

# Mutual Legal Assistance (European Union)

## MUTUAL LEGAL ASSISTANCE (EUROPEAN UNION) REGULATIONS 2006

**2004-03**

**Revoked**  
**Subsidiary**  
**2006/017**

Regulations made under s. 24 and 39.

## MUTUAL LEGAL ASSISTANCE (EUROPEAN UNION) REGULATIONS 2006

**Revoked by LN. 2012/032 as from 19.3.2012**

**(LN. 2006/017)**

**9.3.2006**

Amending enactments	Relevant current provisions	Commencement date
LN. 2007/098	Schs. 4 & 5	1.1.2007

### **EU Legislation/International Agreements involved:**

Directive 76/308/EEC

Directive 2002/94/EC

Directive 2004/79/EC

Directive 2006/84/EC

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**REGULATIONS 2006**  
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*In exercise of the powers conferred on me by sections 24 and 39 of the Mutual Legal Assistance (European Union) Act 2005 and in order to—*

- (a) *define “Member State” for all purposes connected with the operation of section 24 of the Act; and*
- (b) *transpose into the law of Gibraltar Commission Directive 2002/94/EC of 9 December 2002 laying down detailed rules for implementing certain provisions of Council Directive 76/308/EEC on mutual assistance for the recovery of claims relating to certain levies, duties, taxes and other measures, as amended by Commission Directive 2004/79/EC of 4 March 2004 adapting Directive 2002/94/EC, in the field of taxation, by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia,*

*I have made the following Regulations—*

### **Title.**

1. These Regulations may be cited as the Mutual Legal Assistance (European Union) Regulations 2006.

### **Scope of Regulations.**

2. These Regulations make further provision—
  - (a) for the carrying into effect of sections 24, 26, 27, 29, 30, 31, 32, 33, 37 and 40 of the Act; and
  - (b) for the exchange, transfer of sums recovered, the fixing of a minimum amount for claims which may give rise to a request for assistance, as well as the means by which communications between authorities may be transmitted.

### **Interpretation.**

- 3.(1) For the purposes of these Regulations and unless the context otherwise provides—

“CCN/CSI” network shall mean the common platform based on the Common Communication Network (CCN) and Common System Interface (CSI), developed by the Community to ensure all transmissions by electronic means between competent authorities in the area of Customs and Taxation.

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“transmission by electronic means” shall mean transmission using electronic equipment for processing (including digital compression) of data and employing wires, radio transmission, optical technologies or other electromagnetic means.

(2) Terms used but not defined shall be construed in accordance with the provisions of the principal Act.

(3) References in these Regulations to sections are references to sections in the principal Act.

#### **Requests for information pursuant to section 26.**

4.(1) A request for information referred to in section 26 shall be made out in writing in accordance with the model in Schedule 1 and transmitted by electronic means.

(2) Where a request cannot be transmitted by electronic means, it shall bear the official stamp of the authority and shall be signed by an official thereof duly authorised to make such a request.

(3) Where a similar request has been addressed to any other authority, the authority requesting the information shall indicate in its request for information the name of that other authority.

#### **Subject of requests for information.**

5. A request for information under section 26 may relate to—

- (a) the debtor;
- (b) any person liable for settlement of the claim under the law in force in the jurisdiction in which the authority requesting the information is situated (hereinafter “the jurisdiction of the authority requesting the information”);
- (c) any third party holding assets belonging to one of the persons mentioned under paragraphs (a) or (b).

#### **Requests for information.**

6.(1) The competent authority shall acknowledge receipt of a request for information in writing as soon as possible and in any event within seven days of having received the request.

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(2) Immediately upon receipt of the request the competent authority shall, where appropriate, ask the applicant authority to provide any additional information necessary.

(3) Where the competent authority asks for additional information pursuant to sub-regulation (2), the applicant authority shall provide all additional necessary information to which it normally has access.

(4) Where the competent authority has made a request and the requested authority has asked that additional information be supplied, the competent authority shall provide all additional necessary information to which it normally has access.

### **Transmission of information.**

7.(1) The competent authority shall transmit each item of requested information to the applicant authority as and when it is obtained.

