prosecutor or the examining magistrate with territorial jurisdiction, in accordance with Articles 694-30, D. 47-1-10 and D. 47-1-11 of the Code of Criminal Procedure.
CENTRAL/SPECIFIC AUTHORITIES	<p>Pursuant to Article 7(3) of the Directive, the following central authorities will be tasked with assisting the competent judicial authorities in three cases:</p> <ul style="list-style-type: none"> • the Director of the Prisons Service within the Ministry of Justice will assist the French issuing or executing authority referred to under a) above by formalising transfer requests for detained persons in liaison with the




	<p>competent authorities of the foreign country, in accordance with Articles D. 47-1-6 and D. 47-1-18 of the Code of Criminal Procedure;</p> <ul style="list-style-type: none"> • the Director of the Prisons Service within the Ministry of Justice will assist the French issuing authority referred to under a) above by formalising transit requests for detained persons in liaison with the competent authorities of the foreign country, in accordance with Article D. 47-1-6 of the Code of Criminal Procedure; • the Director of Criminal Matters and Pardons within the Ministry of Justice (Office for International Mutual Assistance in Criminal Matters) will provide technical or legal assistance if any difficulties are encountered by the national judicial authority or the foreign authority. <p>Moreover, the following central authorities will be competent in three cases:</p> <ul style="list-style-type: none"> • the Minister for Justice will be able to refuse the recognition or execution of a European Investigation Order that could be detrimental to fundamental national security interests, imperil the source of information or include the use of information classified under Article 694-34 of the Code of Criminal Procedure; • the Director of Criminal Matters and Pardons within the Ministry of Justice (Office for International Mutual Assistance in Criminal Matters) will be responsible for authorising the transit of a person detained on French territory as part of the execution of a European Investigation Order (EIO) issued by a Member State to another Member State, in accordance with Article D. 47-1-19 of the Code of Criminal Procedure; • the Director of Criminal Matters and Pardons within the Ministry of Justice (Office for International Mutual Assistance in Criminal Matters) will be responsible for responding to telecommunications interception notifications laid down by Article 31 of the Directive, in accordance with Article D. 32-2-1 of the Code of Criminal Procedure.
URGENT MATTERS	<p>If the matter is urgent, the EIO can be sent via e-mail to the competent judicial authority, provided that the original of the EIO and relevant documents will be delivered as soon as possible</p>
SCOPE	<p>In accordance with the provisions of Article 694-18 of the French Criminal procedure code transposing the EIO Directive, "An EIO is not issued:</p> <ul style="list-style-type: none"> • For the setting up of a Joint Investigation Team; • On freezing orders of assets susceptible of confiscation, when the request is not also made for obtaining




	<p>evidence;</p> <ul style="list-style-type: none"> • When a request for cross-border observation is made on the basis of Article 40 of the Convention of 19 June 1990 Implementing the Schengen Agreements.”
ACCEPTED LANGUAGES	French.
ENTRY INTO FORCE	22 May 2017.
 GERMANY	
ISSUING AUTHORITIES	<ul style="list-style-type: none"> • Any judicial authority (Federal Prosecutor General of the Federal Court of Justice, the prosecutor's offices, the prosecutor general's offices, the central authority in Ludwigsburg [for the investigation of National Socialist crimes], any criminal court) depending on the allocation of competences. • Administrative authorities competent for prosecuting and punishing administrative offences (usually must be validated by the public prosecutor's office in whose district the authority is based). • EIOs from German fiscal authorities which are independently conducting a criminal investigation pursuant to section 386 (2) Tax Code do not require validation by a judicial authority or a court. In this case the fiscal authorities exercise the rights and responsibilities of a prosecutor's office in accordance with section 399 (1) Tax Code in conjunction with section 77 (1) Act on International cooperation in Criminal Matters and themselves act as judicial authority within the meaning of article 2(c) EIO directive.
VALIDATING AUTHORITIES	The EIO issued by the administrative authorities usually must be validated by the public prosecutor's office in whose district the authority is based The Länder may regulate the local competence in a different way or allocate the competence to a court.
RECEIVING AUTHORITIES	The same as issuing authorities.
EXECUTING AUTHORITIES	The same as issuing authorities.
CENTRAL/SPECIFIC AUTHORITIES	N/A.



