



15.9.2017

OPINION

of the Committee on Budgetary Control

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council
on the European Union Agency for Criminal Justice Cooperation (Eurojust)
(COM(2013)0535 – C7-0240/2013 – 2013/0256(COD))

Rapporteur: Ingeborg Gräßle

PA_Legam

AMENDMENTS

The Committee on Budgetary Control calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) *Whilst* the European Public Prosecutor's Office ***should have exclusive competence to investigate and prosecute*** crimes affecting the Union's financial interests, Eurojust should be able to support national authorities when they are investigating and prosecuting these forms of crime in accordance with the Regulation establishing the European Public Prosecutor's Office.

Amendment

(5) *As* the European Public Prosecutor's Office ***is established by enhanced co-operation, the Regulation implementing enhanced co-operation on the establishment of the European Prosecutor's Office is binding only for those Member States that participate in enhanced co-operation. Therefore, for those Member States not participating in the European Public Prosecutor's Office, Eurojust remains fully competent for*** crimes affecting the Union's financial interests. ***For those Member States participating in the European Prosecutor's Office,*** Eurojust should be able to support national authorities when they are investigating and prosecuting these forms of crime in accordance with the Regulation establishing the European Public Prosecutor's Office.

Amendment 2

Proposal for a regulation

Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) The division of competences between the European Public Prosecutor's Office and Eurojust with respect to crimes affecting the financial interests of the Union needs to be clearly established. Eurojust should be able to exercise its competence in cases involving both Member States participating in enhanced cooperation on the

establishment of the European Public Prosecutor's Office and Member States which do not. In such cases, Eurojust should act at the request of those non-participating Member States or at the request of the European Public Prosecutor's Office. Eurojust remains in any case competent for offences affecting the financial interests of the Union whenever the European Public Prosecutor's Office is not competent or, being competent, does not exercise its competence. The Member States which do not participate in enhanced cooperation on the establishment of the European Public Prosecutor's Office may continue to request Eurojust's support in all cases regarding offences affecting the financial interests of the Union.

Amendment 3

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) It is necessary to provide Eurojust with an administrative and management structure that allows it to perform its tasks more effectively and respects the principles applicable to Union agencies whilst maintaining Eurojust's special characteristics and safeguarding its independence in the exercise of its operational functions. To this end, the functions of the national members, the College and the Administrative Director should be clarified and an Executive Board established.

Amendment

(12) It is necessary to provide Eurojust with an administrative and management structure that allows it to perform its tasks more effectively, ***always in line with the Charter of Fundamental Rights of the European Union***, and respects the principles applicable to Union agencies whilst maintaining Eurojust's special characteristics and safeguarding its independence in the exercise of its operational functions. To this end, the functions of the national members, the College and the Administrative Director should be clarified and an Executive Board established.

Amendment 4

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) The Commission should be represented in the College when it ***exercises its management functions*** and in the Executive Board, to ensure non-operational supervision and strategic guidance of Eurojust.

Amendment

(15) The Commission should be represented in the College when it ***discusses or adopts administrative issues*** and in the Executive Board, to ensure non-operational supervision and strategic guidance of Eurojust.

Amendment 5

Proposal for a regulation

Recital 30

Text proposed by the Commission

(30) To guarantee the full autonomy and independence of Eurojust, it should be granted an autonomous budget, with revenue coming essentially from a contribution from the budget of the Union, except as regards the salaries and emoluments of the national members and assisting persons, which are borne by their Member State of origin. The Union budgetary procedure should be applicable as far as the Union contribution and other subsidies chargeable to the general budget of the Union are concerned. The auditing of accounts should be undertaken by the Court of Auditors.

Amendment

(30) To guarantee the full autonomy and independence of Eurojust, it should be granted an autonomous budget, with revenue coming essentially from a contribution from the budget of the Union, except as regards the salaries and emoluments of the national members and assisting persons, which are borne by their Member State of origin. The Union budgetary procedure should be applicable as far as the Union contribution and other subsidies chargeable to the general budget of the Union are concerned. The auditing of accounts should be undertaken by the Court of Auditors ***and approved by the Committee on Budgetary Control of the European Parliament.***

Amendment 6

Proposal for a regulation

Recital 30

Text proposed by the Commission

(30) To guarantee the full autonomy and independence of Eurojust, it should be granted an autonomous budget, with revenue coming essentially from a contribution from the budget of the Union, except as regards the salaries and emoluments of the national members and assisting persons, which are borne by their

Amendment

(30) To guarantee the full autonomy and independence of Eurojust, it should be granted an autonomous budget ***sufficient to properly carry out its work***, with revenue coming essentially from a contribution from the budget of the Union, except as regards the salaries and emoluments of the national members and assisting persons,

Member State of origin. The Union budgetary procedure should be applicable as far as the Union contribution and other subsidies chargeable to the general budget of the Union are concerned. The auditing of accounts should be undertaken by the Court of Auditors.

