

Art 600 Once a final decision in a case against the person issued by a foreign court shall send a copy of the judgment Minister of Justice, which transmit a copy of the competent authority of a foreign country. Provision of Art. 157 § 2 shall apply accordingly.

Art 601 Provided by the state foreign objects resulting from the offense shall be refunded if the return on their issue is claimed, the same rationale applies to the factual evidence.

Chapter 65

Edition, and the carriage of persons prosecuted or convicted or release items on the request of foreign states⁽⁴¹³⁾

Art 602⁽⁴¹⁴⁾ § 1⁽⁴¹⁵⁾ (repealed).

§ 2 In the case of submission by the authority of a foreign country an application for a person sought for the purpose of criminal proceedings against him or imposed on the implementation of the sentence or detention order, the prosecutor interviews a person and, where necessary, secure evidence in the country, and seeks the matter to the competent local district court.

Art 603 § 1⁽⁴¹⁶⁾ The District Court issued the order at the meeting on the application of a foreign state. Before issuing the order must give the person sought to be heard orally or in writing, and if an application for the purpose of prosecution should be at the reasoned request of the person who carried out the evidence in the country.

§ 2 The meeting is entitled to participate defender.

§ 3 If the court issued a decision on admissibility issue, the issue may not occur.

§ 4 The court's decision on the issue may be appealed.

§ 5 The court shall forward a final order, together with the acts of the case to the Minister of Justice who, after the allotment application shall notify the competent authority of a foreign state.

Rule 603a.⁽⁴¹⁷⁾ § 1 If an international agreement to which the Republic of Poland is a party so provides, the application of a foreign state to use the temporary arrest of the person sought a request for the extradition.

§ 2 In the case referred to in § 1, the prosecutor at the hearing shall inform the person pursued the possibility of expressing its consent to issue or agree to issue combined with a renunciation of the use of the restrictions set out in Article. 596 and 597 Prosecuted if the person expresses a willingness to make such a statement, the prosecutor refer the case to the district court in whose jurisdiction leads the proceedings.

§ 3 The Court shall decide at a meeting of the provisional arrest of the person sought, receives a statement of consent to issue or agree to issue combined with a renunciation of the use of the restrictions set out in Article. 596 and 597, and issues a decision on the admissibility issue.

§ 4 The consent of the person sought and the renunciation referred to in § 2, can not be undone, which teaches the person pursued.

§ 5 The court shall immediately transmit a final order, together with the acts of the case to the Minister of Justice, which resolves the issue of a person.

§ 6⁽⁴¹⁸⁾ If the statement referred to in § 3, has not been filed or the court found that there is a circumstance referred to in Article. 604 § 1, or if the meeting was postponed for a period exceeding 7 days, the provisions of Article. 602 § 2, Art. 603 and 605

Art 604§ 1 The issue is inadmissible if:

- 1) the person to whom the request relates is a Polish citizen or in the Polish Republic enjoys the right of asylum,
- 2) the act does not contain any signs of criminal offenses or where the law recognizes that the act does not constitute a crime or that the offender does not commit a crime or is not punishable,
- 3) has been barred,
- 4) criminal proceedings in respect of the same act the same person has been validly terminated,
- 5) it would be contrary to the Polish law,
- 6)⁽⁴¹⁹⁾ there is a justified fear that the country requesting release to the person extradited may be imposed or carried out the death penalty,
- 7)⁽⁴²⁰⁾ there is a justified fear that the country requesting issue may be an infringement of rights and freedoms of the person extradited,
- 8)⁽⁴²¹⁾ concerns a person prosecuted for committing non-violent crime for political reasons.