URGENT MATTERS	It is advisable to get in touch with the competent authority directly or via the EJM to find out what is necessary/could be accepted on a case to case basis.
SCOPE	<p>According to German law the following investigation measures are not covered by an EIO:</p> <ul style="list-style-type: none"> • Setting up of a JIT and gathering evidence within such a team • Cross-border surveillance • Hearing of a suspect by telephone conference <p>Also not covered by the EIO is:</p> <ul style="list-style-type: none"> • sending and service of procedural documents • ECRIS • transfer of proceedings • spontaneous exchange of information • seizure of objects/freezing of assets in view of confiscation • requests according to Art. 39 (2) CISA • Customs/police cooperation
ACCEPTED LANGUAGES	German.
ENTRY INTO FORCE	22 May 2017.
 GREECE	
ISSUING AUTHORITIES	<p>The competent authorities in Greece to issue an EIO are:</p> <ol style="list-style-type: none"> a) the judge, the court, the examining magistrate or the prosecutor b) any other authority acting as investigative authority in a specific penal case.
VALIDATING AUTHORITIES	When the EIO is issued by any other authority acting as investigative authority in a specific penal case, according to the specific legislation, as Customs, police e.t.c., it must be validated by the competent prosecutor.
RECEIVING AUTHORITIES	The Public Prosecutor at the Court of Appeal is territorially competent to recognise the EIO and ensure its execution.
EXECUTING AUTHORITIES	Same as the receiving authorities. The Public Prosecutor at the Court of Appeal who receives the EIO will designate an examining judge for its execution.
CENTRAL/SPECIFIC	The Ministry of Justice, Transparency and Human Rights has been designated as a central authority to assist, if needed.




AUTHORITIES	
URGENT MATTERS	E-mail transmission is recommended. Even though Greece accepts EIOs in English as well, a Greek translation would speed up recognition and execution of the EIO
SCOPE	In our view and according to the Directive 2014/41/EU , <u>EIO does not apply to:</u> <ul style="list-style-type: none"> ➤ setting up of JIT (Joint Investigation Teams) and gathering of evidence within these teams ➤ freezing/seizure with a view of confiscation (FD 2003/577 will still apply) ➤ service and notification of procedural documents ➤ transfer of criminal proceedings (Art 21 of MLA 1959 Convention shall be applied) ➤ spontaneous exchange of information ➤ exchange of criminal records (this measure is covered by FD on ECRIS) ➤ cross border surveillance as a type of police cooperation defined by the Article 41 of the SIS Convention ➤ other specific police and custom cooperation measures
ACCEPTED LANGUAGES	Greek and English.
ENTRY INTO FORCE	21 September 2017.
 HUNGARY	
ISSUING AUTHORITIES	The following Hungarian judicial authorities are competent to issue an EIO: <ul style="list-style-type: none"> • the public prosecutor; • the judge. <p>In case of an administrative offence, the authority or court issues the EIO, which conducts the proceedings.</p> <p>In case of urgency, controlled deliveries or the application of covert investigators can be initiated by the competent director of the police or of the National Tax and Customs Administration, appointed by the relevant law, for the duration of 24 hours, with the immediate notification of the competent public prosecutor, whose subsequent approval is required.</p>
VALIDATING AUTHORITIES	When an EIO is issued by a public prosecutor during investigative phase for a measure, that falls under the competence of the investigative judge, the EIO needs to be validated by an investigative judge. In case an EIO for an administrative offence is not issued by a court, the EIO will be validated by the Office of the Prosecutor General.
RECEIVING	Same as executing authorities. EIO-s might be also transmitted through secure channels of EJM or Eurojust.




AUTHORITIES	In cases of legal assistance for administrative offences, the receiving authority is the central authority, which is the Prosecutor General.
EXECUTING AUTHORITIES	<p>The following Hungarian judicial authorities are competent to execute an EIO:</p> <ul style="list-style-type: none"> • the public prosecutor; • the judge. <p>In case of an administrative offence, the competent authority or court executes the EIO, which has jurisdiction in the case.</p> <p>In case of urgency, the execution of controlled deliveries or the application of covert investigators can be granted by the competent director of the police or of the National Tax and Customs Administration, appointed by the relevant law, for the duration of 24 hours, with the immediate notification of the competent public prosecutor, whose subsequent approval is required.</p>
CENTRAL/SPECIFIC AUTHORITIES	<p>Hungary has not designated a central authority.</p> <p>In cases of legal assistance for administrative offences, the central authority is the Prosecutor General.</p>
URGENT MATTERS	In case of urgent cases or in case the transmission of the EIO in Hungarian language meets extreme difficulties, English, French or German language is accepted.
SCOPE	
ACCEPTED LANGUAGES	<p>Hungarian.</p> <p>In case of urgent cases or in case the transmission of the EIO in Hungarian language meets extreme difficulties, English, French or German language is accepted.</p>
ENTRY INTO FORCE	23 May 2017.
ITALY	
ISSUING AUTHORITIES	An European Investigation Order may be issued only by Italian Judicial Authorities (a Public Prosecutor or a Judge in charge of the proceedings).
VALIDATING AUTHORITIES	N/A
RECEIVING AUTHORITIES	The Public Prosecutor is the only Receiving Authority.
EXECUTING	The authority executing an European Investigation Order shall be the Public Prosecutor attached to the Court of the main