Amendment 7

Proposal for a regulation Article 3 – paragraph 1

Text proposed by the Commission

1. Eurojust's competence shall cover the forms of crime listed in Annex 1. However, its competence shall ***not include the crimes for which*** the European Public Prosecutor's Office ***is competent***.

which are borne by their Member State of origin. The Union budgetary procedure should be applicable as far as the Union contribution and other subsidies chargeable to the general budget of the Union are concerned. The auditing of accounts should be undertaken by the Court of Auditors.

Amendment

1. Eurojust's competence shall cover the forms of crime listed in Annex 1. However, ***Eurojust shall not, in general, exercise its competence in respect of crimes for which the European Public Prosecutor's Office exercises its competence. As an exception to this general rule, Eurojust shall exercise its competence in criminal cases:***

- ***involving Member States participating in enhanced cooperation, but in respect of which the European Public Prosecutor's Office does not exercise its competence,***
- ***involving Member States which do not participate in enhanced cooperation on the establishment of that Office, at the request of those Member States or at the request of the European Public Prosecutor's Office.***

To this end, Eurojust, the European Public Prosecutor's Office and the Member States concerned shall consult and cooperate with each other. The practical details on the exercise of competence in accordance with this paragraph shall be regulated by a working arrangement as referred to in Article 38(2a).

Amendment 8

Proposal for a regulation
Article 4 – paragraph 1 – point e a (new)

Text proposed by the Commission

Amendment

(ea) support the Union centres of specialised expertise developed by Europol and other Union bodies;

Amendment 9

Proposal for a regulation
Article 4 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. In the exercise of its tasks, Eurojust **may** ask the competent authorities of the Member States concerned, giving its reasons, to:

2. In the exercise of its tasks, Eurojust **might** ask the competent authorities of the Member States concerned, giving its reasons, to:

Amendment 10

Proposal for a regulation
Article 4 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

3. Eurojust **may** also:

3. Eurojust **might** also:

Amendment 11

Proposal for a regulation
Article 8 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) participate, as necessary, in joint investigation teams including in their setting up;

Amendment 12

Proposal for a regulation

Article 10 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The College shall be composed of:

1. The College shall be composed of ***all the national members for operational matters, and additionally, when management or administrative issues are discussed or adopted, two representatives of the Commission.***

Amendment 13

Proposal for a regulation

Article 10 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) all the national members when the College exercises its operational functions under Article 4;

deleted

Amendment 14

Proposal for a regulation

Article 10 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) all the national members and two representatives of the Commission when the College exercises its management functions under Article 14.

deleted

Amendment 15

Proposal for a regulation

Article 13 – paragraph 1

Text proposed by the Commission

Amendment

1. Unless stated otherwise, the College shall take its decisions by a majority of its members.

1. Unless stated otherwise, ***and where a consensus cannot be reached,*** the College shall take its decisions by a

majority of its members.

Amendment 16

Proposal for a regulation

Article 14 – paragraph 1 – point f

Text proposed by the Commission

(f) adopt rules for the ***prevention and*** management of conflicts of interest in respect of its members;

Amendment

(f) adopt rules for the ***detection and prevention or*** management of conflicts of interest in respect of its members;

Amendment 17

Proposal for a regulation

Article 14 – paragraph 2

Text proposed by the Commission

2. The College shall adopt, in accordance with Article 110 of the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and on Article 6 of the Conditions of Employment of Other Servants delegating the relevant appointing authority powers to the Administrative Director and defining the conditions under which this delegation of powers can be suspended. The Administrative Director shall be authorised to sub-delegate these powers.

Amendment

2. The College shall adopt, in accordance with Article 110 of the Staff Regulations, a decision based on Article 2(1) of the Staff Regulations and on Article 6 of the Conditions of Employment of Other Servants delegating the relevant appointing authority powers to the Administrative Director and defining the conditions under which this delegation of powers can be suspended. The Administrative Director shall be authorised to sub-delegate these powers. ***The Administrative Director shall report at the next meeting of the College on the delegation or sub-delegation of these powers.***

Amendment 18

Proposal for a regulation

Article 14 – paragraph 3

Text proposed by the Commission

3. Where exceptional circumstances so require, the College may temporarily decide to suspend the delegation of the appointing authority powers to the Administrative Director and those sub-delegated by the latter and exercise them itself or delegate them to one of its members or to a staff member other than the Administrative Director.