§ 2 editions, in particular, may be refused if:

- 1) the person to whom the request relates in the Polish Republic has a permanent place of residence,
- 2) the offense was committed on Polish territory, or on the Polish vessel or aircraft,
- 3) that the same act the same person or criminal proceedings,
- 4) an offense subject to prosecution to the private prosecution,
- 5) according to the law of the State, which filed for a preliminary ruling, the offense is punishable by imprisonment of up to a year or a lighter punishment, or held such a punishment,
- 6)⁽⁴²²⁾ offense in connection with seeking an adoption, is a crime of a military or fiscal or political nature other than those referred to in § 1 point 8,
- 7) State which has made a preliminary ruling does not provide reciprocity.

§ 3 In the cases mentioned in § 1, paragraph 4 and § 2 point 3 of the application for recognition may be deferred until completion of the Polish Republic of the criminal proceedings against the same person or complete her sentences or her reprieve.

Art 605§ 1⁽⁴²³⁾ If the request for extradition includes the offenses of which the perpetrator is subject to the release, the district court of its own motion or on application by the prosecutor may decide to pre-trial detention of the person sought, the provision of Article. 263 shall apply *mutatis mutandis*.

§ 2⁽⁴²⁴⁾ Before submitting an application for a court may issue a temporary detention order for prosecution for not more than 40 days, if the authority of a foreign state so requests, ensuring that that person fell in the final state conviction or decision has been issued for the provisional arrest.

§ 3 The court's decision on the provisional arrest may be appealed.

§ 4 The date of the provisional arrest shall be immediately reported to the Minister of Justice of the Republic and the Polish diplomatic mission or consular office or authority pursuing a foreign state.

§ 5 If the data contained in the application are insufficient for a court or prosecutor and demanded their complete, and delivers no foreign country within one month from the date of

service requests completed application for authority which they reported, relevant documents or information, the provision of temporary arrest is repealed.

§ 6 In the event of refusal, withdrawal of foreign state or an application for provisional arrest, or in cases where the authority of a foreign state notified of the time and place of issue of a wanted person does not take it within 7 days from the agreed date of issue, managed to temporarily release the arrested if it is deprived of his liberty in another case.

Art 606§ 1 permits the carriage of the person sought by the Polish territory gives the Minister of Justice. The provisions of Article. 594, 604 and 605 shall apply mutatis mutandis.

§ 2 If the journey is by air and is not expected landing, simply notify the Minister of Justice for the transportation of the person sought on Polish territory.

Art 607§ 1 The resolution requests a foreign country, the issue of subject matter or material evidence obtained by crime is a competent prosecutor or court, depending on the Regulation on whose items have been deposited. Provision of Art. 588 § 2 and 4 shall apply accordingly.

§ 2 An order issued items should mention things that are issued to foreign country, and show things to be repaid after the completion of criminal proceedings conducted by the foreign state.

Chapter 65a ⁽⁴²⁵⁾

Presentation by the European Union member state to provide a person prosecuted under a European arrest warrant

Rule 607a.If you suspect that a person prosecuted for a crime committed on Polish territory is in the territory of a Member State of the European Union, jurisdiction lies with the district court, at the request of the Prosecutor, issue a European arrest warrant referred to in this section "order".

Rule 607B.Injunction is unacceptable:

- 1) in connection with legal proceedings against a person prosecuted for a criminal offense punishable by imprisonment,
- 2) to implement the sentence of imprisonment imposed for up to 4 months, or any other measure involving deprivation of liberty for a period not exceeding 4 months.

Article 607c.§ 1 The order should include:

- 1) the court occurs, indicating its address, telephone number, fax number and e-mail address
- 2) the date and place of issue order,
- 3) the particulars of the identity and nationality of the person sought,
- 4) the signature, type and content of the final or enforceable court in connection with which the order was issued,
- 5) quoting the description and the legal action,
- 6) the upper limit of the statutory risk imprisonment offense that is pending, or the amount of the prison sentence or other measure involving deprivation of liberty,
- 7) a brief description of the facts,
- 8) an indication of the consequences of action not covered by the statutory signs of a crime.

§ 2 An order must be translated into the official state execution.