AUTHORITIES	<p>city of the district where the requested activity shall be carried out.</p> <p>When the aim of the request for legal assistance is to carry out activities which need to be executed in various districts, they shall be executed by the Public Prosecutor of the district where the higher number of activities shall be performed or, if their number is the same, by the Public Prosecutor of the district where the most significant investigative measure needs to be taken.</p> <p>When the issuing authority asks for the activity to be carried out by a judge or when the requested activity shall be carried out by a judge pursuant to Italian law, the Public Prosecutor shall recognize the European Investigation Order and ask the Pre-Trial Investigation Judge to execute it.</p>
CENTRAL/SPECIFIC AUTHORITIES	Ministry of Justice, Directorate General for International Affairs and Judicial Cooperation, Office 1 (International Judicial Cooperation).
URGENT MATTERS	N/A
SCOPE	All the investigative measures, except the setting up of a JIT.
ACCEPTED LANGUAGES	Italian. This choice satisfies the need that the recognition and execution of the EIO will be carried out within the time frame laid down in the Directive.
ENTRY INTO FORCE	28 July 2017.
 LATVIA	
ISSUING AUTHORITIES	<p>Pre-trial stage – a person directing the proceedings:</p> <ul style="list-style-type: none"> - in an investigation – an investigator or in exceptional cases a public prosecutor; - in a criminal prosecution – a public prosecutor. <p>In trial stage – a judge who leads the trial.</p>
VALIDATING AUTHORITIES	<p>In pre-trial stage – the supervising public prosecutor.</p> <p>No validating in trial stage.</p>
RECEIVING AUTHORITIES	<ul style="list-style-type: none"> • Latvian State Police – during pre-trial investigation until prosecution ; • Prosecutor General’s Office – during pre-trial investigation until submitting the case to the court; • The Ministry of Justice – during the trial.
EXECUTING AUTHORITIES	<ul style="list-style-type: none"> • Pre-trial stage: <ul style="list-style-type: none"> - in prosecution stage Prosecutor General’s Office, - until the prosecution – Latvian State Police. • Trial stage – first instance courts depending on jurisdiction.
CENTRAL/SPECIFIC AUTHORITIES	The same as receiving authorities.



URGENT MATTERS	In urgent matters Latvia can receive an e-mail request. English may be accepted, but preferable is Latvian language, because documents that are composed in English language will still be needed to translate, therefore translation can take some time (even a month) and case can not be started if documents are not translated in official language. In some cases the principle of reciprocity could be applied.
SCOPE	The EIO Directive would apply only for “investigative measures”, excluding JIT’s (Article 3), the cross-border surveillance (Recital 9 of the Directive) and spontaneous exchange of information.
ACCEPTED LANGUAGES	Latvian or English.
ENTRY INTO FORCE	20 May 2017.
 LITHUANIA	
ISSUING AUTHORITIES	The issuing authorities are the following: <ul style="list-style-type: none"> • the court handling the case in a trial stage; • the regional prosecutor’s office handling or in charge of the pre-trial investigation; • the Prosecutor General’s Office in cases when: <ol style="list-style-type: none"> 1) it is handling or in charge of the pre-trial investigation; 2) the EIO is for temporary transfer of the person pursuant to Articles 22 and 23 of the Directive.
VALIDATING AUTHORITIES	N/A.
RECEIVING AUTHORITIES	The same as executing authorities.
EXECUTING AUTHORITIES	The executing authorities are the following: <ul style="list-style-type: none"> • district courts, when the EIO is issued in a trial stage; • regional prosecutor’s offices, when the EIO is issued in a pre-trial stage; • the Prosecutor General’s Office, when: <ol style="list-style-type: none"> 1) the EIO is issued for temporary transfer of the person pursuant to Articles 22 and 23 of the Directive; 2) the EIO is issued in a pre-trial stage and: <ol style="list-style-type: none"> a) there is no possibility to locate the exact territory for execution; b) there is more than one location for execution and there is a need for coordination of the execution of the EIO.
CENTRAL/SPECIFIC	Two central authorities are appointed:





AUTHORITIES	<p>1) the Prosecutor General's Office in a pre-trial stage and 2) the Ministry of Justice in a trial stage. These two central authorities are there to assist the competent authorities, when required.</p> <p>The Law, which transposed the provisions of the Directive, is aimed at direct communication between competent issuing and executing authorities. Thus, the outgoing EIOs shall be transmitted directly by the competent issuing authority to the competent authority in another Member State. The same applies for incoming EIOs.</p>
URGENT MATTERS	Each executing authority should endeavor to meet the deadline if it is indicated that request is urgent.
SCOPE	<p>As pointed out in the EIO Directive under Article 3, setting up of a JIT and gathering evidence within such a team is out of the scope.</p> <p>Recital 9 of the Directive (exclusions of cross-border surveillance as referred to in the Convention implementing the Schengen Agreement) shall also be respected.</p>
ACCEPTED LANGUAGES	Lithuanian or English.
ENTRY INTO FORCE	15 June 2017.
 LUXEMBOURG	
ISSUING AUTHORITIES	<p>The issuing authorities are the following:</p> <ul style="list-style-type: none"> - State Prosecutor (Procureur d'État) - Investigating Judge - Trial Courts
VALIDATING AUTHORITIES	N/A
RECEIVING AUTHORITIES	<p>For the EIO concerning coercive measures – Principal State Prosecutor (Procureur Général d'État) For the EIO concerning non-coercive measures – State Prosecutor (Procureur d'État)</p>
EXECUTING AUTHORITIES	<p>For the EIO concerning coercive measures – Investigating Judge For the EIO concerning non-coercive measures – State Prosecutor (Procureur d'État)</p>
CENTRAL/SPECIFIC AUTHORITIES	N/A