Amendment

3. Where exceptional circumstances so require, the College may, ***by motivated decision***, temporarily decide to suspend the delegation of the appointing authority powers to the Administrative Director and those sub-delegated by the latter and exercise them itself or delegate them to one of its members or to a staff member ***of Eurojust*** other than the Administrative Director. ***The College shall inform the Commission and the European Parliament of such suspension decisions in writing within five working days, provide detailed reasons and specify the implementing rules of new or temporary provisions with regard to the management of the Agency.***

Amendment 19

**Proposal for a regulation
Article 17 – paragraph 2**

Text proposed by the Commission

2. The Administrative Director shall be appointed by the College from a list of candidates proposed by the Commission, following an open and transparent ***selection procedure. For the purpose of concluding the contract of the Administrative Director, Eurojust shall be represented by the President of the College.***

Amendment

2. The Administrative Director shall be appointed by the College ***on the grounds of merit, documented administrative and managerial skills and relevant experience***, from a list of candidates proposed by the Commission, following ***the publication of a call for expressions of interest in the Official Journal of the European Union and other sources, in accordance with the Rules of Procedure of Eurojust, and an open and transparent competition. The College shall decide in accordance with the opinion of the European Parliament based on the joint recommendation of the Committee on Civil Liberties, Justice and Home Affairs and the Committee on Budgetary Control.***

Amendment 20

Proposal for a regulation

Article 17 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Before being appointed, the candidate selected by the College shall answer questions by the members of the Committee on Civil Liberties, Justice and Home Affairs and the Committee on Budgetary Control of the European Parliament.

Amendment 21

Proposal for a regulation

Article 17 – paragraph 3

Text proposed by the Commission

Amendment

3. The term of office of the Administrative Director shall be **five** years. By the end of this period, the Commission shall undertake an assessment which takes into account an evaluation of the performance of the Administrative Director.

3. The term of office of the Administrative Director shall be **four** years. By the end of this period, the Commission shall undertake an assessment which takes into account an evaluation of the performance of the Administrative Director.

Amendment 22

Proposal for a regulation

Article 17 – paragraph 4

Text proposed by the Commission

Amendment

4. The College, acting on a proposal from the Commission which takes into account the assessment referred to in paragraph 3, may extend once the term of office of the Administrative Director for no more than **five** years.

4. The College, acting on a proposal from the Commission which takes into account the assessment referred to in paragraph 3, may extend once the term of office of the Administrative Director for no more than **four** years.

Amendment 23

Proposal for a regulation

Article 17 – paragraph 6

Text proposed by the Commission

6. The Administrative Director shall be accountable to the College ***and the Executive Board.***

Amendment 24

**Proposal for a regulation
Article 17 – paragraph 7**

Text proposed by the Commission

7. The Administrative Director may be removed from the office only upon a decision of the College acting on a proposal ***from*** the Commission.

Amendment

6. The Administrative Director shall be accountable to the College.

Amendment

7. The Administrative Director may be removed from the office only upon a decision of the College ***on the basis of a two-thirds majority of its members*** acting on a proposal ***of*** the Commission.

Amendment 25

**Proposal for a regulation
Article 18 – paragraph 4 – point f**

Text proposed by the Commission

f) preparing an action plan following-up on the conclusions of the internal or external audit reports, evaluations and investigations, including those of the European Data Protection Supervisor and OLAF and reporting on progress twice a year to the Executive Board, the Commission and the European Data Protection Supervisor;

Amendment

f) preparing an action plan following-up on the conclusions of the internal or external audit reports, evaluations and investigations, including those of the European Data Protection Supervisor and OLAF and reporting on progress twice a year to the Executive Board, the Commission, ***the European Parliament*** and the European Data Protection Supervisor;

Amendment 26

**Proposal for a regulation
Article 18 – paragraph 4 – point j a (new)**

Text proposed by the Commission

Amendment

ja) establishing, within six months of being set up, a strategy for preventing and managing conflicts of interests;

Amendment 27

Proposal for a regulation

Article 18 – paragraph 4 – point j b (new)

Text proposed by the Commission

Amendment

jb) preparing a strategy on the protection of whistle-blowers.