(2) Where all or some of the requested information cannot be obtained within a reasonable time, having regard to the particular case, the competent authority shall so inform the applicant authority, indicating the reasons therefor.

(3) At the end of six months from the date of acknowledgement of receipt of the request, the competent authority shall inform the applicant authority of the outcome of the investigations which it has conducted in order to obtain the information requested.

(4) Where—

- (a) within two months following receipt of the notification of the outcome of the investigation, the applicant authority requests in writing that the competent authority continue its investigations, the request shall be treated by the competent authority in accordance with the provisions applying to the initial request;
- (b) in the light of information received from a requested authority, the competent authority elects to request the latter to continue its investigations, the request shall be made by the competent authority in writing within two months of the receipt of the notification of the outcome of the investigations carried out by the requested authority.

### **Refusal to comply with a request for information.**

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8.(1) Where the competent authority does not comply with a request for information, it shall, in accordance with section 26(5), notify the applicant authority in writing of the reasons for the refusal to comply with the request, specifying which of the grounds set out in section 26(4) it relies upon in order to justify the refusal.

(2) A notification under sub-regulation (1) shall be given by the competent authority as soon as it has taken its decision and in any event within three months of the date of the acknowledgement of the receipt of the request.

#### **Withdrawal of requests for information.**

9.(1) The competent authority may, at any time, notify a requested authority that it wishes to withdraw a request for information that it has submitted to it.

(2) A notification under subsection (1) shall be transmitted to the requested authority in writing.

(3) Where an applicant authority transmits a notification in writing to the competent authority containing its decision to withdraw a request for information that it has submitted to the competent authority, the competent authority shall, upon receipt of that notification, cease any investigation it may be conducting pursuant to the initial request for information.

#### **Conditions for the service of documents for the purpose of section 27.**

10.

- (a) A request for the service of documents referred to in section 27(1)(b) shall be in writing and;
- (b) the competent authority shall not offer assistance under pursuant to section 27(1)(b) unless the request is in writing and the following information is supplied—
  - (i) it is in duplicate in accordance with the model in Schedule 2.
  - (ii) it bears the official stamp of the authority requesting the service of documents;
  - (iii) it is signed by a duly authorised official of the authority requesting the service of documents; and
  - (iv) it is accompanied by two copies of the instrument or decision to be served on the addressee.

**Subject of requests for the service of documents under section 27(1).**

11.(1) A request for the service of documents referred to in section 27(1) may relate to any natural or legal person who, in accordance with the law in force in the jurisdiction in which the authority requesting the service of documents is situated, is required to be informed of any instrument or decision which concerns that person.

(2) The request for the service of documents shall contain the information referred to in sub-regulation (3) if such information is not already contained in the instrument or decision service of which has been requested.

(3) That information is information on the rules in force in the jurisdiction in which the authority requesting the service of documents is situated governing the procedure for contestation of the claim or for its recovery.

**Receipt of request for the service of documents under section 27(1).**

12.(1) The competent authority shall acknowledge receipt of a request for the service of documents under section 27(1)(a) in writing as soon as possible and in any event within seven days of having received the request.

(2) Immediately upon receipt of a request under section 27(1)(a), the competent authority shall take the necessary measures to give effect to the request in accordance with the laws of Gibraltar, including, the rules of court that may have been made under section 38.

(3) If necessary the competent authority may ask the applicant authority to provide additional information to which it normally has access, provided this does not jeopardise honouring the final date for service indicated in the request.

(4) Where section 27(1)(b) applies and the requested authority makes a request for additional information pursuant to article 5 of the directive, the competent authority shall provide the requested authority with all additional information to which it normally has access.

(5) The competent authority shall not question the validity of the instrument or decision which it is being requested to serve on an addressee.

(6) The competent authority shall notify the applicant authority of the date of service of the documents to the addressee.

(7) The notification referred to in sub-regulation (6) shall be made—

(a) as soon as the service of the documents has been done; and

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- (b) by returning to the applicant authority one of the copies of the request for the service of documents with the certificate on the reverse side duly completed.