URGENT MATTERS	
SCOPE	Out of the scope of the EIO: <ul style="list-style-type: none"> • The setting up of a JIT. However, when a competent authority participating in a JIT requests assistance from another MS than those participating in the JIT, an EIO may be issued to this end. • Cross boarder observation according to Art. 40 Schengen Implementing Convention.
ACCEPTED LANGUAGES	French, German, English
ENTRY INTO FORCE	1 August 2018
MALTA	
ISSUING AUTHORITIES	The issuing authorities are the following: A judge, a court, an investigating judge or a public prosecutor competent in the case concerned
VALIDATING AUTHORITIES	The Attorney General.
RECEIVING AUTHORITIES	The Attorney General
EXECUTING AUTHORITIES	The Attorney General, the Executive Police, and the Court
CENTRAL/SPECIFIC AUTHORITIES	The Attorney General
URGENT MATTERS	In urgent matters an EIO may be sent via email, however the original EIO has to be sent as per Maltese Law as soon as possible
SCOPE	
ACCEPTED LANGUAGES	Maltese, English.
ENTRY INTO FORCE	24 October 2017.





 THE NETHERLANDS	
ISSUING AUTHORITIES	The following Dutch judicial authorities are, in accordance with Article 5.4.21 of the law of 31 May 2017 competent to issue an EIO: <ul style="list-style-type: none"> • the public prosecutor; • the examining judge; • court.
VALIDATING AUTHORITIES	N/A.
RECEIVING AUTHORITIES	The Dutch authority competent to receive an EIO is the Centre for International Legal Assistance locally competent to execute the investigative measure or one of the investigative measures indicated in the EIO. EIOs may also be sent to the National Centre for International Legal Assistance, in particular in the following cases: <ul style="list-style-type: none"> • cross border surveillance and the location in the Netherlands is unknown; • the location of the investigative measure needs to be determined; • coordination of the execution of the EIO is needed, since measures in several districts are required.
EXECUTING AUTHORITIES	The public prosecutor at local Centres for International Legal Assistance (10 IRC's) or at the National Centre for International Legal Assistance (LIRC) is competent to execute an EIO.
CENTRAL/SPECIFIC AUTHORITIES	The same as receiving authorities. The LIRC may involve the National Prosecution Service (LP) or the Functional Prosecution Service (FP) to execute an EIO.
URGENT MATTERS	
SCOPE	
ACCEPTED LANGUAGES	Dutch or English.
ENTRY INTO FORCE	17 June 2017.
 POLAND	
ISSUING AUTHORITIES	The competent authorities able to issue an EIO are the following: <ul style="list-style-type: none"> • Any prosecutor • Any court



	<ul style="list-style-type: none"> Other investigating authorities or authorities entitled to conduct investigation, such as: Police, Border Guard, Internal Security Agency, National revenue Administration, Central Anticorruption Bureau, Military Police, Trade Inspectorate and the State Sanitary Inspectorate, the President of the Office of Electronic Communications, State Hunting Guard, Forest Service, heads of Customs and Revenue Offices and heads of Revenue Offices, the Military Counter-Intelligence Service and Military Intelligence Service
VALIDATING AUTHORITIES	<ul style="list-style-type: none"> Any prosecutor District and circuit courts
RECEIVING AUTHORITIES	The same as executing authorities.
EXECUTING AUTHORITIES	<ul style="list-style-type: none"> Generally, circuit prosecutors – at the pre-trial stage District courts – at the trial stage <p>and regardless of the stage of the proceedings:</p> <ul style="list-style-type: none"> Circuit courts in matters concerning the temporary transfer of a person held in custody to the issuing State or to Poland to carry out investigative measures District courts in matters relating to interception of telecommunications
CENTRAL/SPECIFIC AUTHORITIES	<p>One Central Authority only for cases at the pre-trial stage is:</p> <ul style="list-style-type: none"> The National Prosecutor's Office, Bureau of International Cooperation, ul. Rakowiecka 26/30, 02-528 Warszawa, tel.: +48 22 1251490, fax: +48 22 1251422, e-mail: sekretariat.bwm@pk.gov.pl <p>Poland did not establish a Central Authority for cases at the judicial stage of the proceedings. However, if an EIO was issued at the judicial stage of the proceedings and establishing the competent court was not possible (even via EJM Contact Points), the transmission of an EIO is possible via the Ministry of Justice, Department of International Cooperation and Human Rights, ul. Chopina 1, 00-950 Warszawa, tel.: +48 22 2390870, fax: +48 22 6280949, e-mail: dwmipc@ms.gov.pl</p>
URGENT MATTERS	In urgent matters fax or e-mail transmission of an EIO will be accepted.
SCOPE	Any investigative measures would be included within it, except for the ones not covered by the EIO Directive (e.g. setting up of JITs and the gathering of evidence within such teams)
ACCEPTED LANGUAGES	Poland accepts EIOs in Polish. In case of urgency then English would also be acceptable.
ENTRY INTO FORCE	8 February 2018