Amendment 28

Proposal for a regulation

Article 18 – paragraph 4 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The Administrative Director shall submit each strategy to the Executive Board. The Administrative Director shall establish regular review exercises for each strategy (anti-fraud strategy, prevention and management of conflicts of interests and protection of whistle-blowers) and its respective implementing rules. The first review shall take place within six months from the establishment of the three strategies.

Amendment 29

Proposal for a regulation

Article 41 – paragraph 1

Text proposed by the Commission

Amendment

1. Eurojust shall establish and maintain a special relationship with the European Public Prosecutor's Office based on close cooperation and the development of operational, administrative and management links between them as defined below. To this end, the European Public Prosecutor and the President of Eurojust shall meet on a regular basis to discuss issues of common concern.

1. Eurojust shall establish and maintain a special relationship with the European Public Prosecutor's Office based on close cooperation and the development of operational, administrative and management links between them as defined below. To this end, the European Public Prosecutor and the President of Eurojust shall meet on a regular basis to discuss issues of common concern ***and establish an action plan on the protection of financial interests of the Union which shall take into account their respective fields of competence.***

Amendment 30

Proposal for a regulation

Article 41 – paragraph 7 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Eurojust shall support the functioning of the European Public Prosecutor's Office through services to be supplied by its staff. Such support shall in any case include:

The European Public Prosecutor's Office may rely on the support and resources of the administration of Eurojust. To this end, Eurojust may provide services of common interest to the European Public Prosecutor's Office.

The details of the services to be provided shall be laid down in an agreement between Eurojust and the European Public Prosecutor's Office.

Amendment 31

Proposal for a regulation

Article 41 – paragraph 7 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

a) technical support in the preparation of the annual budget, the programming document containing the annual and multiannual programming and the management plan;

deleted

Amendment 32

Proposal for a regulation

Article 41 – paragraph 7 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

b) *technical support in staff* *deleted*
recruitment and career-management;

Amendment 33

Proposal for a regulation

Article 41 – paragraph 7 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

c) *security services;* *deleted*

Amendment 34

Proposal for a regulation

Article 41 – paragraph 7 – subparagraph 1 – point d

Text proposed by the Commission

Amendment

d) *Information Technology services;* *deleted*

Amendment 35

Proposal for a regulation

Article 41 – paragraph 7 – subparagraph 1 – point e

Text proposed by the Commission

Amendment

e) *financial management, accounting* *deleted*
and audit services;

Amendment 36

Proposal for a regulation

Article 41 – paragraph 7 – subparagraph 1 – point f

Text proposed by the Commission

Amendment

f) *any other services of common* *deleted*
interest.

Amendment 37

Proposal for a regulation
Article 41 – paragraph 7 – subparagraph 2

Text proposed by the Commission

The details of the services to be provided shall be laid down in an agreement between Eurojust and the European Public Prosecutor's Office.

Amendment

deleted

Amendment 38

Proposal for a regulation
Article 42 – paragraph 2

Text proposed by the Commission

2. OLAF may contribute to Eurojust's coordination work regarding the protection of the financial interests of the Union, in accordance with its mandate under Regulation (EU, Euratom) of the European Parliament and of the Council ***No .../2013*** concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999.

Amendment

2. OLAF may contribute to Eurojust's coordination work regarding the protection of the financial interests of the Union, in accordance with its mandate under Regulation (EU, Euratom) of the European Parliament and of the Council ***No 883/2013*** concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999.

Amendment 39

Proposal for a regulation
Article 42 – paragraph 3

Text proposed by the Commission

3. For purposes of the receipt and transmission of information between Eurojust and OLAF, and without prejudice to Article 8, Member States shall ensure that the national members of Eurojust shall be regarded as competent authorities of the Member States solely for the purposes of Regulation (EC) ***No 1073/1999 and Council Regulation (Euratom) No 1074/1999***¹⁹. The exchange of information between OLAF and national members shall be without prejudice to the information

Amendment

3. For purposes of the receipt and transmission of information between Eurojust and OLAF, and without prejudice to Article 8, Member States shall ensure that the national members of Eurojust shall be regarded as competent authorities of the Member States solely for the purposes of Regulation ***(EU, Euratom) of the European Parliament and of the Council No 883/2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF).*** The exchange of

which must be given to other competent authorities under those Regulations.

information between OLAF and national members shall be without prejudice to the information which must be given to other competent authorities under those Regulations.

