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Revision of the OLAF regulation in light of future cooperation with EPPO

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In short

Result of the Commission proposal, if adopted:

OLAF = legally better equipped for its mission

In practice

- New Art. 3(7): on-the-spot checks and inspections not bound by national law if economic operator does not oppose them (already Case T-48/16, *Sigma Orionis v Commission*)
- New Art. 11(2): simple verification of the authenticity of the OLAF report in non-criminal proceedings in Member States

In practice

- New Art. 3(1): no longer doubt concerning OLAF competence in VAT sector
- New Art. 3(3): duty on economic operator to cooperate with OLAF and to provide information
- New Art. 17(3): extension of Director-General's independence to coordination activities

In practice

- New Art. 7(3): access to bank account information
- New Art. 12c-g: OLAF investigations for EPPO (already Art. 101 EPPO regulation)

In practice

New Art. 3(5): additional procedural guarantees during on-the-spot checks and inspections

Not to forget

Need for a sufficient, readily available and independent control of interference by OLAF with fundamental rights of persons under investigation (Commission 2014 proposal on the establishment of a Controller of procedural guarantees)

Thank you