 PORTUGAL	
ISSUING AUTHORITIES	The competent authorities to issue an EIO, in accordance with article 12 ^o of Law 88/2017, of 21 August, are the following: <ul style="list-style-type: none"> • the public prosecutor; • the examining judge; • the judge.
VALIDATING AUTHORITIES	When an administrative authority with regard to an administrative offence proceeding issues an EIO, it needs to be validated by the public prosecution.
RECEIVING AUTHORITIES	The competent authorities to receive and execute an EIO, in accordance with article 19 ^o of Law 88/2017, of 21 August, are the same national authorities locally competent to order an investigative measure, in accordance with the provisions of the Portuguese criminal procedural law, that is the Public Prosecutor, the examining Judge in the limits of its competences or the Judge (during the trial phase).
EXECUTING AUTHORITIES	The same as receiving authorities.
CENTRAL/SPECIFIC AUTHORITIES	The central authority is, under article 10 ^o Law 88/2017, of 21 August, the Prosecutor General's Office . It supports the activities of local authorities but it is not competent to receive or execute EIOs. All EIOs should be addressed to local competent authorities. In fact the Law, which transposed the provisions of the Directive, is aimed at direct communication between competent issuing and executing authorities. Thus, the outgoing EIOs shall be transmitted directly by the competent issuing authority to the competent authority in another Member State. The same applies for incoming EIOs.
URGENT MATTERS	There are no special authorities for urgent matters. All competent authorities will deal with urgent situations provided that they are duly identified and justified.
SCOPE	Service of documents is not included as part of the scope of the EIO.
ACCEPTED LANGUAGES	Portuguese; and Spanish only for EIOs received from Spain
ENTRY INTO FORCE	22 August 2017.
 ROMANIA	
ISSUING AUTHORITIES	<ul style="list-style-type: none"> • The competent Prosecutor's Office during the criminal prosecution (pre-trial) phase. • The competent court during the trial phase.



VALIDATING AUTHORITIES	N/A.
RECEIVING AUTHORITIES	The same as the executing authorities. The Central Authority (see below) may also receive European Investigation Orders, but <u>the direct contact is the rule.</u>
EXECUTING AUTHORITIES	The competent Prosecutor's Office during the criminal prosecution (pre-trial) phase. The competent court during the trial phase.
CENTRAL/SPECIFIC AUTHORITIES	<ul style="list-style-type: none"> • Ministry of Justice, Directorate for International Law and Judicial Cooperation, Division for International Judicial Cooperation in Criminal matters – during trial phase; • Public Ministry – during criminal prosecution phase, as follows: <ul style="list-style-type: none"> - National Anti-Corruption Directorate, International Judicial Cooperation Unit – for serious corruption offences; - Directorate for Investigation of Organised Crime and Terrorism, International Judicial Cooperation Unit – for organised crime and terrorism offences; - Prosecutor's Office of the High Court of Cassation and Justice, International Judicial Cooperation Unit, for other crimes.
URGENT MATTERS	<ul style="list-style-type: none"> • In urgent situations, Romanian authorities may request translation of the European Investigation Order directly into Romanian. • E-mail communication is accepted, provided that the authenticity can be established.
SCOPE	<p>In our view, apart from the measures expressly regulated in Chapter IV and in Chapter V of this directive, the Directive 2014/41/EU on the European Investigation Order in Criminal matters obviously covers any other investigation measure except</p> <ul style="list-style-type: none"> • setting up of Joint Investigation Teams and gathering of evidence with such teams, expressly excluded from the EIO scope in according to Article 3 of the directive <i>and</i> • the freezing with a view of confiscation and the confiscation itself, taking into account that the existing legal basis for the latter is not replaced in accordance with Article 34 (1) of the directive. <p>In addition, we believe it <u>does not apply to:</u></p> <ul style="list-style-type: none"> • service and notification of documents, on the one hand because this is not an investigation measure <i>per se</i>, and, on the other hand, the “service by post” rule established in Article 5 (1) of the Convention of 29 May 2000 on mutual assistance in criminal matters between the Member States of the European Union represents a much easier procedure than the EIO itself, so Article 34(2) of the directive allows its application. • extracts from criminal records, to which the FD 2009/315/JHA (ECRIS) will continue to apply. Nevertheless, within a criminal investigation, the EIO directive may also be used to obtain information from criminal records; • Specific police and custom cooperation measures