¹⁹ *OJ L 136, 31.5.1999, p. 8.*

Amendment 40

Proposal for a regulation Article 43 – paragraph 1

Text proposed by the Commission

1. Eurojust may establish **working arrangements** with the entities referred to in Article 38(1).

Amendment

1. Eurojust may establish **Memoranda of Understanding** with the entities referred to in Article 38(1).

Amendment 41

Proposal for a regulation Article 45 – paragraph 2 – introductory part

Text proposed by the Commission

2. By way of derogation from paragraph 1, Eurojust may authorise the transfer of personal data to third countries or international organisations or Interpol on a case-by-case basis **if**:

Amendment

2. By way of derogation from paragraph 1, Eurojust may authorise the transfer of personal data to third countries or international organisations or Interpol on a case-by-case basis **only if one or more of the following conditions are met**:

Amendment 42

Proposal for a regulation Article 45 – paragraph 2 – point c

Text proposed by the Commission

(c) the transfer is otherwise necessary or legally required on important public interest grounds of the Union or its Member States, as recognised by Union law or by national law, or for the establishment, exercise or defence of legal claims; **or**

Amendment

(c) the transfer is otherwise necessary or legally required on important public interest grounds of the Union or its Member States, as recognised by Union law or by national law, or for the establishment, exercise or defence of legal claims;

Amendment 43

Proposal for a regulation

Article 49 – paragraph 6

Text proposed by the Commission

6. The budgetary authority shall authorise the appropriations for **Eurojust's** contribution.

Amendment

6. The budgetary authority shall authorise the appropriations for **the** contribution **from the Union to Eurojust**.

Amendment 44

Proposal for a regulation

Article 51 – paragraph 1

Text proposed by the Commission

1. By 1 March following each financial year, Eurojust's Accounting Officer shall send the provisional accounts to the Commission's Accounting Officer and the Court of Auditors.

Amendment

1. By 1 March following each financial year, Eurojust's Accounting Officer shall send the provisional accounts to **each of** the Commission's Accounting Officer and the Court of Auditors.

Amendment 45

Proposal for a regulation

Article 51 – paragraph 2

Text proposed by the Commission

2. Eurojust shall send the report on the budgetary and financial management to the European Parliament, the Council and the Court of Auditors, by 31 March of the following financial year.

Amendment

2. Eurojust shall send the report on the budgetary and financial management to **each of** the European Parliament, the Council and the Court of Auditors, by 31 March of the following financial year.

Amendment 46

Proposal for a regulation

Article 51 – paragraph 12 a (new)

Text proposed by the Commission

Amendment

12a. The discharge of the budget of Eurojust shall be given by the European Parliament on the recommendation of the Council following a procedure

comparable to that provided for in Article 319 of the Treaty on the Functioning of the European Union and Articles 164 to 166 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council, and based on the audit report of the Court of Auditors.

If the European Parliament refuses to grant discharge, the Administrative Director shall tender his resignation to the College, which shall take its final decision in the light of the circumstances.

Amendment 47

Proposal for a regulation Article 54 – paragraph 2

Text proposed by the Commission

2. The College shall adopt a decision laying down rules on the secondment to Eurojust of national experts.

Amendment

2. The College shall adopt a decision laying down rules on the secondment to Eurojust of national experts *and on the use of other staff, notably to avoid potential conflicts of interest.*

Amendment 48

Proposal for a regulation Article 54 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Eurojust shall take appropriate administrative measures, inter alia through training and prevention strategies, to avoid conflicts of interest, including relating to post-employment issues.

Amendment 49

Proposal for a regulation Article 55 – paragraph 3 – introductory part

Text proposed by the Commission

3. In addition to the other obligations of information and consultation set out in this regulation, Eurojust shall transmit to the European Parliament for information:

Amendment

3. In addition to the other obligations of information and consultation set out in this regulation, Eurojust shall transmit to the European Parliament ***and to national parliaments in the respective official languages*** for information:

Amendment 50

Proposal for a regulation

Article 60 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Eurojust shall publish on its website the list of the members of its Executive Board and of its external and in-house experts, together with their respective declarations of interest and curricula vitae. The minutes of the meetings of the College and of the Executive Board shall be systematically published.

Amendment 51

Proposal for a regulation

Article 61 – paragraph 1

Text proposed by the Commission

Amendment

1. In order to facilitate combating fraud, corruption and other unlawful activities under Regulation ***(EC) No 1073/1999***, within six months from the entry into force of this Regulation, ***it*** shall accede to the Interinstitutional Agreement of 25 May 1999 concerning internal investigations by the European Anti-fraud Office (OLAF) and adopt the appropriate provisions applicable to all the employees of Eurojust using the template set out in the Annex to that Agreement.

