

Country	National models of confiscation							Issuing and Executing Authorities			
	Direct Confiscation	Value Confiscation	Extended Confiscation	NCB Confiscation	Civil Confiscation	Conf. against third parties	Other freezing/confiscation	Freezing orders		Confiscation Orders	
								Issuing Authorities	Executing Authorities	Issuing Authorities	Executing Authorities
BULGARIA	Yes (Art. 53 (1,2) CC)	Yes (Art. 53 (1,2) CC)	Yes (Art. 142 Law for Combating Corruption and Illegal Assets Forfeiture (See Civil Conf.); Art. 44-46 CC).	Yes (Art. 53 CC: Confiscation of the object whose possession is forbidden by the law).	Yes (Art. 142 Law for Combating Corruption and Illegal Assets Forfeiture)	Yes (Art. 53(2) CC) /		<ul style="list-style-type: none"> <li>Court of first instance (regional or district court)</li> </ul>	<ul style="list-style-type: none"> <li>District court (recognition)</li> <li>Bailiff (execution)</li> </ul>	<ul style="list-style-type: none"> <li>Court of first instance (regional or district court)</li> </ul>	<ul style="list-style-type: none"> <li>District court (recognition)</li> <li>National revenue agency (execution)</li> </ul>
FRANCE	Yes (Art. 131-21 CC)	Yes (131-21(5), 131-21(6))		The public prosecutor may decide to withhold seized property as "refusal to return / the instrumentalities or proceeds of crime (art. 41-4 CCP).		Yes (Art. 131-21(2,5,6))	Art. 131-21(7) CC: Confiscation of objects classified as dangerous or harmful by law or regulation, or which possession is unlawful	<ul style="list-style-type: none"> <li>Public prosecutor</li> <li>The liberty and custody judge seized by the public prosecutor</li> <li>Investigative magistrate</li> </ul>	<ul style="list-style-type: none"> <li>The prosecutor or the territorially competent investigating judge, of the place where any of the assets covered by the freezing order are located or, if this place is not specified, the Paris judicial authority.</li> </ul>	<ul style="list-style-type: none"> <li>PPO of the court that ordered the confiscation</li> </ul>	<ul style="list-style-type: none"> <li>Prosecutor's office that is territorially competent receives the confiscation certificate issued by the competent authority in the requesting country, and forwards it with its opinion to the criminal court, which issues an exequatur ruling so that the confiscation can be carried out in France. In light of this decision, the public prosecutor is responsible for enforcing the confiscation.</li> </ul>
GERMANY	Yes (Sec. 73(4), 74(5) StGB)	Yes (Sec. 73c(6), 73d(7), 74c(8) StGB; Sec. 29a OWiG)	Yes (Sec. 73a(12) StGB)	Yes (Sec. 76a StGB) /		Yes (Sec. 73b StGB, Sec. 29a(2) OWiG)	Pre-trial freezing of assets (Sec. 111b-111q CCP)	<ul style="list-style-type: none"> <li>Public prosecution office</li> </ul>	<ul style="list-style-type: none"> <li>Local court (amtsgericht)</li> </ul>	<ul style="list-style-type: none"> <li>Public prosecution office</li> </ul>	<ul style="list-style-type: none"> <li>Regional court (Landgericht)</li> </ul>
ITALY	Yes (Art. 240 CC)	Yes (Artt. 322ter, 600septies, 640quater, 644, 648quater CC; Art. 2641 Civ. C.)	Yes (Art. 240bis CC)	Yes (Art. 240 (2, n.2) c.p., preventive Confiscation: Art. / 24 and 34 leg. Decree 159/2011)		Yes (BUT just for "intrinsicly dangerous assets", / art. 240(2, n.2) c.p.)		<ul style="list-style-type: none"> <li>Public prosecutor</li> <li>Judge for preliminary investigations/judge who issued the freezing order in the criminal proceedings</li> <li>President of the court, court of first instance, court of appeal (in case of preventive seizure under leg. decree no. 159/2011);</li> <li>Judicial police or administrative authority, provided that it is validated by a judicial authority prior to its transmission abroad</li> </ul>	<ul style="list-style-type: none"> <li>Public prosecutor of the court where the assets are located</li> <li>Judge for preliminary investigation</li> <li>If a preventive seizure is requested for confiscation purposes, the prosecutor will submit the request to the judge of the court of first instance responsible for issuing the relevant order</li> </ul>	<ul style="list-style-type: none"> <li>PPO attached to the executing judge;</li> <li>PPO attached to the court of first instance or to the court of appeal (in case of preventive seizure and confiscation);</li> <li>administrative authority responsible for executing the measure as an issuing authority, provided that the measure is issued by a judicial authority</li> </ul>	<ul style="list-style-type: none"> <li>Court of appeal where the property is located or, in the case of confiscation of a sum of money, the place where the natural or legal person has assets or income is considered instead. If this place is unknown, jurisdiction is determined by the place of residence of the natural person or the registered office of the legal entity. If there are several assets located in different places, the location of the asset with the highest value is used. If jurisdiction cannot be determined in this way, the court of appeal of Rome has jurisdiction.</li> </ul>