ACCEPTED LANGUAGES	Romanian, English or French.
ENTRY INTO FORCE	17 December 2017.
 SLOVAKIA	
ISSUING AUTHORITIES	<ul style="list-style-type: none"> • The competent court, during trial. • The competent prosecutor, during a pre-trial stage of proceedings.
VALIDATING AUTHORITIES	N/A
RECEIVING AUTHORITIES	The same as executing authorities.
EXECUTING AUTHORITIES	Regional prosecutor's office according to the place where an investigation should take place, when more Regional prosecutor's offices are competent, the one which received the EIO will execute it. If is not possible to determine which Regional prosecutor's office is competent, General prosecutor's office will decide which one will execute the EIO. If is requested that it must be executed by court, than District court according to the place where the execution of the EIO will be realised is competent.
CENTRAL/SPECIFIC AUTHORITIES	N/A
URGENT MATTERS	The Slovak Republic can accept in urgent matters EIO sent via email or fax or through Eurojust, however original copy of EIO and relevant documents have to be delivered as soon as possible. Unfortunately, everything has to be translated into Slovak (and the Czech Republic can send it in Czech language).
SCOPE	EIO will cover any investigative measures with the exception of the setting up of a joint investigation team and the gathering of evidence within such a team.
ACCEPTED LANGUAGES	Slovak Czech Republic can send EIO in Czech language.
ENTRY INTO FORCE	15 October 2017.
 SLOVENIA (to be updated!)	



<p>ISSUING AUTHORITIES</p>	<p>1) <u>State Prosecutor</u> at the District State Prosecution Office or the Specialised State Prosecution Office of the Republic of Slovenia <u>for the following investigative measures in pre-criminal or criminal procedure:</u></p> <ul style="list-style-type: none"> • secret surveillance without using technical devices, • feigned purchase, • feigned acceptance or giving of gifts or feigned acceptance or giving of bribes, • undercover operations without using technical devices, • suspended arrest of a suspect or suspended performance of other measures with a view to discovering a major criminal activity (e. g. controlled delivery). <p>2) <u>Investigative judge</u> at the District Court <u>for the remaining investigative measures in pre-criminal or criminal procedure.</u></p> <p>3) <u>The Local Court</u> for investigative measures in the procedure on <u>misdemeanours.</u></p>
<p>VALIDATING AUTHORITIES</p>	<p>N/A</p>
<p>RECEIVING AUTHORITIES</p>	<p>1) <u>State Prosecutor</u> at the District State Prosecution Office within the jurisdiction of which the requested investigative measure should be performed, <u>for the following investigative measures in pre-criminal or criminal procedure:</u></p> <ul style="list-style-type: none"> • secret surveillance without using technical devices, • feigned purchase, • feigned acceptance or giving of gifts or feigned acceptance or giving of bribes, • undercover operations without using technical devices, • suspended arrest of a suspect or suspended performance of other measures with a view to discovering a major criminal activity (e. g. controlled delivery). <p>For the cases where the territorial jurisdiction of the District State Prosecution Office cannot be established: the District State Prosecution Office of Ljubljana.</p> <p>2) <u>Investigative Judge</u> at the District Court within the jurisdiction of which the requested investigative measure should be performed, <u>for the remaining investigative measures in pre-criminal or criminal procedure.</u></p> <p>For the cases where the territorial jurisdiction of the District Court cannot be established: the District Court of Ljubljana.</p>



	3) <u>The Local Court</u> within the jurisdiction of which the requested investigative measure should be performed <u>for investigative measures in the procedure on misdemeanours.</u>
EXECUTING AUTHORITIES	The same as the receiving authorities.
CENTRAL/SPECIFIC AUTHORITIES	N/A The Republic of Slovenia does not designate a central authority. However, the Ministry of Justice may assist with identifying competent authorities or provide other relevant information if needed.
URGENT MATTERS	In urgent matters an EIO may be sent via email, however the original EIO has to be sent as soon as possible.
SCOPE	
ACCEPTED LANGUAGES	Slovene or English language.
ENTRY INTO FORCE	5 May 2018
 SPAIN	
ISSUING AUTHORITIES	<p>The courts or tribunals dealing with the criminal proceedings in which the investigative measures are to be taken or who have admitted the evidence in the trial:</p> <ul style="list-style-type: none"> • Investigating courts • Central investigating courts • Criminal courts and central criminal court • Court of violence against women • Juvenile courts • Central juvenile court • Provincial Courts • Criminal chamber at the high court of justice in Autonomous Community • Criminal chamber of the national high court • Criminal chamber of the Supreme Court. • The public prosecutor's office in proceedings, in which it holds the investigation, if the measure is not limitative in




