

public ministry

Lisbon Judicial District

Department of Investigation and Criminal Action - 10th Section

Term of Constitution of Defendant (art. 58 no. 3 of the C.P.P.)

On January 4, 2008, at 10:00 am, in this T.I.C. / DIAP de Lisboa, the person advised was informed that from this moment onwards he/she should be considered a defendant in a criminal proceeding (art. 58 no. 2 of the C.P.P.).

To this end, the defendant has the right to:

- a) Be present at procedural acts that directly concern him/her;
- b) Be heard by the court or the investigating judge whenever they must take any decision that personally affects him;
- c) Be informed of the facts alleged against him before making statements before any entity;
- d) Not answering questions asked by any entity, about the facts attributed to him and about the content of the statements he makes about them;
- e) Appoint a lawyer or request the appointment of a lawyer;
- f) Be assisted by a defender in all procedural acts in which he participates and, when detained, communicate, even in private, with him;
- g) Intervene in the investigation and investigation, offering evidence and requesting any steps deemed necessary;
- h) Be informed, by the judicial authority or criminal police body before which you are obliged to appear, of your rights;
- i) Appeal, under the terms of the law, decisions that are unfavorable to you (art. 61 no. 1 subparagraphs a) to i) of the C.P.P. ).

The defendant has the duty to:

- a) Appear before the judge, the Public Prosecutor's Office or criminal police bodies whenever the law requires and have been duly summoned to do so;
- b) Answer truthfully the questions asked by a competent entity about your identity and, when required by law, about your criminal record;
- c) Providing proof of identity and residence as soon as he assumes the status of defendant;
- d) Be subject to evidentiary measures and measures of coercion and asset guarantee specified by law and ordered and carried out by a competent entity.

In this act, a copy of this document will be delivered to the defendant, in accordance with the provisions of article 58 no. 4 of the C.P.P. (as amended by Law 48/2007 of 29.08).

You have also been advised that you have the right to choose and appoint a lawyer or to request the granting of legal aid with a view to unofficial sponsorship under the terms of article 16, no. 1, subparagraphs b), c), e) and f), of Law 34/04 of 29 July, in the following modalities:

- b) Appointment and payment of patron compensation;
- c) Payment of unofficial defender compensation;
- e) Appointment and phased payment of patron compensation and
- f) Phased payment of unofficial defender compensation. And that, not constituting a defender, nor requesting the granting of legal aid, in those modalities, or it not being granted to him, he is responsible for paying the fees that the defender presents in remuneration for the services provided, as well as the expenses he incurs with his defense, all in accordance with article 39 of Law 34/2004 of 29/07, amended and republished by Law 47/2007 of 28 August, according to the informative note given to him.