

Directive (EU) 2019/713 of the European Parliament and of the Council of 17 April 2019 on combating fraud and counterfeiting of non-cash means of payment and replacing Council Framework Decision 2001/413/JHA

TITLE III

JURISDICTION AND INVESTIGATION

Article 12

Jurisdiction

1 Each Member State shall take the necessary measures to establish its jurisdiction over the offences referred to in Articles 3 to 8 where one or more of the following apply:

- a the offence is committed in whole or in part on its territory;
- b the offender is one of its nationals.

2 For the purposes of point (a) of paragraph 1, an offence shall be considered to have been committed in whole or in part on the territory of a Member State where the offender commits the offence when physically present on that territory and irrespective of whether the offence is committed using an information system on that territory.

3 A Member State shall inform the Commission where it decides to establish jurisdiction over an offence referred to in Articles 3 to 8 committed outside its territory, including where:

- a the offender has his or her habitual residence in its territory;
- b the offence is committed for the benefit of a legal person established in its territory;
- c the offence is committed against one of its nationals or a person who is a habitual resident in its territory.