#### **Conditions which must be met by requests for recovery of claims and for injunctive relief or precautionary measures.**

13.(1) This regulation applies to–

- (a) a request made by–
  - (i) an applicant authority to the competent authority for the recovery a claim under section 28(1);
  - (ii) the competent authority to a requested authority for the recovery of claim under article 7 of the directive.
- (b) a request made by–
  - (i) an applicant authority to the competent authority requesting it to take interlocutory proceedings or proceedings for injunctive relief under section 32(1);
  - (ii) the competent authority to a requested authority requesting it to take such precautionary measures as are permitted in the requested authority’s Member State pursuant to article 13 of the directive.

(2)

- (a) A request referred to in sub-regulation (1)(a)(ii) and (b)(ii) shall be made out in writing in accordance with the model in Schedule 3 and–
- (b) the competent authority shall not offer assistance pursuant to sub-regulation (1)(a)(i) and (b)(i) unless the request is in writing in accordance with the model in Schedule 3 and–
  - (i) includes a declaration that the conditions laid down in the directive for initiating the mutual assistance procedure have been fulfilled;
  - (ii) bears the official stamp of the authority making the request;
  - (iii) is signed by an official of the authority making the request who is duly authorised to make such a request; and



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(iv) is accompanied by the court order or other instrument permitting enforcement.

(3) For the purpose of paragraph (iv) of sub-regulation (2), a single court order or other instrument may be issued in respect of several claims where all such claims concern the same person.

(4) A request referred to in sub-regulation (1) may relate to any person referred to in regulation 5.

### **Currency requirements.**

14.(1) The competent authority shall not offer assistance under the principal Act unless the value of a claim for recovery is expressed in Sterling and in the currency of the Member State in which the applicant authority is situated.

(2) Where the competent authority makes a request to a requested authority, the competent authority shall express the value of the claim for recovery in Sterling and in the currency of the Member State in which the requested authority is situated.

(3) The rate of exchange to be used by the competent authority for the purposes of sub-regulation (2) shall be the latest selling rate recorded on the London Foreign Exchange Market on the date when the request for recovery is signed.

### **Procedure following requests for recovery of claims and for injunctive relief or precautionary measures.**

15.(1) The competent authority shall, in writing, as soon as possible and in any event within seven days of having received a request referred to in regulation 13 (1) (a) (i) or 13 (1) (b) (i)–

- (a) acknowledge receipt of the request;
- (b) ask the applicant authority to complete the request if it does not contain the information or other particulars mentioned in section 29.

(2) Where the competent authority does not take the requisite action within the three-month period laid down in section 30, it shall, as soon as possible and in any event within seven days of the expiry of that period, inform the applicant authority in writing of the grounds for its failure to comply with the time limit.

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(3) Where, the competent authority has made a request referred to in regulation 13 (1) (a) (ii) or 13 (1) (b) (ii) and the requested authority asks the competent authority to complete the information contained in the request, the competent authority shall provide all the information to which it has access.

#### **Information on progress of recovery.**

16.(1) Where, within a reasonable time having regard to the particular case—

- (a) all or part of the claim cannot be recovered pursuant to section 28(1) or
- (b) interlocutory proceedings or proceedings for injunctive relief have not been commenced pursuant to section 32(1),

the competent authority shall so inform the applicant authority, indicating the reasons therefor.

(2) No later than at the end of each six-month period following the date of acknowledgement of the receipt of the request, the competent authority shall inform the applicant authority of the state of progress or the outcome of the procedure for—

- (a) recovery of a claim under section 28(1); or
- (b) interlocutory proceedings or proceedings for injunctive relief under section 32(1).

(3) Where, in the light of the information received from the competent authority, the applicant authority requests—

- (a) the re-opening of the procedure for recovery of a claim under section 28(1); or
- (b) reconsideration of the merits for interlocutory proceedings or proceedings for injunctive relief under section 32(1),

that request shall be treated by the competent authority in accordance with the provisions applying to the initial request provided it is made in writing within two months of the receipt of the notification of the outcome of the original procedure.

(4) Where the competent authority has made a request referred to in regulation 13 (1) (a) (ii) or 13 (1) (b) (ii), it may, in the light of the information received from the requested authority request the latter in

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writing within two months of the receipt of the notification of the outcome of that procedure to re-open the procedure for recovery or for precautionary measures.