	respect of fundamental rights.
VALIDATING AUTHORITIES	N/A
RECEIVING AUTHORITIES	<p>1. The prosecutor`s office of the National High court:</p> <ul style="list-style-type: none"> • Terrorism; • Offences against the high institutions and the forms of government; • Counterfeit of legal tender and currency committed by OCGs; • Serious fraud that may cause serious repercussions at national level or may cause detriment to a high number of persons. <p>2. Specialized anti-drug prosecutor`s office:</p> <ul style="list-style-type: none"> • Drug trafficking <p>3. Prosecutor`s office against corruption and organized crime:</p> <ul style="list-style-type: none"> • Most serious forms of corruption and misuse of public funds <p>4. International cooperation unit of the general prosecutor`s office:</p> <ul style="list-style-type: none"> • Any other matter if territorial link is unknown. <p>5. Different provincial (departament) prosecutor`s office throughout Spain:</p> <ul style="list-style-type: none"> • Any other matter if territorial link is known
EXECUTING AUTHORITIES	<ul style="list-style-type: none"> • The public prosecutor`s office as long as fundamental rights are not affected • If fundamental rights are affected: <ul style="list-style-type: none"> - The investigating judge at the place where investigation is to be carried out or central investigating judges if there is no territorial connection. - Central investigating judges if the European order was issued for terrorism or other offences that fall within the competence of the national High court. - Central criminal court or the central juvenile court for transfer to the issuing State of persons deprived of their liberty



	in Spain.
CENTRAL/SPECIFIC AUTHORITIES	<p>For the purpose of ensuring transit through the Spanish territory of a person who is being transferred from the issuing State to the executing State or vice versa, the Spanish Central Authority to authorise the transit is the Deputy General Directorate for International Legal Cooperation of the Ministry of Justice.</p> <p>Ministerio de Justicia. Subdirección General de Cooperación Jurídica Internacional. C/San Bernardo, 62 28015 Madrid Telephone: + 34 91 390 2228 Fax: + 34 91 390 4457</p>
URGENT MATTERS	<p>Pursuant to Article 12 (2) of Directive 41/14 and Article 208 (5) of Spanish Law 23/14 on mutual recognition, in cases of urgency the Spanish authority shall carry out the investigative measure requested by the issuing State within the period laid down by that State, even if it is less than 90 days. The courts would demand an EIO form, but they would accept it provisionally by email or fax in Spanish.</p>
SCOPE	<p>The following measures will be excluded from the scope of the EIO:</p> <ul style="list-style-type: none">• Setting of a JIT and gathering the evidence within such team;• Service and sending of procedural documents;• Transfer of criminal proceedings and spontaneous exchange of information;• Freezing /seizure for the purpose of the confiscation (this measure is covered by the freezing order);• Exchange of criminal records (this measure is covered by FD on ECRIS);• Cross border surveillance as a type of police cooperation defined by the Article 41 of the SIS Convention;• Other specific police and custom cooperation measures;• Returning of an object to the injured party (Article 8 of the 2000 Convention) including a seizure only for this purpose;• Cross-border surveillance
ACCEPTED	Spanish; Portuguese - if the EIO comes from Portugal.



LANGUAGES	
ENTRY INTO FORCE	2 July 2018
 SWEDEN	
ISSUING AUTHORITIES	Issuing authorities are public prosecutors and courts.
VALIDATING AUTHORITIES	N/A
RECEIVING AUTHORITIES	Receiving authorities are public prosecutors and courts. For more information see the Atlas.
EXECUTING AUTHORITIES	The same as the receiving authorities.
CENTRAL/SPECIFIC AUTHORITIES	Sweden has not appointed a Central Authority
URGENT MATTERS	The executing authority can, if deemed appropriate in the particular case, decide to accept receiving the EIO by e-mail.
SCOPE	<p>The EIO covers all investigative measures in order to gather evidences.</p> <p>Not covered by the EIO are:</p> <ul style="list-style-type: none"> • Customs and police cooperation, e.g. cross border surveillance • Setting up a JIT • Extracts from criminal records to which the ECRIS applies • Hearing of a suspect by a telephone conference • Measures taken in order to secure confiscation • Service of procedural documents <p>Investigative measures must not intrude upon:</p> <ul style="list-style-type: none"> • Swedish constitutional laws • The security of Sweden • The security of witnesses and other informants or their relatives



ACCEPTED LANGUAGES	Swedish. If deemed appropriate in the particular case, the executing authority can accept that the investigation order is drafted in or translated to English.
ENTRY INTO FORCE	01 December 2017.
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND	
ISSUING AUTHORITIES	<p>The competent authorities able to issue an EIO are the following:</p> <ul style="list-style-type: none"> • A designated public prosecutor (those listed in Part 1 of Schedule 1 to the Criminal Justice (European Investigation Order) Regulations 2017) (for England and Wales or Northern Ireland) • Any judge or justice of the peace (for England) • Any judge (for Northern Ireland) • Any judge of the High Court or sheriff (for Scotland) • The Lord Advocate or a procurator fiscal (for Scotland) <p>For <u>Gibraltar</u>, the competent authorities able to issue an EIO are the following:</p> <ul style="list-style-type: none"> • A Justice of the peace • A Judge of the Supreme Court • The Attorney General of Gibraltar • A Crown Counsel • A police officer with the consent of a Crown Counsel.
VALIDATING AUTHORITIES	<p>The competent authorities able to validate an EIO are the following:</p> <ul style="list-style-type: none"> • A designated public prosecutor (those listed in Part 1 of Schedule 1 to the Criminal Justice (European Investigation Order) Regulations 2017) (for England and Wales or Northern Ireland) • Any judge or justice of the peace (for England) • Any judge (for Northern Ireland) • Any judge of the High Court or sheriff (for Scotland) • The Lord Advocate or a procurator fiscal (for Scotland) <p>For <u>Gibraltar</u>, the competent authorities able to validate an EIO are the following:</p>



	<ul style="list-style-type: none"> • A Judge • The Court • Crown Counsel .
RECEIVING AUTHORITIES	<p>The same as central authorities.</p> <p>For <u>Gibraltar</u>: The Attorney General of Gibraltar.</p>
EXECUTING AUTHORITIES	<p>For England, Wales and Northern Ireland,. The competent authorities able to execute an EIO are the following:</p> <ul style="list-style-type: none"> • The Chief Constable of the British Transport Police Force • The Chief Constable of the Police Service of Northern Ireland • The Chief Officer of police for a police area in England and Wales • The Director of Public Prosecutions and any Crown Prosecutor • The Director of Public Prosecutions for Northern Ireland and any Public Prosecutor • The Director of the Serious Fraud Office and any person designated under section 1(7) of the Criminal Justice Act 1987 • The Financial Conduct Authority • The Health and Safety Executive • Her Majesty's Revenue and Customs • The Land Registry • The Ministry of Defence Police Service • The National Crime Agency • The Northern Ireland Department for Communities • The Northern Ireland Department of Justice • The Port of Dover Police • The Secretary of State for Business, Energy and Industrial Strategy • The Secretary of State for Defence • The Secretary of State for Environment, Food and Rural Affairs • The Secretary of State for the Home Department • The Secretary of State for Justice • The Secretary of State for Transport • The Secretary of State for Work and Pensions, <p>For Scotland, the competent executing authority is the Lord Advocate.</p>



	<p>For <u>Gibraltar</u>, the competent authorities able to execute an EIO are the following:</p> <ul style="list-style-type: none"> • A justice or justice of the peace • A Judge of the Supreme Court • The Attorney General of Gibraltar • A Crown Counsel • A police officer with the consent of a Crown Counsel • The Commissioner of the Royal Gibraltar Police • The Collector of Customs • The Chief Executive Officer of the Borders and Coastguard Agency • The Commissioner of Income Tax <p>Or such other authority which is competent in the circumstances and is acting in its capacity as an investigating authority in criminal proceedings to order the gathering of evidence.</p>
<p>CENTRAL/SPECIFIC AUTHORITIES</p>	<p>The UK has three central authorities:</p> <ul style="list-style-type: none"> • The UK Central Authority (UKCA) – EIOs for England, Wales and Northern Ireland should be sent to the UKCA • The Crown Office – All EIOs relating to Scotland should be sent to the Crown Office • Her Majesty’s Revenue and Customs (HMRC) – All EIOs to England, Wales and Northern Ireland relating to tax and fiscal customs matters should be sent to HMRC <p>For <u>Gibraltar</u>, the Central Authority is the Attorney General of Gibraltar.</p>
<p>URGENT MATTERS</p>	<p>The UK and Gibraltar will only recognise and execute legally valid EIOs even for urgent matters (includes scanned copies by fax or email). This means that we cannot accept phone requests or unsigned EIOs.</p>
<p>SCOPE</p>	<p>Article 1 confirms that an EIO is a judicial decision ... “to have one or several specific investigative measures carried out ... to obtain evidence”.</p> <p>It would therefore appear that:</p> <ul style="list-style-type: none"> • Service of Procedural Documents (Art 5 MLAC 2000) – not covered by the EIO • Spontaneous Transmission (Art 7 MLAC) – not covered by the EIO • Transfer of Proceedings (Art 21 of the 1959 Convention) – not covered by the EIO • Restraint – not covered by the EIO. FD 2003/577 will still apply for freezing property for the purpose of subsequent confiscation, as per Article 34(2) EIO only replaces it as regards freezing of evidence. • Confiscation – not covered by the EIO, still under Framework Decision 2006/783.



ACCEPTED LANGUAGES	English.
ENTRY INTO FORCE	31 July 2017 for England, Wales, Scotland and Northern Ireland; 22 May 2017 for Gibraltar.