

Norway

National Procedures for Mutual Legal Assistance on laundering, search, seizure and confiscation of proceeds of crime (ETS 141)

Procedure for search (asset-tracing) and seizure

The Central Authority responsible for mutual legal assistance: (including freezing and seizure)	ØKOKRIM- The National Authority for Investigation and Prosecution of Economic and Environmental Crime in Norway www.okokrim.no Postal address: Po.box 2096 Vika, 0125 OSLO, NORWAY Telephone: +47 23 29 10 00 Fax : +47 23 29 10 01 E-mail: post@okokrim.no
If different from the Central Authority, the authority to which the request should be sent:	
Channels of communication for the request for mutual legal assistance: (directly or other)	Directly, through diplomatic channels or through INTERPOL/SIS.
Means of communication: (eg. by post, fax, e-mail ²)	Post, fax or encrypted e-mail
Language requirements:	As declared in accordance with ETS no. 141 article 25, Norway requires that requests and documents supporting them are accompanied by a translation into Norwegian, Swedish, Danish or English.
Double criminality requirement, if applicable:	Dual criminality is generally required for assistance that involves seizure, tracing of proceeds by order for compulsory disclosure, or other coercive measures.

¹ Please indicate your state.

² Please indicate if encryption or electronic signature is required.

Other requirements: (e.g. a link between the proceeds and the criminal offence, or that a request for the confiscation judgment or measure will be made later, or that leave is given by a judge for the seizure of assets/goods)	
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Modalities/requirements for the execution of MLA requests for investigative assistance (search, tracing, special investigative techniques), existence of a central register of real estate/ bank accounts, duration of preservation of bank data, etc.:	Norway has a central register of real estate. Norway has not a central register of bank accounts, but a currency register of all payments made in and out of Norway such as credit transfers, use of foreign credit cards, and cash exchange.
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Limitation of use of evidence obtained:	Evidence obtained through a request for mutual legal assistance can only be used for other purposes with prior consent of Norwegian legal authorities.
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Modalities/requirements related to the execution of provisional measures (freezing, prejudgment seizing) including lifting of these measures (possibilities to seize (im)movable properties) and applicable time limits, if any:	<p>Orders of compulsory disclosure and seizure are generally made or maintained by the court upon request of the prosecution authority.</p> <p>It is generally required that a MLA request for seizure, compulsory disclosure or any other coercive measure include a decision of a competent legal authority stating that the conditions for the use of the relevant measure are fulfilled in the requesting state.</p>
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Available asset management system including preservative measures (for example prejudgment selling) concerning the seized goods:	
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Procedure for confiscation/ Recognition of foreign decisions. Recovery of confiscated assets.

The Central Authority Responsible for confiscation/ recognition of foreign judgments/decisions/measures:	ØKOKRIM- The National Authority for Investigation and Prosecution of Economic and Environmental Crime in Norway www.okokrim.no Postal address: Po.box 2096 Vika, 0125 OSLO, NORWAY Telephone: +47 23 29 10 00 Fax : +47 23 29 10 01 E-mail: post@okokrim.no
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If different from the Central Authority, the authority to which the request should be sent	
Channels of communication for the request for mutual legal assistance : (directly or other)	Directly, through diplomatic channels or through INTERPOL/SIS.
Means of communication (eg. by post, fax, e-mail ³):	Post, fax or encrypted e-mail
Language requirements:	As declared in accordance with ETS no. 141 article 25, it is required that requests and documents supporting them are accompanied by a translation into Norwegian, Swedish, Danish or English.
Document requirements and modalities/requirements for the procedure of confiscation:	
Other requirements, if applicable: (e.g. a link between the proceeds and the criminal offence.) In case of money laundering, what are the requirements for the predicate offence(s)	The proceeds of any criminal offence, or a corresponding amount, may be confiscated in full or in part. A basis for determining the size of the amount to be confiscated is needed. However, if the basis for determination is insufficient, an amount deemed equivalent to the proceeds made may be confiscated. In cases of money laundering, it is not necessary to identify the predicate offence in order to confiscate the laundered proceeds of crime, but the evidence must be sufficient to rule out the possibility that the proceeds have a legal origin.
Procedure /possibilities to trace assets/proceeds when a (foreign) confiscation order is already given:	
Procedure for sharing of assets , if applicable:	The question of asset sharing are decided on a case by case basis. Asset sharing between states of proceeds of crime confiscated in Norway are generally decided by the Norwegian Ministry of Justice, see section 75 of the Norwegian penal code.
Where applicable, limitations to the possibility for the	

³ Please indicate if encryption or electronic signature is required.

requesting state to serve judicial documents directly to the persons concerned:	Requests made on the basis of this convention for service of judicial documents on the persons concerned must be made through the Central Authority.
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Other particularly relevant information on special types of assistance

Non Conviction Based Confiscation:	
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MLA regarding liability of legal persons: (criminal, civil or administrative)	
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Other information: (for example, extended confiscation, confiscation for the purpose of victims)	Extended confiscation may be effected under certain conditions based on the nature and gravity of the criminal act the offender is found guilty, see section 68 of the Norwegian penal code. The court may determine that the proceeds of confiscation be applied to cover any claim for compensation made by victims, see section 75 of the Norwegian penal code.
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Links to national legislation, national guides on procedure:	https://lovdata.no/dokument/NLE/lov/2005-05-20-28
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