### **Contested claims and other matters.**

17.(1) Where the competent authority has made a request referred to in regulation 13(1)(a)(ii) or 13(1)(b)(ii), any action contesting the claim or the instrument permitting its enforcement which is taken in Gibraltar shall be notified to the requested authority in writing by the competent authority immediately after the latter has been informed of such action.

(2) Where an applicant authority has made a request referred to in regulation 13(1)(a)(i) or 13(1)(b)(i), any action contesting the claim or the instrument permitting its enforcement which is taken in its Member State shall be notified to the competent authority in writing by the applicant authority immediately after the latter has been informed of such action.

(3) Where the laws in force in Gibraltar do not permit, whether generally or in that particular case, the—

- (a) the commencement of interlocutory proceedings or proceedings for injunctive relief under section 32(1);
- (b) the adoption of precautionary measures under section 32(5); or
- (c) the recovery of the claim under section 32(7),

the competent authority shall notify the applicant authority to that effect as soon as possible and in any event within one month of having received a request from the applicant authority to take any of the action referred to in paragraphs (a), (b) or (c).

(4) Any action which has been taken in Gibraltar for reimbursement of sums recovered or for compensation in relation to the recovery of contested claims under section 32(7) shall be notified to the applicant authority in writing by the competent authority immediately after the latter has been informed of such action.

(5) The competent authority shall as far as possible involve the applicant authority in the procedures for settling the amount to be reimbursed and the compensation due. Upon a reasoned request from the competent authority, the applicant authority shall transfer the sums reimbursed and the compensation paid within two months of the receipt of that request.

### **Adjustment, cancellation or alteration of claim.**

18.(1) Where—

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- (a) the competent authority has made a request referred to in regulation 13(1)(a) (ii) or 13(1)(b)(ii),
- (b) an applicant authority has made a request referred to in regulation 13(1)(a)(i) or 13(1)(b)(i),

and such a request becomes devoid of purpose as a result of payment of the claim or of its cancellation or for any other reason, the authority that has made the request shall immediately inform the authority to whom the request has been made in writing so that the latter may stop any action which it has undertaken.

(2) Where the amount of the claim which is the subject of a request referred to in sub-regulation (1) is adjusted for any reason, the authority that has made the request shall immediately inform the authority to whom the request has been made in writing, and if necessary issue a new instrument permitting enforcement.

(3) Where an adjustment under sub-regulation (2) is made in relation to a request referred to in sub-regulation (1) (b), and that adjustment entails a reduction in the amount of the claim, the competent authority shall continue the action which it has undertaken with a view to recovery of a claim under section 28(1) or for injunctive relief under section 32(1), but that action shall be limited to the amount still outstanding.

(4) Where, at the time when the competent authority is informed of the reduction in the amount of the claim in relation to a request referred to in sub-regulation (1)(b), an amount exceeding the amount still outstanding has already been recovered by it but the transfer procedure referred to in regulation 19 has not yet been initiated, the competent authority shall repay the amount overpaid to the person entitled thereto.

(5) Where the adjustment referred to in sub-regulation (2) entails an increase in the amount of the claim, the authority that has made the request shall as soon as possible address an additional request to the authority to whom the original request has been made

(6) Where an additional request has been addressed to it, the competent authority shall, as far as possible, deal with such an additional request at the same time as the original request from the applicant authority.

(7) Where, in view of the state of progress of the existing procedure, consolidation of the additional request with the original request is not possible, the competent authority shall be required to comply with the additional request only if it concerns an amount not less than 1500 Euros.

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(8) Where sub-regulation (5) applies, in order to convert the adjusted amount of the claim into the currency of the jurisdiction of the authority to whom the request has been made, the authority that has made the request shall use the exchange rate used in its original request.

### **Transfer of sums.**

19.(1) Subject to sub-regulation (3), any sum recovered by the competent authority including, where applicable, the interest referred to in section 9(3), shall be transferred to the applicant authority in Sterling.

(2) The competent authority shall carry out the transfer referred to in sub-regulation (1) within one month of the date on which recovery was effected.

(3) The competent and applicant authorities may agree arrangements alternative to those set out in sub-regulation (1) for the transfer of amounts below 1500 Euros.

### **Assessment of the proportion of the amount recovered.**

20. Irrespective of any amounts collected by the competent authority by way of interest as referred to in section 31(3), the claim shall be deemed to have been recovered in proportion to the recovery of the amount expressed in Sterling, on the basis of the exchange rate referred to in regulation 14(3).

### **Transmission of communications.**

21.(1) All information communicated in writing pursuant to these regulations shall, where possible, be transmitted only by electronic means, except for—

- (a) the requests for the service of documents referred to in section 27(1) and any supporting instrument or decision; and
- (b) all the requests referred to in regulation 13(1) and any supporting instrument permitting enforcement.

(2) The competent authority may agree with an applicant or requested authority, as the case may be, to waive the communication on paper of the requests and instruments specified in sub-regulation (1).

(3) Nothing in this regulation affects the right of the competent authority to communicate by means other than electronic.

### **Confidentiality of communications.**

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22.(1) Where the competent authority stores information in electronic data bases and exchanges such information by electronic means, it shall take all measures necessary to ensure that any information communicated in whatever form pursuant to these Regulations is treated as confidential.

(2) Information communicated in whatever form pursuant to these Regulations shall be covered by the obligation of professional secrecy.

(3) The information referred to in sub-regulation (1)–

(a) subject to sub-regulation (4), may be made available only to the persons and authorities referred to in section 35;

(b) may be used in connection with judicial or administrative proceedings initiated for the recovery of levies, duties, taxes and other measures referred to in section 25.

(4) Persons duly accredited by the Security Accreditation Authority of the European Commission may have access to the information referred to in sub-regulation (1) only in so far as is necessary for the care, maintenance and development of the CCN/CSI network.

(5) Where the competent authority communicates by electronic means, it shall take all measures necessary to ensure that all communications are duly authorised.

#### **Language of communication.**

23. Information and other particulars communicated by the competent authority to the applicant authority shall be conveyed in English or in another language agreed between the applicant and competent authorities.

#### **Minimum value of claim etc.**

24.(1) A request for assistance may be made in respect of either–

(a) a single claim; or

(b) several claims where those are recoverable from one and the same person.

(2) The competent authority need not offer assistance where the total amount of the relevant claim or claims listed in section 25 is less than EUR 1500.

#### **Refusal of requests for assistance.**

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25.(1) Where the competent authority decides, pursuant to section 33(1), to refuse a request for assistance, it shall notify the applicant authority in writing of the reasons for the refusal.

(2) The notification referred to in sub-regulation (1) shall be given by the competent authority as soon as it has taken its decision and in any event within three months of the date of receipt of the request for assistance.

### **Appointment of authorised official for reimbursement arrangements.**

26. The Chief Minister shall designate at least one official duly authorised to agree reimbursement arrangements under section 37(3).

### **Reimbursement arrangements.**

27.(1) Where the competent authority decides to request reimbursement arrangements it shall notify the applicant authority in writing of the reasons for its view that recovery of the claim falls within one of the situations listed in section 37(3).

(2) Where sub-regulation (1) applies, the competent authority shall append to its request a detailed estimate of the costs for which it requests reimbursement by the applicant authority.

(3) The applicant authority shall—

- (a) acknowledge receipt of the request for reimbursement arrangements in writing as soon as possible and in any event within seven days of receipt; and
- (b) within two months of the date of acknowledgement of receipt of the said request, inform the competent authority whether and to what extent it agrees with the proposed reimbursement arrangements.

(4) Where the competent authority has requested assistance under the directive and has received a request for reimbursement arrangements from the requested authority, the competent authority shall—

- (a) acknowledge receipt of the request for reimbursement arrangements in writing as soon as possible and in any event within seven days of receipt; and
- (b) within two months of the date of acknowledgement of receipt of the said request, inform the requested authority whether and to what extent it agrees with the proposed reimbursement arrangements.

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(5) If no agreement is reached between the respective authorities with respect to reimbursement arrangements, the competent authority shall, where its assistance has been requested, continue recovery procedures in the normal way.

**Information to the European Commission and the Member States.**

28.(1) The Government shall ensure the European Commission is informed before 15 March each year, as far as possible by electronic means, of the use made of the procedures laid down in the principal Act and of the results achieved in the previous calendar year, in accordance with the model in Schedule 4.

(2) The Government shall ensure the European Commission is informed of the adoption of these Regulations.

**Definition of “Member State” for the purposes of section 24.**

29. Schedule 5 shall have effect for all purposes connected with the operation of section 24.



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SCHEDULE 1

Regulation 4(1)

(Description of the applicant authority, address, telephone, fax and bank account number, etc.)

(Name, e-mail address, telephone, fax and language skills of the official dealing with the request)

.....  
(Place and date of sending request)

.....  
(File reference of applicant authority)

To: .....

(Name of the authority to whom the request is sent, Post Box, place etc.)

.....

.....

(Space reserved for the authority to whom the request is sent)

REQUEST FOR INFORMATION


I, the undersigned .....,  
(Name and official capacity)

acting as the agent duly authorised by the applicant authority indicated above, hereby request the following information to be obtained in accordance with Article 4 of Directive 76/308/EEC:

Information relating to the person concerned (*)		
(a) For natural persons:	Name:	
	Date and place of birth:	
For legal entities:	Legal status:	Company name:
Address (known/assumed (*)):		
Principal debtor /Co-debtor /Third party holding assets (*):		
(b) Name of the principal debtor (if different from person concerned):		
Address (known/assumed (*)):		
(c) Other relevant information concerning the above persons:		

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Information relating to the claim(s)			
— Amount: Principal:	Interests:	Costs:	Penalties:
— Exact nature of the claim(s):			
— Final date permitting recovery:			
— Other information:			
Other requested authorities:			
Information requested			
			..... (Signature)
			 (Official stamp)
(*) Delete as appropriate. (†) Natural or legal person.			

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Regulation 10(1)

(Description of the applicant authority, address, telephone, fax and bank account number, etc.)

(Name, e-mail address, telephone, fax and language skills of the official dealing with the request)

.....  
 (Place and date of sending request)

.....  
 (File reference of applicant authority)


To: (Name of the authority to whom the request is sent, Post Box, place etc.)

(Space reserved for the authority to whom the request is sent)

**REQUEST FOR NOTIFICATION**

I, the undersigned .....  
 (Name and official capacity)

acting as the agent duly authorised by the applicant authority indicated above, hereby request notification, pursuant to Article 5 of Directive 76/308/EEC, of the following instrument/decision (\*):

Information relating to the person concerned (*)		
(a) For natural persons:	Name:	
	Date and place of birth:	
For legal entities:	Legal status:	Company name:
Address (known/assumed (*)):		
Principal debtor/Co-debtor /Third party holding assets (*)		
(b) Name of the principal debtor if different from person concerned:		
Address (known/assumed (*)):		
(c) Other relevant information concerning the above persons:		
Information relating to the claim(s)		
— Nature and subject of the instrument (or decision) to be notified:		
— Amount: (inclusive of interest, penalties and costs):		
— Exact nature of the claim(s):		
— Final date for notification:		
— Other information: .....		
..... (Signature)		 (Official stamp)
(*) Delete as appropriate.		
(*) Natural or legal person.		

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**CERTIFICATE**

The undersigned hereby certifies:

- that the instrument/decision (\*) attached to the request overleaf has been notified to the addressee referred to in the said request dated ..... The notification was made in the following manner (†):
- that the instrument/decision (\*) attached to the request overleaf was not able to be notified to the addressee referred to in the said request for the following reasons (†):

.....  
(Date)

.....  
(Signature)

.....  
(Official stamp)

.....  
(\*) Delete as appropriate.

(†) Indicate exactly whether the notification was made to the addressee in person or by another procedure.

Mutual Legal Assistance (European Union)  
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SCHEDULE 3

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Regulation 13(a)

(Description of the applicant authority, address, telephone, fax and bank account number, etc.)

(Name, e-mail address, telephone, fax and language skills of the official dealing with the request)

.....  
(Place and date of sending request)

.....  
(File reference of applicant authority)

To

(Space reserved for the authority to whom the request is sent)

.....  
(Name of the authority to whom the request is sent, Post Box, place etc.)  
.....  
.....

REQUEST FOR RECOVERY/PRECAUTIONARY MEASURES TO BE TAKEN

I, the undersigned .....  
(Name and official capacity)

acting as the agent duly authorised by the applicant authority indicated above, hereby request:

- recovery of the following claim(s) covered by the attached unit of execution pursuant to Article 7 of Directive 76/308/EEC, the conditions of Article 7(2)(a) and (b) are satisfied (\*)
- precautionary measures to be taken, pursuant to Article 13 of Directive 76/308/EEC, in respect of the person mentioned below concerning the claim(s) covered by the attached unit of execution: I attach hereto a statement of the reason for this request (\*).

Please remit the entire amount of the claim recovered to:

.....  
(Bank account number)

.....  
(Name and address of the account holder)

.....  
(Payment reference)

Payment by instalment is: acceptable without further consultation/only acceptable after consultation/not acceptable (\*)

.....  
(Signature)



(Official stamp)

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Information relating to the person concerned (*)		
(a) For natural persons:	Name:	
	Date and place of birth:	
For legal entities:	Legal status:	Company name:
Address (known/assumed (**)):		
Principal debtor/Co-debtor/Third party holding assets (**)		
(b) Name of the principal debtor if different from person concerned:		
Address (known/assumed (**)):		
(c) If relevant: assets of the debtor held by a third party:		
(d) Other relevant information:		
(Detailed description of all other relevant information known about the above persons)		
(*) Delete as appropriate.		
(**) Natural or legal person.		

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**Information relating to the claim(s)**  
 (Rate of exchange used: )

Exact nature of the claim(s) (Article 2 points 3) to (6) Directive 78/100/EEC	Amount of principal (€) (1)	Amount of administrative penalties and fines (€) (1)	Amount of interest up to the date of signature of this document (%) (2)	Amount of the costs up to the date of signature of this document (€) (1)	Total amount of the claim (1)	Date on which enforcement becomes possible	Date of notification of the instrument to the addressee	Period of limitation	Reference to the instrument permitting the enforcement	Details of other documents attached

Other information

(1) Where the unit of execution is general, indicate the amount of the difference claim.  
 (2) Amount expressed in the currency of the requested authority and of the applicant authority.

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**REGULATIONS 2006**

**SCHEDULE 4**

Regulation 28

Model for the Communication from the Member States to the Commission referred to in Article 25 of Directive 76/308/EEC

DIRECTIVE 76/308/EC

(Article 25)

Member State	Requests for information				Requests for notification		Requests for recovery			Requests for recovery			
	Number received	Number sent	Number received	Number sent	Number of the claims involved	Amount	Year	Number	Amount of the claims involved	Year	Number	Amount	Year
(1) Belgique/België													
България													
Česká Republika													
Danmark													
Deutschland													
Eesti													
Ελλάδα													
España													
France													
Ireland													
Italia													
Κύπρος													
Latvija													
Lietuva													
Luxembourg													
Magyarország													
Malta													
Niederland													
Osterreich													
Polska													
Portugal													
România													
Slovenija													
Slovensko													
Sveits/Finland													
Sverige													
United Kingdom													



# Mutual Legal Assistance (European Union)

## MUTUAL LEGAL ASSISTANCE (EUROPEAN UNION) REGULATIONS 2006

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### SCHEDULE 5

Regulation 29

#### **DEFINITION OF “MEMBER STATE” FOR ALL PURPOSES CONNECTED WITH THE OPERATION OF SECTION 24**

For all purposes connected with the operation of section 24, “Member State” means—

- (a) Austria;
- (b) Belgium;
- (ba) Bulgaria;
- (c) Cyprus;
- (d) Czech Republic;
- (e) Denmark
- (f) Estonia;
- (g) Finland;
- (h) France;
- (i) Germany;
- (j) Greece;
- (k) Hungary;
- (l) Ireland;
- (m) Italy;
- (n) Latvia;
- (o) Lithuania;
- (p) Luxembourg;
- (q) Netherlands;
- (r) Poland;
- (s) Portugal;
- (sa) Romania;
- (t) Slovakia;
- (u) Slovenia;
- (v) Spain;
- (w) Sweden.