**ANNEX**

Letter-head of the National Central Authority

**REQUEST**

**FOR**

**MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS**

**CENTRAL AUTHORITY OF THE REQUESTING STATE**

Official title:

Address:

Contact details of the responsible official dealing with the case (incl. phone and telefax numbers with country code and e-mail address):

Please find enclosed the above-mentioned request for mutual legal assistance. Kindly have it executed according to your legislation and within the scope of your possibilities.

In this context we wish to inform you that similar requests from ... might be executed under the regulations of ... law. (reciprocity)

We are looking forward to your information about the decision which will be taken by your relevant authorities and thank you very much for your cooperation.

**Name and seal of the Signature of the responsible**

**National Central Authority: official at the National Central Authority:**

**Place and date:**

Copies:

Embassy of the Requesting State

...

Language: Please note that the request and the accompanying documents have to be submitted together with a translation into the following languages:
- Requests submitted to Kenya: English
- Requests to Switzerland: German, French or Italian, as specified in each case by the Swiss central authority

Letter-head of the requesting authority primarily involved in the concrete case

**REQUEST**

**FOR**

**MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS**

**1. REQUESTING AUTHORITY**

Official title:

Address:

Contact details of the person dealing with the case (incl. phone and telefax numbers with country code and e-mail address):

**2. SUSPECT / DEFENDANT (if known)**

Family name:
Given name:
Alias (if applicable):
Gender:
Nationality:
Date and place of birth:
Address:

Passport/Identity card number (if applicable):

In case of legal person:

Information on legal person:

Company name:

*Where applicable and available:*

Registration number/address of the seat
Address of different branches:
Contact details of person authorized to act on behalf of the company:

**3. SUMMARY OF THE FACTS AND LEGAL QUALIFICATION OF THE OFFENCE**

Relevant facts of the case including place, time and manner of the commission of the offence:

Legal qualification (the specific criminal offence):

Applicable penal provision(s) and maximum penalty:

**4. OBJECT OF AND REASON FOR THE REQUEST**

Subject matter and nature of the investigation, prosecution or judicial proceeding in the requesting State to which the request relates (stage of the criminal proceedings):

Assistance sought / acts requested:

Clear description of the links between the offence and the person and between the offence and the evidence/measure/criminal assets sought in the requested State:

**5. DETAILED INFORMATION AND SPECIAL REQUIREMENTS**

**(MAIN TYPE(S) TO BE CHOSEN ACCORDING TO NECESSITY)**

**🞎 Hearing of persons:**
- Information on the person: family name, given name, alias (if applicable), gender, nationality, date and place of birth, address

- Hearing in the capacity of: 🞎 witness 🞎 suspect 🞎 expert 🞎 person with other procedural role
🞎 defendant

- List of questions to be asked (to be attached to this document)

- Where applicable, state the rights and obligations of the person to be heard (for instance duty to give evidence, obligation to be truthful, right to refuse to give evidence as well as the consequences in case of failure to fulfil the obligations to be notified to the person to be heard:

**🞎 Other evidence to be taken:**
- Evidence to be taken and the acts requested (as detailed as possible):

- Confirmation that the requested measures are also permitted in the requesting State:

🞎 **Blocking of bank account(s) / seizing of assets and objects:**
- In the case of a request for the blocking of bank accounts information relating to bank account(s) in question:
 name of the bank, account number (where known), address of branch where the account is held (where known)

- State why it is believed that the account is held in the requested State:

- Confirmation that the requested measures are also permitted in the requesting State:

🞎 **Handing over of assets or objects for the purpose of forfeiture or return:**
- Indicate exactly the requested measures (execution of the confiscation order, handing over of the restrained assets x or the seized objects y).

- Earlier request(s) for obtaining evidence resp. for restraining assets or seizing objects connected with the present request and date of this/these request(s):

- Stage of the proceedings in the requesting State: Has the defendant been condemned and have the assets restrained in the requested State been confiscated in the requesting State? If so, please provide a copy of the confiscation order and a confirmation that the confiscation order is final and executable.

- Confirmation that the rights of the owners of the assets/objects and possibly third persons entitled to these assets/objects have been given the occasion to defend their claims in a proceeding of the requesting State:

- Brief summary as to how the concerned persons could defend their claims and what the outcome was:

**6.** **ADDITIONAL INFORMATION**

Particular procedure or requirement the requesting authority wishes to be followed:

Reasons:

Any other details which the requesting authority considers important and which may assist the requested authority in carrying out the request:

**Seal, name and function of the official of the requesting authority:**

**Signature:**

**Place and date:**