

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

<http://www.coe.int/tcj>

Strasbourg, 25 February 2016

PC-OC Mod (2016) 01 rev.

[PC-OC/PC-OC Mod/ 2015/Docs PC-OC Mod 2016/ PC-OC Mod (2016) 01rev.]

EUROPEAN COMMITTEE ON CRIME PROBLEMS
(CDPC)

COMMITTEE OF EXPERTS
ON THE OPERATION OF EUROPEAN CONVENTIONS
ON CO-OPERATION IN CRIMINAL MATTERS
(PC-OC)

**Draft template for country information on national procedures as regards the application
of ETS No.141**

State Party¹ – national procedures for mutual legal assistance on laundering, search, seizure and confiscation of proceeds of crime (ETS No. 141)

States Parties are requested to fill in this table with the necessary information and return it to the Secretariat of the PC-OC. The information contained in this table should be updated on a yearly basis.

Procedure for search (asset-tracing) and seizure	
The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for mutual legal assistance (including freezing and seizure):	
If different from the Central Authority, the authority to which the request should be sent (name of the institution, address, telephone, fax and e-mail where available):	
Channels of communication for the request for mutual legal assistance (directly, or other):	
Means of communication (e.g. by post, fax, e-mail ²):	
Language requirements:	
Double criminality requirement, if applicable:	

¹ Please indicate your state.

² Please indicate if encryption or electronic signature is required.

Other requirements: for example a link between the proceeds and the criminal offence, or that a request for transfer of the (confiscation) judgment or measure will be made later, or that leave is given by a (examining) judge for the seizure of assets/goods:	
Modalities/requirements for the procedure for MLA requests for investigative assistance (search, tracing, special investigative techniques)	
Limitation of use of evidence obtained:	
Procedure for provisional measures (freezing, prejudgment seizing) including lifting of these measures (possibilities to seize (im)movable properties) :	
Available preservative measures, including prejudgment selling, concerning the seized goods:	
Procedure for confiscation/ Recognition of foreign decisions. Recovery of confiscated assets.	
The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for Confiscation/	

recognition of foreign judgments/decisions/measures:	
If different from the Central Authority, the authority to which the request should be sent (name of the institution, address, telephone, fax and e-mail where available):	
Channels of communication for the request for mutual legal assistance (directly, or other):	
Means of communication (e.g. by post, fax, e-mail ³):	
Language requirements:	
Document requirements and modalities/requirements for the procedure of confiscation:	
Other requirements, if applicable: For example: a link between the proceeds and the criminal offence. In case of money laundering, what are the requirements for the predicate offence(s):	
Procedure /possibilities to trace assets/proceeds when a (foreign)	

³ Please indicate if encryption or electronic signature is required.

confiscation order is already given:	
Procedure for sharing of assets, if applicable:	
Where applicable, limitations to the possibility for the requesting state to serve judicial documents directly to the persons concerned:	
Other particularly relevant information on special types of assistance	
Non Conviction Based Confiscation:	
MLA regarding criminal, civil or administrative liability of legal persons):	
Other information (for example, extended confiscation, confiscation for the purpose of victims):	
Links to national legislation, national guides on procedure:	