LITHUANIA	Yes (art. 72 cc)	Yes (artt. 72, 72-3 cc)	Yes (art. 72-3, par. 5 cc)	Yes (artt. 72, 72-3 cc)	Yes (Law on the Civil Confiscation of Property, No. XIII-2825 of 2020)	Yes (artt. 72, 72-3 cc)		<ul style="list-style-type: none"> <li>Prosecutor's general office;</li> <li>Regional prosecutor's offices</li> <li>EDP</li> </ul>	<ul style="list-style-type: none"> <li>Prosecutor's general office;</li> <li>Regional prosecutor's offices</li> <li>EDP</li> </ul>	<ul style="list-style-type: none"> <li>Courts</li> </ul>	<ul style="list-style-type: none"> <li>District court of the place of residence of a natural person in respect of whose property the confiscation order has been issued.</li> <li>District court of the location of the registered seat of a legal person in respect of whose property the confiscation order has been issued.</li> </ul>
NETHERLANDS	Yes (forfeiture with seizure, § 33 et seq. cc; forfeiture without seizure, § 34 cc)	Yes (art. 36e CC)	Yes (s.c. deprivation of unlawfully obtained gains, art. 36 e cc)	Yes (in certain circumstances, withdrawal from circulation, art. 36 b, subsection 1, 3, cc)		Yes (forfeiture with seizure, § 33 a, subsection 2, cc; value confiscation)	Yes (withdrawal from circulation, art. 36 b cc, security measure)	<ul style="list-style-type: none"> <li>Prosecution office</li> </ul>	<ul style="list-style-type: none"> <li>Prosecution office</li> </ul>	<ul style="list-style-type: none"> <li>Ministry of Justice &gt; competent for issuing confiscation order certificate &gt; CJIB - Central Judicial Collection Agency = central authority for drafting and sending the confiscation order certificates</li> <li>Judge &gt; the confiscation order itself is given by a judge/court.</li> </ul>	<ul style="list-style-type: none"> <li>Prosecution office (recognition)</li> <li>CJIB - Central Judicial Collection Agency – Ministry of Justice (execution)</li> </ul>
POLAND	Yes (art. 44 cc)	Yes (artt. 44 (4), 45, cc)	Yes (artt. 44 a, 45 §2 cc)	Yes (art. 45 cc) /		Yes (art. 44 § 7, 45 § 3 cc)		<ul style="list-style-type: none"> <li>Court in judicial proceedings or preparatory proceedings</li> </ul>	<ul style="list-style-type: none"> <li>Court in judicial proceedings or in preparatory proceedings</li> </ul>	<ul style="list-style-type: none"> <li>Criminal court of first instance</li> </ul>	<ul style="list-style-type: none"> <li>Court in the district where the perpetrator has property, income or residence (recognition)</li> <li>Relevant tax office (execution)</li> </ul>
PORTUGAL	Yes (artt. 109 (1), 110 (1)(a) and (b) pc)	Yes (artt. 109 (3) and 110 (4) pc)	Yes (s.c. unexplained wealth confiscation, art. 7, l. no. 5/2002)	Yes (artt. 109 (2) and 110 (5) pc) /		Yes (art. 111 pc)		<ul style="list-style-type: none"> <li>Prosecutor's office</li> <li>Judge</li> </ul>	<ul style="list-style-type: none"> <li>Prosecutor's office</li> </ul>	<ul style="list-style-type: none"> <li>Criminal Judge</li> </ul>	<ul style="list-style-type: none"> <li>Prosecutor's office, Judge (execution) ARO (enforcement)</li> </ul>
ROMANIA	Yes (s.c. special confiscation, art. 112 cc)	Yes (s.c. special confiscation, art. 112 cc)	Yes (art. 112 (1) cc, law no. 228/2020, can be ordered against the convicted person; against third parties; as value confiscation)	Yes (s.c. special confiscation, art. 112 cc) /		Yes (s.c. special confiscation, art. 112 cc; extended confiscation art. 112 (1) cc, law no. 228/2020)	Yes (s.c. precautionary measures under art. 249 ccp)	<ul style="list-style-type: none"> <li>Prosecutor (criminal investigation phase)</li> <li>Preliminary chamber judge or the court (trial phase)</li> </ul>	<ul style="list-style-type: none"> <li>Prosecutor's offices attached to the tribunals in the criminal investigation phase</li> <li>Tribunals in the territorial circumscription the assets are located, or depending on the domicile/headquarters of natural/legal person believed to be generating income in Romania</li> </ul>	<ul style="list-style-type: none"> <li>Courts</li> </ul>	<ul style="list-style-type: none"> <li>Courts (specifically the tribunal in whose district the asset subject to confiscation is located or depending on the domicile/headquarters of natural/legal person believed to be generating income in Romania)</li> </ul>
SPAIN	Yes (Art. 127(1,2) CC)	Yes (Artt. 127(3), 127-quater(1), 127-septies CC).	Yes (Artt. 127-bis, 127-quinquies, 127-sexies CC).	Yes (Art. 127-ter CC)	The NCBC and the third-party confiscation are civil in nature.	Yes (Art. 127- quater CC)	Pre-trial freezing of assets (Precautionary measure), Art. 127- octies CC.	<ul style="list-style-type: none"> <li>Investigative judge or the public prosecutor in charge</li> </ul>	<ul style="list-style-type: none"> <li>Investigative judge or the public prosecutor in charge</li> </ul>	<ul style="list-style-type: none"> <li>Criminal judges or courts</li> </ul>	<ul style="list-style-type: none"> <li>Criminal judge of the place where the property is located</li> </ul>