

SECTION II : JOINT INVESTIGATION TEAMS

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▶ **Article 695-2**

(Inserted by Law no. 2004-204 of 9 March 2004 art.17 I Official Journal of 10 March 2004)

Where there is need to carry out, in the context of a French prosecution, either complex inquiries involving the mobilisation of extensive resources and which concern other member states or where several member states are carrying out inquiries into offences which call for coordinated and concerted action between the member states concerned, with the prior agreement of the Minister of Justice and the consent of the member state or states concerned, the competent judicial authority may create a joint investigation team.

Foreign agents seconded by another member state to a joint investigation team may, within the limits of the powers conferred on them by their role, and under the supervision of the competent judicial authorities, have as their mission, as appropriate, over the whole of the national territory:

1° the establishment of any felonies, misdemeanours or petty offences, and to record these in an official record, if necessary in the forms provided for by the law of their state;

2° the reception of the official reports of any statements made to them by any person liable to provide information on the facts in question, if necessary in the forms provided for by the law of their state;

3° the secondment of French judicial police officers in the exercise of their duties;

4° the carrying out of any surveillance and, if they are authorised for this purpose, infiltration, under the conditions provided for by articles 706-81 onwards, and which is necessary for the application of articles 694-7 and 694-8.

Foreign officers attached to a joint investigation team may carry out these missions subject to the consent of the member state which has implemented their secondment.

These officers may only carry out the operations for which they have been designated. None of the powers which are the preserve of the French judicial police officer who is in charge of the team may be delegated to them.

The original copy of the official records which they prepare, and which must be drafted or translated into French, is attached to the case file.

▶ **Article 695-3**

(Inserted by Law no. 2004-204 of 9 March 2004 art.17 I Official Journal of 10 March 2004)

In the context of a joint investigation team, French judicial police officers and agents attached to a joint investigation team may carry out operations ordered by the head of the team, over the whole of the territory of the State in which they are operating, within the limit of the powers conferred on them by the present Code.

Their tasks are defined by the authorities of the Member State competent to direct the joint investigation team in the territory where the team is working.

They may receive statements and record offences in the forms provided for by the present Code, subject to the consent of the State in whose territory they are operating.