1. In order to facilitate combating fraud, corruption and other unlawful activities under Regulation ***(EU) 883/2013***, within six months from the entry into force of this Regulation, ***Eurojust*** shall accede to the Interinstitutional Agreement of 25 May 1999 concerning internal investigations by the European Anti-fraud Office (OLAF) and adopt the appropriate provisions applicable to all the employees of Eurojust using the template set out in the Annex to that Agreement.

Amendment 52

Proposal for a regulation

Article 61 – paragraph 2

Text proposed by the Commission

2. The European Court of Auditors shall ***have the power of audit***, on the basis of documents ***and on the spot***, over all grant beneficiaries, contractors and subcontractors who have received Union funds from Eurojust.

Amendment

2. The European Court of Auditors shall ***regularly carry out audits on the compliance and on the performance of Eurojust's activities***, on the basis of documents ***or on-the-spot checks***, over all grant beneficiaries, contractors and subcontractors who have received Union funds from Eurojust.

Amendment 53

Proposal for a regulation

Article 61 – paragraph 3

Text proposed by the Commission

3. OLAF may carry out investigations, including on-the-spot checks and inspections, in accordance with the provisions and procedures laid down in Regulation (EC) No 1073/1999 and Council Regulation (Euratom, EC) No 2185/96²² with a view to establishing whether there have been any irregularities affecting the financial interests of the Union in connection with expenditure funded by Eurojust.

Amendment

3. OLAF may carry out investigations, including on-the-spot checks and inspections, in accordance with the provisions and procedures laid down in Regulation (EU) 883/2013 and Council Regulation (Euratom, EC) No 2185/96²² with a view to establishing whether there have been any irregularities affecting the financial interests of the Union in connection with expenditure funded by Eurojust.

²² OJ L 292, 15.11.1996, p. 2.

²² ***Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).***

Amendment 54

Proposal for a regulation

Article 61 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The staff of Eurojust, the Administrative Director and the members of the College and Executive Board shall, without delay and without any question of their responsibility being called into question as a result, notify OLAF of any frauds which have come to their attention in the fulfilment of their duties or remit. If they fail to meet this obligation and to inform OLAF of fraud of which they have knowledge, they shall become personally liable for the consequences.

Amendment 55

Proposal for a regulation

Annex II – point 1 – point d

Text proposed by the Commission

Amendment

(d) **sex;**

(d) **gender;**

Amendment 56

Proposal for a regulation

Annex II – point 2 – point d

Text proposed by the Commission

Amendment

(d) **sex;**

(d) **gender;**

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	EU Agency for Criminal Justice Cooperation (Eurojust)						
References	COM(2013)0535 – C7-0240/2013 – 2013/0256(COD)						
Committee responsible Date announced in plenary	LIBE 10.9.2013						
Opinion by Date announced in plenary	CONT 10.9.2013						
Rapporteur Date appointed	Ingeborg Gräßle 6.5.2015						
Previous rapporteur	Monika Hohlmeier						
Discussed in committee	13.7.2017						
Date adopted	11.9.2017						
Result of final vote	<table> <tr> <td>+: </td><td>15</td></tr> <tr> <td>–: </td><td>1</td></tr> <tr> <td>0: </td><td>0</td></tr> </table>	+:	15	–:	1	0:	0
+:	15						
–:	1						
0:	0						
Members present for the final vote	Nedzhmi Ali, Dennis de Jong, Ingeborg Gräßle, Arndt Kohn, José Ignacio Salafranca Sánchez-Neyra, Petri Sarvamaa, Claudia Schmidt, Bart Staes, Hannu Takkula, Derek Vaughan, Tomáš Zdechovský, Joachim Zeller						
Substitutes present for the final vote	Julia Pitera						
Substitutes under Rule 200(2) present for the final vote	Eider Gardiazabal Rubial, John Howarth, Isabelle Thomas						

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

15	+
ALDE	Nedzhmi Ali, Hannu Takkula
PPE	Ingeborg Gräßle, Julia Pitera, José Ignacio Salafranca Sánchez-Neyra, Petri Sarvamaa, Claudia Schmidt, Tomáš Zdechovský, Joachim Zeller
S&D	Eider Gardiazabal Rubial, John Howarth, Arndt Kohn, Isabelle Thomas, Derek Vaughan
Verts/ALE	Bart Staes

1	-
GUE/NGL	Dennis de Jong

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention