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AMENDMENTS

49 - 186

Draft opinion
António Marinho e Pinto
(PE607.846v01-00)

European Union Agency for Criminal Justice Cooperation (Eurojust)

Proposal for a regulation
(COM(2013)0535 – C7-0240/2013 – 2013/0256(COD))

AM_Com_LegOpinion

Amendment 49
Gilles Lebreton, Marie-Christine Boutonnet

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) Since the European Public Prosecutor's Office should be established from Eurojust, this Regulation includes the provisions necessary to regulate the relations between Eurojust and the European Public Prosecutor's Office.

Amendment

deleted

Or. fr

Amendment 50
Daniel Buda

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) Since the European Public Prosecutor's Office should be established from Eurojust, this Regulation includes the provisions necessary to regulate the relations between Eurojust and the European Public Prosecutor's Office.

Amendment

(4) Since the European Public Prosecutor's Office should be established from Eurojust, this Regulation includes the provisions necessary to regulate the relations between Eurojust and the European Public Prosecutor's Office. However, as the European Public Prosecutor's Office is being established through enhanced cooperation, the Regulation implementing enhanced cooperation on the establishment of the European Prosecutor's Office is binding and directly applicable solely in respect of those Member States participating in that enhanced co-operation. For those Member States not participating in the European Public Prosecutor's Office, Eurojust remains fully competent for the forms of serious crime listed in Annex I to this Regulation.

Amendment 51

Axel Voss

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) *Since the European Public Prosecutor's Office **should be established from Eurojust, this Regulation includes the provisions necessary to regulate the relations between Eurojust and the** European Public Prosecutor's Office.*

Amendment

(4) ***Considering that the EPPO is established by enhanced cooperation, the Regulation implementing enhanced cooperation on the establishment of the** European Public Prosecutor's Office **is binding in its entirety and only directly applicable to Member States which participate in enhanced cooperation. Therefore, for those Member States not participating in** the European Public Prosecutor's Office, **Eurojust remains fully competent for forms of crime listed in Annex I to this Regulation.***

Or. en

Amendment 52

Axel Voss

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

deleted

Amendment 53

Gilles Lebreton, Marie-Christine Boutonnet

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) Eurojust should be able to support national authorities when they are investigating *crimes affecting the financial interests of the Union* and prosecuting these forms of crime.

Or. fr

Amendment 54

Kostas Chrysogonos

Proposal for a regulation

Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) *The evaluation of Council Decision 2002/187/JHA and the activities carried out by Eurojust (final report of 30 June 2015) should also be taken into account.*

Or. en

Amendment 55

Kostas Chrysogonos

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) This Regulation respects the fundamental rights and **observes** the principles recognised in particular by the Charter of Fundamental Rights of the European Union.

Amendment

(8) This Regulation **fully** respects the fundamental rights and **freedoms and fully safeguards** the principles recognised in particular by the Charter of Fundamental Rights of the European Union.

Or. en

Amendment 56
Kostas Chrysogonos

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) The forms of serious crime affecting two or more Member States for which Eurojust is competent should be laid down. In addition, cases which do not involve two or more Member States, but which require a prosecution on common bases, should be defined. Such cases should include investigations and prosecutions affecting only one Member State and a third State, as well as cases affecting only one Member State and the Union.

Amendment

(9) The forms of serious crime affecting two or more Member States for which Eurojust is competent should be **clearly** laid down. In addition, cases which do not involve two or more Member States, but which require a prosecution on common bases, should be defined. Such cases should include investigations and prosecutions affecting only one Member State and a third State, as well as cases affecting only one Member State and the Union.

Or. en

Amendment 57
Daniel Buda

Proposal for a regulation
Recital 10

Text proposed by the Commission

(10) When exercising its operational

Amendment

(10) When exercising its operational

functions in relation to concrete criminal cases, at the request of competent authorities of Member States or on its own initiative, Eurojust should act either through one or more of the national members or as a College.

functions in relation to concrete criminal cases, at the request of competent authorities of Member States or on its own initiative, Eurojust should act either through one or more of the national members or as a College. *Likewise, at the request of a Member State's competent authority or the Commission, Eurojust should be able to assist with investigations only involving one Member State but with consequences throughout the EU.*

Or. ro

Amendment 58

Axel Voss

Proposal for a regulation

Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) At the request of a Member State's competent authority or the Commission, Eurojust may also assist investigations involving only that Member State but which have repercussions at Union level. Examples of cases which have repercussions at Union level include those where a member of an EU institution or body is involved. It also covers cases which involve a significant number of Member States and could potentially require a coordinated European response.

Or. en

Amendment 59

Kostas Chrysogonos

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) To ensure Eurojust can appropriately support and coordinate cross-border investigations, it is necessary that all national members have the same operational powers in order to cooperate between themselves and with national authorities in a more effective way. National members should be granted those powers that allow Eurojust to appropriately achieve its mission. These powers should include accessing relevant information in national public registers, issuing and executing mutual assistance and recognition requests, directly contacting and exchanging information with competent authorities, participating in joint investigation teams and, in agreement with the competent national authority or in case of urgency, ordering investigative measures and controlled deliveries.

Amendment

(11) To ensure Eurojust can appropriately support and coordinate cross-border investigations, it is necessary that all national members have the same operational powers in order to cooperate between themselves and with national authorities in a more ***coherent and*** effective way. National members should be granted those powers that allow Eurojust to appropriately achieve its mission. These powers should include accessing relevant information in national public registers, issuing and executing mutual assistance and recognition requests, directly contacting and exchanging information with competent authorities, participating in joint investigation teams and, in agreement with the competent national authority or in case of urgency, ordering investigative measures and controlled deliveries.

Or. en

Amendment 60
Kostas Chrysogonos

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 and ***fully*** respects the principles applicable to Union agencies, ***as well as the fundamental rights and freedoms***, 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.

Or. en

Amendment 61
Kostas Chrysogonos

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) Provisions should be laid down to clearly distinguish between the operational and the management functions of the College, reducing the administrative burden on national members to the minimum so that the focus is put on Eurojust's operational work. The management tasks of the College should include in particular the adoption of Eurojust's work programmes, budget, annual activity report, appropriate financial rules, and working arrangements with partners. It should exercise the power of appointing authority towards staff of the agency including the Administrative Director.

Amendment

(13) ***The strategic clarity of Eurojust on policy and operational work should be reinforced by prioritizing a limited number of high added-value strategic priorities and mobilising Eurojust resources around those priorities.***
Provisions should be laid down to clearly distinguish between the operational and the management functions of the College, reducing the administrative burden on national members to the minimum so that the focus is put on Eurojust's operational work. The management tasks of the College should include in particular the adoption of Eurojust's work programmes, budget, annual activity report, appropriate financial rules, and working arrangements with partners. It should exercise the power of appointing authority towards staff of the agency including the Administrative Director.

Or. en

Amendment 62
Kostas Chrysogonos

Proposal for a regulation
Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Eurojust should streamline the

work of the College Teams / Task Forces and Working Groups, clarifying their mandate and objectives and ensuring that their work is focused on the priorities adopted by Eurojust.

Or. en

Amendment 63
Kostas Chrysogonos

Proposal for a regulation
Recital 13 b (new)

Text proposed by the Commission

Amendment

(13b) The adoption of streamlined operational procedures at National Desks should be promoted, in order to be able to provide a more homogenous support by the Administration. More efforts should be made to more clearly define needs related to operational and policy work.

Or. en

Amendment 64
Axel Voss

Proposal for a regulation
Recital 15

Text proposed by the Commission

Amendment

(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.

(15) The Commission should be represented in the Executive Board, to ensure non-operational supervision and strategic guidance of Eurojust.

Or. en

Amendment 65
Daniel Buda

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) The setting up of an On-Call Coordination (OCC) within Eurojust is necessary to make Eurojust available around the clock and to enable it to intervene in urgent cases. ***It should be the responsibility of*** each Member State ***to*** ensure that their representatives in the OCC are able to act on a 24-hour/7-day basis.

Amendment

(17) The setting up of an On-Call Coordination (OCC) within Eurojust is necessary to make Eurojust ***efficient and*** available around the clock and to enable it to intervene in urgent cases. Each Member State ***should*** ensure that their representatives in the OCC are able to act on a 24-hour/7-day basis.

Or. ro

Amendment 66
Kostas Chrysogonos

Proposal for a regulation
Recital 21

Text proposed by the Commission

(21) When Eurojust transfers personal data to an authority of a third country or to an international organisation or Interpol by virtue of an international agreement concluded pursuant to Article 218 of the Treaty the adequate safeguards adduced with respect to the protection of privacy and fundamental rights and freedoms ***of individuals*** have to ensure that the data protection provisions of this Regulation are complied with.

Amendment

(21) When Eurojust transfers personal data to an authority of a third country or to an international organisation or Interpol by virtue of an international agreement concluded pursuant to Article 218 of the Treaty the adequate safeguards adduced with respect to the protection of privacy and fundamental rights and freedoms have to ensure that the data protection provisions of this Regulation are ***fully*** complied with.

Or. en

Amendment 67
Daniel Buda

Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) Eurojust should be given the opportunity to extend the deadlines for storage of personal data, subject to observance of the purpose limitation principle applicable to processing of personal data in the context of all activities of Eurojust, in order to achieve its objectives. Such decisions should be taken following careful consideration of all interests at stake, ***including those*** of the data subjects. Any extension of deadlines for processing personal data, where prosecution is statute barred in all Member States concerned, should be decided only where there is a specific need to provide assistance under this Regulation.

Amendment

(23) Eurojust should be given the opportunity to extend the deadlines for storage of personal data, subject to observance of the purpose limitation principle applicable to processing of personal data in the context of all activities of Eurojust, in order to achieve its objectives. Such decisions should be taken following careful ***and objective*** consideration of ***the cases concerned***, of all interests at stake, ***and equally of the interests*** of the data subjects. Any extension of deadlines for processing personal data, where prosecution is statute barred in all Member States concerned, should be decided only where there is a specific need to provide assistance under this Regulation.

Or. ro

Amendment 68
Pascal Durand
on behalf of the Verts/ALE Group

Proposal for a regulation
Recital 23

Text proposed by the Commission

(23) Eurojust should be given the opportunity to extend the deadlines for storage of personal data, subject to observance of the purpose limitation principle applicable to processing of personal data in the context of all activities of Eurojust, in order to achieve its objectives. Such decisions should be taken following careful consideration of all interests at stake, including those of the data subjects. Any extension of deadlines

Amendment

(23) Eurojust should be given the opportunity to extend the deadlines for storage of personal data, subject to observance of the purpose limitation principle applicable to processing of personal data in the context of all activities of Eurojust, in order to achieve its objectives. Such decisions should be taken following careful consideration of all interests at stake, including those of the data subjects. Any extension of deadlines

for processing personal data, where prosecution is statute barred in all Member States concerned, should be decided only where there is a specific need to provide assistance under this Regulation.

for processing personal data, where prosecution is statute barred in all Member States concerned, should be ***the subject of a formal and reasoned decision, and*** decided only where there is a specific ***and clearly justifiable*** need to provide assistance under this Regulation.

Or. en

Amendment 69

Pascal Durand

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) Eurojust should ***maintain cooperative relations*** with other Union bodies and agencies, with the European Public Prosecutor's Office, with the competent authorities of third countries as well as with international organisations, to the extent required for the accomplishment of its tasks.

Amendment

(25) Eurojust should ***cooperate*** with other Union bodies and agencies, with the European Public Prosecutor's Office, with the competent authorities of third countries as well as with international organisations, to the extent required for the accomplishment of its tasks.

Or. en

Amendment 70

Pascal Durand

on behalf of the Verts/ALE Group

Proposal for a regulation

Recital 25 a (new)

Text proposed by the Commission

Amendment

(25a) The European Public Prosecutor should have the right to participate in all Eurojust meetings provided that matters which the Prosecutor considers relevant

to the functioning of the European Public Prosecutor's Office are discussed.

Or. en

Amendment 71

Axel Voss

Proposal for a regulation

Recital 26

Text proposed by the Commission

(26) To enhance operational cooperation between Eurojust and Europol, and particularly to establish links between data already in the possession of either body, Eurojust should enable Europol to have access *to and* be able to *search against* data available at Eurojust.

Amendment

(26) To enhance operational cooperation between Eurojust and Europol, and particularly to establish links between data already in the possession of either body, Eurojust should enable Europol to have access, *on the basis of a hit/no-hit system, to data available at Eurojust. Eurojust and Europol should be able to conclude a working arrangement ensuring, in a reciprocal manner within their respective mandates, access to, and the possibility of searching, all information that has been provided for the purpose of cross-checking in accordance with specific safeguards and data protection guarantees provided for in this Regulation. Any access to data available at Eurojust should, by technical means, be limited to information falling within the respective mandates of those Union bodies.*

Or. en

Justification

Recital 26 of this Regulation should be aligned with Recital 28 of Regulation (EU) 2016/794.

Amendment 72

Gilles Lebreton, Marie-Christine Boutonnet

Proposal for a regulation
Recital 27

Text proposed by the Commission

Amendment

(27) Eurojust should be able to exchange personal data with other Union bodies to the extent necessary for the accomplishment of its tasks.

deleted

Or. fr

Amendment 73
Kostas Chrysogonos

Proposal for a regulation
Recital 27

Text proposed by the Commission

Amendment

(27) Eurojust should be able to exchange personal data with other Union bodies to the extent necessary for the accomplishment of its tasks.

(27) Eurojust should be able to exchange personal data with other Union bodies to the extent necessary for the accomplishment of its tasks *with full respect for the protection of privacy and fundamental rights and freedoms.*

Or. en

Amendment 74
Gilles Lebreton, Marie-Christine Boutonnet

Proposal for a regulation
Recital 34

Text proposed by the Commission

Amendment

(34) Regulation (EC) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF)¹⁶ should apply to Eurojust.

deleted

Or. fr

Amendment 75

Daniel Buda

Proposal for a regulation

Article 1 – paragraph 3

Text proposed by the Commission

3. In each of the Member States, Eurojust shall enjoy *the most extensive* legal *capacity* accorded to legal persons under their laws. *It may, in particular, acquire and dispose of movable and immovable property and be party to legal proceedings.*

Amendment

3. In each of the Member States, Eurojust shall enjoy legal *personality, as* accorded to legal persons under their laws.

Or. ro

Amendment 76

Axel Voss

Proposal for a regulation

Article 1 a (new)

Text proposed by the Commission

Amendment

Article 1 a

Definitions

(a) *'personal data' means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;*

(b) *'operational personal data' means all personal data processed by Eurojust to fulfil the tasks laid down in Article 2;*

(c) *'administrative personal data' means all personal data processed by Eurojust apart from those that are processed to fulfil the tasks laid down in Article 2;*

Or. en

Amendment 77

Daniel Buda

Proposal for a regulation

Article 2 – paragraph 1

Text proposed by the Commission

1. Eurojust shall support and strengthen coordination and cooperation between national investigating and prosecuting authorities in relation to serious crime affecting two or more Member States, or requiring a prosecution on common bases, on the basis of operations conducted and information supplied by the Member States' authorities and by Europol.

Amendment

1. Eurojust shall support and strengthen coordination and cooperation between national investigating and prosecuting authorities in relation to serious crime ***which Eurojust is competent to deal with in accordance with Article 3(1) and*** affecting two or more Member States, or requiring a prosecution on common bases, on the basis of operations conducted and information supplied by the Member States' authorities and by Europol.

Or. ro

Amendment 78

Gilles Lebreton, Marie-Christine Boutonnet

Proposal for a regulation

Article 2 – paragraph 1

Text proposed by the Commission

1. Eurojust shall support and strengthen coordination and cooperation between national investigating and

Amendment

1. Eurojust shall support and strengthen coordination and cooperation between national investigating and

prosecuting authorities in relation to serious crime affecting two or more Member States, ***or requiring a prosecution on common bases***, on the basis of operations conducted and information supplied by the Member States' authorities and by Europol.

prosecuting authorities in relation to serious crime affecting two or more Member States on the basis of operations conducted and information supplied by the Member States' authorities and by Europol.

Or. fr

Amendment 79

Pascal Durand

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 2 – paragraph 1

Text proposed by the Commission

1. Eurojust shall support and strengthen coordination and cooperation between national investigating and prosecuting authorities in relation to serious crime affecting two or more Member States, or requiring a prosecution on common bases, on the basis of operations conducted and information supplied by the Member States' authorities ***and by Europol.***

Amendment

1. Eurojust shall support and strengthen coordination and cooperation between national investigating and prosecuting authorities in relation to serious crime affecting two or more Member States, or requiring a prosecution on common bases, on the basis of operations conducted and information supplied by the Member States' authorities, ***by Europol and by the European Public Prosecutor's Office.***

Or. en

Amendment 80

Kostas Chrysogonos

Proposal for a regulation

Article 2 – paragraph 3

Text proposed by the Commission

3. Eurojust shall exercise its tasks at the request of the competent authorities of the Member States or on its own initiative.

Amendment

3. Eurojust shall exercise its tasks at the request of the competent authorities of the Member States, ***of the European***

Prosecutor's Office, of OLAF or on its own initiative.

Or. en

Amendment 81

Gilles Lebreton, Marie-Christine Boutonnet

Proposal for a regulation

Article 2 – paragraph 3

Text proposed by the Commission

3. Eurojust shall exercise its tasks at the request of the competent authorities of the Member States *or on its own initiative*.

Amendment

3. Eurojust shall exercise its tasks at the request of the competent authorities of the Member States.

Or. fr

Amendment 82

Pascal Durand

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 2 – paragraph 3

Text proposed by the Commission

3. Eurojust shall exercise its tasks at the request of the competent authorities of the Member States or on its own initiative.

Amendment

3. Eurojust shall exercise its tasks at the request of the competent authorities of the Member States or *of the European Public Prosecutor's Office* or on its own initiative.

Or. en

Amendment 83

Axel Voss

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***.

Amendment

1. Eurojust's competence shall cover the forms of crime listed in Annex ***1***. ***With regard to forms of crime for which the European Public Prosecutor's Office exercises its competence Eurojust shall only exercise its competences within its respective mandate avoiding any overlap with action taken by the European Public Prosecutor's Office. However, Eurojust shall exercise its competences in cases involving Member States which do not participate in enhanced cooperation on the establishment of the European Public Prosecutor's Office and at the request of those Member States or at the request of the European Public Prosecutor's Office. The practical details on the exercise of competence in accordance with this paragraph shall be regulated by a working arrangement referred to in Article 38(2a).***

Or. en

Amendment 84
Sylvia-Yvonne Kaufmann

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.

Amendment

1. ***Until the date when the European Public Prosecutor's Office ('EPPO') has assumed its investigative and prosecutorial tasks conferred on it in accordance with Article [75] of Regulation [implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office], Eurojust's competence shall cover the criminal offences listed in Annex 1. However, from the date when the EPPO assumes its tasks, Eurojust shall not be***

competent for those offences for which the European Public Prosecutor's Office is competent.

Or. en

Justification

It is important to be clear that Eurojust remains competent for all PIF offences for all Member States until such time as the EPPO is set up and assumes its tasks in accordance with Article 75 on the draft Regulation establishing the EPPO.

Amendment 85

Daniel Buda

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.

Amendment

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. ***Eurojust shall exercise its competences in cases involving Member States not participating in enhanced cooperation on the establishment of the European Public Prosecutor's Office and at the request of the Member States concerned, or at the request of the European Public Prosecutor's Office.***

Or. ro

Amendment 86

Kostas Chrysogonos

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.

Amendment

1. Eurojust's competence shall cover the forms of crime listed in Annex 1. Its competence shall **also** include the crimes for which the European Public Prosecutor's Office is competent.

Or. en

Amendment 87

Sylvia-Yvonne Kaufmann

Proposal for a regulation

Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Eurojust shall remain competent:

(a) for offences laid down in Directive [(EU) 2017/... on the Fight against Fraud to the Union's Financial Interests by means of Criminal Law ('the PIF Directive')] insofar as the EPPO is not competent or does not exercise its competence;

(b) in cases regarding offences laid down in the PIF Directive, for requests from Member States which are not participating in the EPPO;

(c) in cases involving both participating Member States and Member States which are not participating in the EPPO, for requests from those Member States which are not participating in the EPPO and for requests from the EPPO itself.

Or. en

Justification

Since Eurojust will have a residual competence for PIF offences which results from the enhanced cooperation on the EPPO and the text of that draft Regulation, it is crucial to be

clear about the nature of Eurojust's residual competence.

Amendment 88

Axel Voss

Proposal for a regulation

Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. For forms of crime other than those listed in Annex 1, Eurojust may also, in accordance with its tasks, assist in the investigations and prosecutions at the request of a competent authority of a Member State.

Or. en

Justification

This addition is in line with Article 4 paragraph 2 of Eurojust Council Decision 2009/426/JHA.

Amendment 89

Sylvia-Yvonne Kaufmann

Proposal for a regulation

Article 3 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. Eurojust's competence shall cover ***related*** criminal offences. The following offences shall be regarded as related criminal offences:

2. Eurojust's competence shall cover criminal offences ***related to the criminal offences laid down in Annex 1***. The following offences shall be regarded as related criminal offences:

Or. en

Amendment 90

Axel Voss

Proposal for a regulation
Article 3 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Eurojust's competence shall cover other criminal offences related to the forms of crime and the offences referred to in Annex I.

Or. en

Justification

This addition is in line with Article 4 paragraph 1 letter (b) of Eurojust Council Decision 2009/426/JHA.

Amendment 91
Daniel Buda

Proposal for a regulation
Article 3 – paragraph 4

Text proposed by the Commission

Amendment

4. At the request either of a Member State's competent authority or of the Commission, Eurojust may assist investigations and prosecutions affecting only that Member State **and** the Union.

4. At the request either of a Member State's competent authority or of the Commission, Eurojust may assist investigations and prosecutions affecting only that Member State **but which have repercussions on** the Union.

Or. ro

Amendment 92
Pascal Durand
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 3 – paragraph 4

Text proposed by the Commission

Amendment

4. At the request either of a Member

4. At the request either of a Member

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State's competent authority or of the Commission, Eurojust may assist investigations and prosecutions affecting only that Member State and the Union.

State's competent authority, *of the European Public Prosecutor's Office* or of the Commission, Eurojust may assist investigations and prosecutions affecting only that Member State and the Union.

Or. en

Amendment 93

Pascal Durand

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 4 – paragraph 1 – point a

Text proposed by the Commission

(a) inform the competent authorities of the Member States of investigations and prosecutions of which it has been informed and which have repercussions at Union level or which might affect Member States other than those directly concerned;

Amendment

(a) inform the competent authorities of the Member States *and the European Public Prosecutor's Office* of investigations and prosecutions of which it has been informed and which have repercussions at Union level or which might affect Member States other than those directly concerned;

Or. en

Amendment 94

Sylvia-Yvonne Kaufmann

Proposal for a regulation

Article 4 – paragraph 1 – point b

Text proposed by the Commission

(b) *assist the competent authorities of the Member States in ensuring the best possible coordination of investigations and prosecutions;*

Amendment

(b) *ensure the best possible coordination of investigations and prosecutions conducted by the competent authorities of the Member States;*

Or. en

Amendment 95
Sylvia-Yvonne Kaufmann

Proposal for a regulation
Article 4 – paragraph 1 – point c

Text proposed by the Commission

(c) ***give assistance in order to*** improve cooperation between the competent authorities of the Member States, in particular on the basis of Europol's analyses;

Amendment

(c) improve cooperation between the competent authorities of the Member States, in particular on the basis of Europol's analyses;

Or. en

Amendment 96
Daniel Buda

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

Text proposed by the Commission

Amendment

(ea) cooperate and consult, when need be, with the Union agencies and bodies established in the area of Freedom, Security and Justice regulated under Title V of the TFEU;

Or. ro

Amendment 97
Sylvia-Yvonne Kaufmann

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

Text proposed by the Commission

Amendment

(ea) support, and where appropriate participate in, the Union centres of specialised expertise developed by Europol and other Union bodies.

Amendment 98
Kostas Chrysogonos

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

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 99
Daniel Buda

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

4. Where two or more Member States cannot agree on which of them should undertake an investigation or prosecution following a request made under point (b) of paragraph 2, Eurojust shall issue a **written opinion** on the case. The **opinion** shall be promptly forwarded to the Member States concerned.

Amendment

4. Where two or more Member States cannot agree on which of them should undertake an investigation or prosecution following a request made under point (b) of paragraph 2, Eurojust shall issue a **decision** on the case. The **decision** shall be promptly forwarded to the Member States concerned **and shall be binding. The decision should be adopted by consensus of the national members concerned.**

Or. ro

Amendment 100
Kostas Chrysogonos

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

4. Where two or more Member States cannot agree on which of them should undertake an investigation or prosecution following a request made under point (b) of paragraph 2, Eurojust shall issue a written opinion on the case. The opinion shall be promptly forwarded to the Member States concerned.

Amendment

4. Where two or more Member States cannot agree on which of them should undertake an investigation or prosecution following a request made under point (b) of paragraph 2, Eurojust shall issue ***within a short time*** a written opinion on the case. The opinion shall be promptly forwarded to the Member States concerned.

Or. en

Amendment 101

Daniel Buda

Proposal for a regulation

Article 4 – paragraph 5

Text proposed by the Commission

5. On request of a competent authority Eurojust shall issue a ***written opinion*** on recurrent refusals or difficulties concerning the execution of requests for, and decisions on, judicial cooperation, including those based on instruments giving effect to the principle of mutual recognition, provided it could not be resolved through mutual agreement between the competent national authorities or through the involvement of the national members concerned. The ***opinion*** shall be promptly forwarded to the Member States concerned.

Amendment

5. On request of a competent authority Eurojust shall issue a ***decision*** on recurrent refusals or difficulties concerning the execution of requests for, and decisions on, judicial cooperation, including those based on instruments giving effect to the principle of mutual recognition, provided it could not be resolved through mutual agreement between the competent national authorities or through the involvement of the national members concerned. The ***decision*** shall be promptly forwarded to the Member States concerned ***and shall be binding. The decision should be adopted by consensus of the national members concerned.***

Or. ro

Amendment 102

Sylvia-Yvonne Kaufmann

Proposal for a regulation
Article 4 – paragraph 5

Text proposed by the Commission

5. On request of a competent authority Eurojust shall issue a written opinion on recurrent refusals or difficulties concerning the execution of requests for, and decisions on, judicial cooperation, including those based on instruments giving effect to the principle of mutual recognition, provided it could not be resolved through mutual agreement between the competent national authorities or through the involvement of the national members concerned. The opinion shall be promptly forwarded to the Member States concerned.

Amendment

5. On request of a competent authority ***or on its own initiative*** Eurojust shall issue a written opinion on recurrent refusals or difficulties concerning the execution of requests for, and decisions on, judicial cooperation, including those based on instruments giving effect to the principle of mutual recognition, provided it could not be resolved through mutual agreement between the competent national authorities or through the involvement of the national members concerned. The opinion shall be promptly forwarded to the Member States concerned.

Or. en

Amendment 103
Kostas Chrysogonos

Proposal for a regulation
Article 4 – paragraph 5

Text proposed by the Commission

5. On request of a competent authority Eurojust shall issue a written opinion on recurrent refusals or difficulties concerning the execution of requests for, and decisions on, judicial cooperation, including those based on instruments giving effect to the principle of mutual recognition, provided it could not be resolved through mutual agreement between the competent national authorities or through the involvement of the national members concerned. The opinion shall be promptly forwarded to the Member States concerned.

Amendment

5. On request of a competent authority Eurojust shall issue ***within a short time*** a written opinion on recurrent refusals or difficulties concerning the execution of requests for, and decisions on, judicial cooperation, including those based on instruments giving effect to the principle of mutual recognition, provided it could not be resolved through mutual agreement between the competent national authorities or through the involvement of the national members concerned. The opinion shall be promptly forwarded to the Member States concerned.

Or. en

Amendment 104

Gilles Lebreton, Marie-Christine Boutonnet

Proposal for a regulation

Article 5 – paragraph 2 – point a – point ii

Text proposed by the Commission

(ii) when the case involves investigations or prosecutions which have repercussions at Union level or which might affect Member States other than those directly concerned;

Amendment

(ii) when the case involves investigations or prosecutions which have ***proven*** repercussions at Union level or which might affect Member States other than those directly concerned;

Or. fr

Amendment 105

Axel Voss

Proposal for a regulation

Article 5 – paragraph 2 a

Text proposed by the Commission

Amendment

2a. Without prejudice to paragraph 2, the College shall focus on operational issues and any other issues that are directly linked to operational matters. It shall only be involved in administrative matters to the extent necessary to ensure that its operational tasks are fulfilled.

Or. en

Amendment 106

Daniel Buda

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. Each national member shall be

2. Each national member shall be

assisted by one deputy and by an Assistant. The deputy and the Assistant shall have their regular place of work at Eurojust. More deputies or Assistants may assist the national member and may, if necessary and with the agreement of the College, have their regular place of work at Eurojust.

assisted by one deputy and by an Assistant. The deputy and the Assistant shall have their regular place of work at Eurojust. ***Exceptionally***, more deputies or Assistants may assist the national member and may, if necessary and with the agreement of the College, have their regular place of work at Eurojust.

Or. ro

Amendment 107
Daniel Buda

Proposal for a regulation
Article 8 – paragraph 1 – point b

Text proposed by the Commission

(b) contact directly and exchange information with any national competent authority of the Member State;

Amendment

(b) contact directly and exchange information with any national competent authority of the Member State ***or with any Union agency/competent body***;

Or. ro

Amendment 108
Daniel Buda

Proposal for a regulation
Article 8 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) order investigative measures;

Or. ro

Amendment 109
Daniel Buda

Proposal for a regulation
Article 8 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) order investigative measures;

(a) order ***or request and execute*** investigative measures, ***as provided for in Directive 2014/41/EU of the European Parliament and of the Council^{1a}***

^{1a} ***Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters (OJ L 130, 1.5.2014, p. 1).***

Or. ro

Amendment 110
Kostas Chrysogonos

Proposal for a regulation
Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

The national members shall have access to, or at least be able to obtain the information contained in, the following types of registers of their Member State, in accordance with national law:

The national members shall have ***free and unhindered*** access to, or at least be able to obtain the information contained in, the following types of registers of their Member State, in accordance with national law:

Or. en

Amendment 111
Daniel Buda

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.***

Amendment 112

Sylvia-Yvonne Kaufmann

Proposal for a regulation

Article 10 – paragraph 1 – point a

Text proposed by the Commission

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

Amendment

(a) all the national members;

Or. en

Amendment 113

Sylvia-Yvonne Kaufmann

Proposal for a regulation

Article 10 – paragraph 1 – point b

Text proposed by the Commission

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

Amendment

(b) and two representatives of the Commission when *management issues are discussed or measures thereon are adopted.*

Or. en

Amendment 114

Daniel Buda

Proposal for a regulation

Article 10 – paragraph 2

Text proposed by the Commission

2. The term of office of the members and their deputies shall be *at least* four years, renewable once. Upon expiry of their term of office or in the event of their

Amendment

2. The term of office of the national members and their deputies shall be four years, renewable once. Upon expiry of their term of office or in the event of their

resignation, members shall remain in office until their term is renewed or until they are replaced.

resignation, members shall remain in office until their term is renewed or until they are replaced.

Or. ro

Amendment 115

Daniel Buda

Proposal for a regulation

Article 11 – paragraph 3

Text proposed by the Commission

3. The term of office of the President and the Vice-Presidents shall be four years. They may be re-elected once. ***When a national member is elected President or Vice-President of Eurojust, his or her term of office as national member shall be extended to ensure he or she can fulfil his or her function as President or Vice-President.***

Amendment

3. The term of office of the President and the Vice-Presidents shall be four years. They may be re-elected once.

Or. ro

Amendment 116

Axel Voss

Proposal for a regulation

Article 12 – paragraph 3

Text proposed by the Commission

3. ***The European Public Prosecutor shall receive the agendas of all College meetings and shall be entitled to participate in such meetings, without the right to vote, whenever issues are discussed which he or she considers to be of relevance for the functioning of the European Public Prosecutor's Office.***

Amendment

deleted

Or. en

Amendment 117

Gilles Lebreton, Marie-Christine Boutonnet

Proposal for a regulation

Article 12 – paragraph 3

Text proposed by the Commission

Amendment

3. *The European Public Prosecutor shall receive the agendas of all College meetings and shall be entitled to participate in such meetings, without the right to vote, whenever issues are discussed which he or she considers to be of relevance for the functioning of the European Public Prosecutor's Office.* *deleted*

Or. fr

Amendment 118

Kostas Chrysogonos

Proposal for a regulation

Article 12 – paragraph 3

Text proposed by the Commission

Amendment

3. The European Public Prosecutor shall receive the agendas of all College meetings and shall be entitled to participate in such meetings, *without the right to vote*, whenever issues are discussed which he or she considers to be of relevance for the functioning of the European Public Prosecutor's Office.

3. The European Public Prosecutor shall receive the agendas of all College meetings and shall be entitled to participate in such meetings, whenever issues are discussed which he or she considers to be of relevance for the functioning of the European Public Prosecutor's Office.

Or. en

Amendment 119

Pascal Durand

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 12 – paragraph 3

Text proposed by the Commission

3. The European Public Prosecutor shall receive the agendas of all College meetings and shall be entitled to participate in such meetings, ***without*** the right to vote, whenever issues are discussed which he or she considers to be of relevance for the functioning of the European Public Prosecutor's Office.

Amendment

3. The European Public Prosecutor shall receive the agendas of all College meetings and shall be entitled to participate in such meetings, ***with*** the right to vote, whenever issues are discussed which he or she considers to be of relevance for the functioning of the European Public Prosecutor's Office.

Or. en

Amendment 120

Axel Voss

Proposal for a regulation

Article 14

Text proposed by the Commission

Amendment

Article 14

deleted

Management functions of the College

1. The College exercising its management functions shall:

a) adopt each year Eurojust's programming document by a majority of two thirds of its members and in accordance with Article 15;

b) adopt, by a majority of two thirds of its members, the annual budget of Eurojust and exercise other functions in respect of Eurojust's budget pursuant to Chapter VI;

c) adopt a consolidated annual activity report on Eurojust's activities and send it, by [date foreseen in FFR] of the following year, to the European Parliament, national parliaments, the Council, the Commission and the Court of Auditors, and make the consolidated

annual activity report public;

d) adopt staff resource programming as part of the programming document;

e) adopt the financial rules applicable to Eurojust in accordance with Article 52;

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

g) in accordance with paragraph 2, exercise, with respect to the staff of the Agency, the powers conferred by the Staff Regulations¹ on the Appointing Authority and by the Conditions of Employment of Other Servants² on the Authority Empowered to conclude Contracts of Employment ('the appointing authority powers');

h) appoint the Administrative Director and where relevant extend his or her term of office or remove him or her from office in accordance with Article 17;

i) appoint an Accounting Officer and a Data Protection Officer who shall be functionally independent in the performance of their duties;

j) adopt working arrangements concluded in accordance with Article 43;

k) elect the President and Vice-Presidents in accordance with Article 11;

l) adopt its rules of procedure.

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.

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.

4. *The College shall reach decisions on appointment, extension of the term of office and removal from office of the Administrative Director on the basis of a two-thirds majority of its members.*

¹⁷ *Council Regulation No 31 (EEC), 11 (EAEC) of 18 December 1961 laying down the Staff Regulations for Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community, OJ P 045, 14.6.1962, p. 1385, as amended, in particular, by Council Regulation 259/68, of 29 February 1968 (OJ L 56, 4.3.1968, p. 1), as itself subsequently amended.*

¹⁸ *Council Regulation No 31 (EEC), 11 (EAEC) of 18 December 1961 laying down the Staff Regulations for Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community, OJ P 045, 14.6.1962, p. 1385, as amended, in particular, by Council Regulation 259/68, of 29 February 1968 (OJ L 56, 4.3.1968, p. 1), as itself subsequently amended.*

Or. en

Amendment 121
Kostas Chrysogonos

Proposal for a regulation
Article 15 – paragraph 1

Text proposed by the Commission

1. By [30 November each year] the College shall adopt a programming document containing multi-annual and annual programming, based on a draft put forward by the Administrative Director, taking into account the opinion of the Commission. It shall forward it to the European Parliament, the Council and the Commission. The programming document shall become definitive after final adoption of the general budget and if necessary shall be adjusted accordingly.

Amendment

1. By [30 November each year] the College shall adopt a programming document containing multi-annual and annual programming, based on a draft put forward by the Administrative Director, taking into account, ***where appropriate***, the opinion of the Commission. It shall forward it to the European Parliament, the Council and the Commission. The programming document shall become definitive after final adoption of the general budget and if necessary shall be adjusted accordingly.

Or. en

Amendment 122
Kostas Chrysogonos

Proposal for a regulation
Article 15 – paragraph 2

Text proposed by the Commission

2. The annual work programme shall comprise detailed objectives and expected results including performance indicators. It shall also contain a description of the actions to be financed and an indication of the financial and human resources allocated to each action, in accordance with the principles of activity-based budgeting and management. The annual work programme shall be coherent with the multi-annual work programme referred to in paragraph 4. It shall clearly indicate which tasks have been added, changed or deleted in comparison with the previous financial year.

Amendment

2. The annual work programme shall comprise detailed objectives and expected results including performance indicators. It shall also contain a ***clear*** description of the actions to be financed and an indication of the financial and human resources allocated to each action, in accordance with the principles of activity-based budgeting and management. The annual work programme shall be coherent with the multi-annual work programme referred to in paragraph 4. It shall clearly indicate which tasks have been added, changed or deleted in comparison with the previous financial year.

Or. en

Amendment 123
Gilles Lebreton, Marie-Christine Boutonnet

Proposal for a regulation
Article 16 – paragraph 2 – point d

Text proposed by the Commission

(d) ensure adequate follow-up to the findings and recommendations stemming from the internal or external audit reports, evaluations and investigations, including those of the European Data Protection Supervisor (EDPS) **and the European Anti-fraud Office (OLAF)**;

Amendment

(d) ensure adequate follow-up to the findings and recommendations stemming from the internal or external audit reports, evaluations and investigations, including those of the European Data Protection Supervisor (EDPS);

Or. fr

Amendment 124
Kostas Chrysogonos

Proposal for a regulation
Article 16 – paragraph 4

Text proposed by the Commission

4. The Executive Board shall be composed of the President and Vice-Presidents of the College, **one representative of the Commission** and one other member of the College. The President of the College shall be the Chairperson of the Executive Board. The Executive Board shall take its decisions by a majority of its members, each member having one vote. The Administrative Director shall take part in the meetings of the Executive Board, but shall not have the right to vote.

Amendment

4. The Executive Board shall be composed of the President and Vice-Presidents of the College and one other member of the College. The President of the College shall be the Chairperson of the Executive Board. The Executive Board shall take its decisions by a majority of its members, each member having one vote. The Administrative Director shall take part in the meetings of the Executive Board, but shall not have the right to vote.

Or. en

Amendment 125
Daniel Buda

Proposal for a regulation
Article 16 – paragraph 6

Text proposed by the Commission

6. The Executive Board shall hold *at least* one ordinary meeting *every three months*. In addition, it shall meet on the initiative of its Chairperson or at the request of the Commission or of at least two of its other members.

Amendment

6. The Executive Board shall hold one ordinary meeting *per month*. In addition, it shall meet on the initiative of its Chairperson *or whenever this is necessary* or at the request of the Commission or of at least two of its other members.

Or. ro

Amendment 126
Axel Voss

Proposal for a regulation
Article 16 – paragraph 7

Text proposed by the Commission

7. *The European Public Prosecutor shall receive the agendas of all Executive Board meetings and shall be free to participate in such meetings, without the right to vote, whenever issues are discussed which he or she considers to be of relevance for the functioning of the European Public Prosecutor's Office.*

Amendment

deleted

Or. en

Amendment 127
Gilles Lebreton, Marie-Christine Boutonnet

Proposal for a regulation
Article 16 – paragraph 7

Text proposed by the Commission

7. *The European Public Prosecutor shall receive the agendas of all Executive Board meetings and shall be free to participate in such meetings, without the*

Amendment

deleted

right to vote, whenever issues are discussed which he or she considers to be of relevance for the functioning of the European Public Prosecutor's Office.

Or. fr

Amendment 128
Kostas Chrysogonos

Proposal for a regulation
Article 16 – paragraph 7

Text proposed by the Commission

7. The European Public Prosecutor shall receive the agendas of all Executive Board meetings and shall be free to participate in such meetings, ***without the right to vote***, whenever issues are discussed which he or she considers to be of relevance for the functioning of the European Public Prosecutor's Office.

Amendment

7. The European Public Prosecutor shall receive the agendas of all Executive Board meetings and shall be free to participate in such meetings, whenever issues are discussed which he or she considers to be of relevance for the functioning of the European Public Prosecutor's Office.

Or. en

Amendment 129
Pascal Durand
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 16 – paragraph 7

Text proposed by the Commission

7. The European Public Prosecutor shall receive the agendas of all Executive Board meetings and shall be free to participate in such meetings, ***without*** the right to vote, whenever issues are discussed which he or she considers to be of relevance for the functioning of the European Public Prosecutor's Office.

Amendment

7. The European Public Prosecutor shall receive the agendas of all Executive Board meetings and shall be free to participate in such meetings, ***with*** the right to vote, whenever issues are discussed which he or she considers to be of relevance for the functioning of the European Public Prosecutor's Office.

Amendment 130

Axel Voss

Proposal for a regulation

Article 16 – paragraph 8

Text proposed by the Commission

Amendment

8. *The European Public Prosecutor may address written opinions to the Executive Board, to which the Executive Board shall respond in writing without undue delay.* *deleted*

Amendment 131

Gilles Lebreton, Marie-Christine Boutonnet

Proposal for a regulation

Article 16 – paragraph 8

Text proposed by the Commission

Amendment

8. *The European Public Prosecutor may address written opinions to the Executive Board, to which the Executive Board shall respond in writing without undue delay.* *deleted*

Amendment 132

Kostas Chrysogonos

Proposal for a regulation

Article 17 – paragraph 2

Text proposed by the Commission

Amendment

2. The Administrative Director shall **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.

be appointed by the College from a list of candidates proposed by the Commission **and the Member States**, 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.

Or. en

Amendment 133

Pascal Durand

on behalf of the Verts/ALE Group

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

Or. en

Amendment 134

Daniel Buda

Proposal for a regulation

Article 17 – paragraph 3

Text proposed by the Commission

3. The term of office of the ***Administrative*** Director shall be ***five*** years. By the end of this period, the Commission

Amendment

3. The term of office of the ***Administrative*** Director shall be ***four*** years. By the end of this period, the

shall undertake an assessment which takes into account an evaluation of the performance of the Administrative Director.

Commission shall undertake an assessment which takes into account an evaluation of the performance of the Administrative Director.

Or. ro

Amendment 135
Kostas Chrysogonos

Proposal for a regulation
Article 17 – paragraph 4

Text proposed by the Commission

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.

Amendment

4. The College ***taking*** 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.

Or. en

Amendment 136
Daniel Buda

Proposal for a regulation
Article 17 – paragraph 4

Text proposed by the Commission

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.

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 ***four*** years.

Or. ro

Amendment 137
Pascal Durand

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 17 – paragraph 4

Text proposed by the Commission

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.

Amendment

4. The College, ***taking*** 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.

Or. en

Amendment 138
Kostas Chrysogonos

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

7. The Administrative Director may be removed from the office only upon a decision of the College.

Or. en

Amendment 139
Pascal Durand
on behalf of the Verts/ALE Group

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***

Amendment

7. The Administrative Director may be removed from the office only upon a decision of the College.

proposal from the Commission.

Or. en

Amendment 140

Pascal Durand

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 18 – paragraph 4 – point c

Text proposed by the Commission

(c) preparing the programming document and submitting it to the Executive Board and College *after consultation of the Commission*;

Amendment

(c) preparing the programming document and submitting it to the Executive Board and College;

Or. en

Amendment 141

Gilles Lebreton, Marie-Christine Boutonnet

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 reporting on progress twice a year to the Executive Board, the Commission and the European Data Protection Supervisor;

Or. fr

Amendment 142

Axel Voss

Proposal for a regulation
Article 18 – paragraph 4 – point g

Text proposed by the Commission

Amendment

g) protecting the financial interests of the Union by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by imposing effective, proportionate and dissuasive administrative and financial penalties;

deleted

Or. en

Amendment 143
Kostas Chrysogonos

Proposal for a regulation
Article 19 – paragraph 3

Text proposed by the Commission

Amendment

3. The On-Call Coordination representatives shall act without delay, in relation to the execution of the request in their Member State.

3. The On-Call Coordination representatives shall act **efficiently**, without delay, in relation to the execution of the request in their Member State.

Or. en

Amendment 144
Kostas Chrysogonos

Proposal for a regulation
Article 21 – paragraph 1

Text proposed by the Commission

Amendment

1. The competent authorities of the Member States shall exchange with Eurojust any information necessary for the performance of its tasks in accordance with

1. The competent authorities of the Member States shall **properly** exchange with Eurojust, **without undue delay**, any information necessary for the performance

Articles 2 and 4 as well as with the rules on data protection set out in this Regulation. This shall at least include the information referred to in paragraphs 5, 6 and 7.

of its tasks in accordance with Articles 2 and 4 as well as with the rules on data protection set out in this Regulation. This shall at least include the information referred to in paragraphs 5, 6 and 7.

Or. en

Amendment 145
Sylvia-Yvonne Kaufmann

Proposal for a regulation
Article 21 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. For the purposes of paragraph 3 to 6 the competent authorities of the Member States shall exchange the information referred to therein at the latest within 14 days.

Or. en

Amendment 146
Kostas Chrysogonos

Proposal for a regulation
Article 22 – paragraph 1

Text proposed by the Commission

Amendment

1. Eurojust shall provide competent national authorities with information on the results of the processing of information, including the existence of links with cases already stored in the Case Management System. This information may include personal data.

1. Eurojust shall provide ***without undue delay*** competent national authorities with information on the results of the processing of information, including the existence of links with cases already stored in the Case Management System. This information may include personal data.

Or. en

Amendment 147

Axel Voss

Proposal for a regulation

Article 24 – paragraph 7

Text proposed by the Commission

Amendment

**7. *The Case Management System* *deleted*
and its temporary work files shall be made
available for use by the European Public
*Prosecutor's Office.***

Or. en

Amendment 148

Gilles Lebreton, Marie-Christine Boutonnet

Proposal for a regulation

Article 24 – paragraph 7

Text proposed by the Commission

Amendment

**7. *The Case Management System* *deleted*
and its temporary work files shall be made
available for use by the European Public
*Prosecutor's Office.***

Or. fr

Amendment 149

Daniel Buda

Proposal for a regulation

Article 24 – paragraph 7

Text proposed by the Commission

Amendment

**7. *The Case Management System* *deleted*
and its temporary work files shall be made
available for use by the European Public
*Prosecutor's Office.***

Or. ro

Amendment 150

Axel Voss

Proposal for a regulation

Article 24 – paragraph 8

Text proposed by the Commission

Amendment

8. *The provisions on access to the Case Management System and the temporary work files shall apply mutatis mutandis to the European Public Prosecutor's Office. However, the information entered into the Case Management System, temporary work files and the index by the European Public Prosecutor's Office shall not be available for access at the national level.* *deleted*

Or. en

Amendment 151

Gilles Lebreton, Marie-Christine Boutonnet

Proposal for a regulation

Article 24 – paragraph 8

Text proposed by the Commission

Amendment

8. *The provisions on access to the Case Management System and the temporary work files shall apply mutatis mutandis to the European Public Prosecutor's Office. However, the information entered into the Case Management System, temporary work files and the index by the European Public Prosecutor's Office shall not be available for access at the national level.* *deleted*

Or. fr

Amendment 152
Kostas Chrysogonos

Proposal for a regulation
Article 24 – paragraph 8

Text proposed by the Commission

8. The provisions on access to the Case Management System and the temporary work files shall apply mutatis mutandis to the European Public Prosecutor's Office. ***However, the information entered into the Case Management System, temporary work files and the index by the European Public Prosecutor's Office shall not be available for access at the national level.***

Amendment

8. The provisions on access to the Case Management System and the temporary work files shall apply mutatis mutandis to the European Public Prosecutor's Office.

Or. en

Amendment 153
Kostas Chrysogonos

Proposal for a regulation
Article 27 – paragraph 2

Text proposed by the Commission

2. Eurojust may process only the personal data listed in point 2 of Annex 2, on persons who, under the national legislation of the Member States concerned, are regarded as witnesses or victims in a criminal investigation or prosecution regarding one or more of the types of crime and the offences referred to in Article 3, or persons under the age of 18. The processing of such personal data may only take place if it is strictly necessary for the achievement of the expressly stated task of Eurojust, within the framework of its competence and in order to carry out its operational functions.

Amendment

2. Eurojust may process only the personal data listed in point 2 of Annex 2, on persons who, under the national legislation of the Member States concerned, are regarded as witnesses or victims in a criminal investigation or prosecution regarding one or more of the types of crime and the offences referred to in Article 3, or persons under the age of 18. The processing of such personal data may only take place if it is strictly necessary for the achievement of the expressly stated task of Eurojust, within the framework of its competence and in order to carry out its operational functions. ***The protection of privacy, as well as the fundamental rights and freedoms shall be fully respected.***

Amendment 154

Axel Voss

Proposal for a regulation

Article 27 a (new)

Text proposed by the Commission

Amendment

Article 27 a

Administrative personal data

- 1. Regulation (EC) No 45/2001 applies to all administrative personal data held by Eurojust.***
- 2. Eurojust shall determine the retention periods for administrative personal data in the data protection provisions of its rules of procedure.***

Or. en

Amendment 155

Axel Voss

Proposal for a regulation

Article 27 b (new)

Text proposed by the Commission

Amendment

Article 27 b

Operational personal data

- 1. Insofar as it is necessary to perform its tasks, Eurojust may, within the framework of its competence and in order to carry out its operational functions, process by automated means or in structured manual files in accordance with this Regulation relevant data listed in point 1 of Annex 2, concerning persons who, under the national law of the Member States concerned, are suspected or accused of having committed or having***

taken part in a criminal offence in respect of which Eurojust is competent or who have been convicted of such an offence.

2. Eurojust may process relevant data listed in point 2 of Annex 2, concerning persons who, under the national law of the Member States concerned, are regarded as witnesses or victims in a criminal investigation or prosecution regarding one or more of the types of crime and the offences referred to in Article 3. The processing of such personal data may only take place if it is necessary for the fulfilment of the tasks of Eurojust, within the framework of its competence and in order to carry out its operational functions.

3. In exceptional cases, Eurojust may also, for a limited period of time which shall not exceed the time needed for the conclusion of the case related to which the data are processed, process personal data other than those referred to in paragraphs 1 and 2 relating to the circumstances of an offence where they are immediately relevant to and included in on-going investigations which Eurojust is coordinating or helping to coordinate and when their processing is strictly necessary for the purposes specified in paragraph 1. The Data Protection Officer referred to in Article 31 shall be informed immediately of recourse to this paragraph and of the specific circumstances which justify the necessity of the processing of such personal data. Where such other data refer to witnesses or victims within the meaning of paragraph 2, the decision to process them shall be taken jointly by the relevant national members.

4. Processing of personal data in respect of victims of a criminal offence, witnesses or other persons who can provide information concerning criminal offences, or in respect of persons under the age of 18, shall be allowed if it is strictly necessary and proportionate for preventing or combating crime that falls

within Eurojust's objectives.

5. Processing of personal data, by automated or other means, revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership and processing of genetic data or data concerning a person's health or sex life shall be prohibited, unless it is strictly necessary and proportionate for preventing or combating crime that falls within Eurojust's objectives or linked to the investigation and if those data supplement other personal data processed by Eurojust. The selection of a particular group of persons solely on the basis of such personal data shall be prohibited.

6. No decision by a competent authority which produces adverse legal effects concerning a data subject shall be based solely on automated processing of data as referred to in paragraph 5, unless the decision is expressly authorised pursuant to national or Union legislation.

Or. en

Amendment 156

Daniel Buda

Proposal for a regulation

Article 28 – paragraph 1 – introductory part

Text proposed by the Commission

1. Personal data processed by Eurojust may not be stored beyond the first applicable among the following dates:

Amendment

1. Personal data processed by Eurojust shall be stored by Eurojust only for as long as is necessary and in proportion to the purpose for which the data are being processed. Personal data processed by Eurojust may not be stored beyond the first applicable among the following dates:

Or. ro

Amendment 157

Daniel Buda

Proposal for a regulation

Article 36 – paragraph 1

Text proposed by the Commission

1. Where a complaint introduced by a data subject pursuant to Article 32(2) of Regulation (EC) No 45/2001 relates to a decision as referred to in Article 32 or 33, the European Data Protection Supervisor shall consult the national supervisory bodies or the competent judicial body in the Member State which was the source of the data or the Member State directly concerned. The decision of the European Data Protection Supervisor, which may extend to a refusal to communicate any information, shall be taken in close cooperation with the national supervisory body or competent judicial body.

Amendment

1. ***Any data subject shall have the right to lodge a complaint with the European Data Protection Supervisor if he/she considers that the processing by Eurojust of personal data relating to him/her does not comply with the provisions of this Regulation.*** Where a complaint introduced by a data subject pursuant to Article 32(2) of Regulation (EC) No 45/2001 relates to a decision as referred to in Article 32 or 33, the European Data Protection Supervisor shall consult the national supervisory bodies or the competent judicial body in the Member State which was the source of the data or the Member State directly concerned. The decision of the European Data Protection Supervisor, which may extend to a refusal to communicate any information, shall be taken in close cooperation with the national supervisory body or competent judicial body.

Or. ro

Amendment 158

Axel Voss

Proposal for a regulation

Article 38 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. For the purposes set out in paragraphs 1 and 2, Eurojust may conclude working arrangements with entities referred to in paragraph 1. Those

working arrangements shall not form the basis for allowing the exchange of personal data and shall not bind the Union or its Member States.

Or. en

Amendment 159
Daniel Buda

Proposal for a regulation
Article 38 – paragraph 4 – introductory part

Text proposed by the Commission

4. Personal data shall only be transferred by Eurojust to third countries, international organisations, and Interpol if this is necessary for preventing and combating crime that falls under Eurojust's competence and in accordance with this Regulation. If the data to be transferred have been provided by a Member State, Eurojust shall seek that Member State's consent, unless:

Amendment

4. Personal data shall only be transferred by Eurojust to ***Union bodies***, third countries, international organisations and Interpol if this is necessary for preventing and combating crime that falls under Eurojust's competence and in accordance with this Regulation. If the data to be transferred have been provided by a Member State, Eurojust shall seek that Member State's consent, unless:

Or. ro

Amendment 160
Daniel Buda

Proposal for a regulation
Article 38 – paragraph 4 – point a

Text proposed by the Commission

a) *the authorisation can be assumed as the Member State has not expressly limited the possibility of onward transfers;*
or

Amendment

deleted

Or. ro

Amendment 161

Axel Voss

Proposal for a regulation

Article 40 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Eurojust and Europol may conclude a working arrangement ensuring, in a reciprocal manner and within their respective mandates, access to, and the possibility of searching, all information that has been provided for the performance of its tasks in accordance with Articles 2 and 4 of this Regulation. This shall be without prejudice to the right of Member States, Union bodies, third countries and international organisations to indicate restrictions on access to, and the use of, such data, and shall be in accordance with the data protection guarantees provided for in this Regulation.

Or. en

Amendment 162

Gilles Lebreton, Marie-Christine Boutonnet

Proposal for a regulation

Article 41

Text proposed by the Commission

Amendment

Article 41

deleted

Relations with the European Public Prosecutor's Office

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.

2. Eurojust shall treat any request for support emanating from the European Public Prosecutor's Office without undue delay, and shall deal with such requests, where appropriate, as if they had been received from a national authority competent for judicial cooperation.

3. Whenever necessary, Eurojust shall make use of the Eurojust National Coordination Systems established in accordance with Article 20, as well as the relations it has established with third countries, including its liaison magistrates, in order to support the cooperation established in accordance with paragraph 1.

4. The cooperation established in accordance with paragraph 1 shall entail the exchange of information, including personal data. Any data thus exchanged shall only be used for the purposes for which it was provided. Any other usage of the data shall only be allowed in as far as such usage falls within the mandate of the body receiving the data, and subject to the prior authorisation of the body which provided the data.

5. For the purpose of identifying whether information available at Eurojust matches with information processed by the European Public Prosecutor's Office, Eurojust shall put in place a mechanism for automatic cross-checking of data entered into its Case Management System. Whenever a match is found between data entered into the Case Management System by the European Public Prosecutor's Office and data entered by Eurojust, the fact that there is a match will be communicated to both Eurojust and the European Public Prosecutor's Office, as well as the Member State which provided the data to Eurojust. In cases where the data was provided by a third

party, Eurojust shall only inform that third party of the match found with the consent of the European Public Prosecutor's Office.

6. *Eurojust shall designate and inform the European Public Prosecutor's Office which staff members shall be authorised to have access to the results of the cross-checking mechanism.*

7. *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:*

- a) technical support in the preparation of the annual budget, the programming document containing the annual and multiannual programming and the management plan;*
- b) technical support in staff recruitment and career-management;*
- c) security services;*
- d) Information Technology services;*
- e) financial management, accounting and audit services;*
- f) any other services of common interest.*

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

8. *The European Public Prosecutor may address written opinions to the College, to which the College shall respond in writing without undue delay. Such written opinions shall in any case be presented whenever the College adopts the annual budget and work programme.*

Or. fr

Amendment 163

Pascal Durand

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 41 – paragraph 2

Text proposed by the Commission

2. Eurojust shall treat any request for support emanating from the European Public Prosecutor's Office without undue delay, and shall deal with such requests, ***where appropriate***, as if they had been received from a national authority competent for judicial cooperation.

Amendment

2. Eurojust shall treat any request for support emanating from the European Public Prosecutor's Office without undue delay, and shall deal with such requests as if they had been received from a national authority competent for judicial cooperation.

Or. en

Amendment 164

Axel Voss

Proposal for a regulation

Article 41 – paragraph 4

Text proposed by the Commission

4. ***The cooperation established in accordance with paragraph 1 shall entail the exchange of information, including personal data. Any data thus exchanged shall only be used for the purposes for which it was provided. Any other usage of the data shall only be allowed in as far as such usage falls within the mandate of the body receiving the data, and subject to the prior authorisation of the body which provided the data.***

Amendment

4. ***In operational matters, Eurojust may involve the European Public Prosecutor's Office in its activities concerning cross-border cases, including by:***

a) sharing information, including personal data, on its cases in accordance with the relevant provisions of this Regulation;

b) request support provided by the European Public Prosecutor's Office.

Amendment 165

Axel Voss

Proposal for a regulation**Article 41 – paragraph 5***Text proposed by the Commission*

5. *For the purpose of identifying whether information available at Eurojust matches with information processed by the European Public Prosecutor's Office, Eurojust shall put in place a mechanism for automatic cross-checking of data entered into its Case Management System.*

Whenever a match is found between data entered into the Case Management System by the European Public Prosecutor's Office and data *entered* by Eurojust, the fact that there is a match will be communicated to both Eurojust and the European Public Prosecutor's Office, as well as the Member State which provided the data to Eurojust. *In cases where the data was provided by a third party, Eurojust shall only inform that third party of the match found with the consent of the European Public Prosecutor's Office.*

Amendment

5. Eurojust *shall have access on the basis of a hit/no-hit system to information in the case management system of the European Public Prosecutors Office.*

Whenever a match is found between data entered into the case management system by the European Public Prosecutor's Office and data *held* by Eurojust, the fact that there is a match will be communicated to both Eurojust and the European Public Prosecutor's Office, as well as the Member States which provided the data to Eurojust. *Eurojust shall take the appropriate measures to enable the European Public Prosecutor's Office to have access to information in its case management system on the basis of a hit/no-hit system.*

Or. en

Amendment 166

Axel Voss

Proposal for a regulation**Article 41 – paragraph 6***Text proposed by the Commission*

6. *Eurojust shall designate and inform the European Public Prosecutor's Office which staff members shall be authorised to have access to the results of*

*Amendment**deleted*

the cross-checking mechanism.

Or. en

Amendment 167

Pascal Durand

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 41 – paragraph 6

Text proposed by the Commission

6. Eurojust ***shall designate and inform*** the European Public Prosecutor's Office which staff members shall be authorised to have access to the results of the cross-checking mechanism.

Amendment

6. Eurojust ***and*** the European Public Prosecutor's Office ***shall decide*** which staff members shall be authorised to have access to the results of the cross-checking mechanism.

Or. en

Amendment 168

Axel Voss

Proposal for a regulation

Article 41 – paragraph 7

Text proposed by the Commission

7. ***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:***

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

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

c) ***security services;***

Amendment

deleted

- d) *Information Technology services;*
- e) *financial management, accounting and audit services;*
- f) *any other services of common interest.*

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

Or. en

Amendment 169

Axel Voss

Proposal for a regulation

Article 41 – paragraph 8

Text proposed by the Commission

Amendment

8. *The European Public Prosecutor may address written opinions to the College, to which the College shall respond in writing without undue delay. Such written opinions shall in any case be presented whenever the College adopts the annual budget and work programme.* **deleted**

Or. en

Amendment 170

Gilles Lebreton, Marie-Christine Boutonnet

Proposal for a regulation

Article 42 – paragraph 2

Text proposed by the Commission

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* **deleted**

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.

Or. fr

Amendment 171

Axel Voss

Proposal for a regulation

Article 42 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Frontex shall contribute to Eurojust's work including by transmitting information processed in accordance with its mandate and tasks under Regulation (EU) 2016/1624^{1a}.

^{1a} Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.9.2016, p. 1).

Or. en

Amendment 172

Gilles Lebreton, Marie-Christine Boutonnet

Proposal for a regulation

Article 42 – paragraph 3

Text proposed by the Commission

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 (EC) No 1073/1999 and Council Regulation (Euratom) No 1074/1999¹⁹. ***The exchange of information between OLAF and national members shall be without prejudice to the information which must be given to other competent authorities under those Regulations.***

deleted

¹⁹ OJ L 136, 31.5.1999, p. 8.

Or. fr

Amendment 173
Daniel Buda

Proposal for a regulation
Article 49 – paragraph 6

Text proposed by the Commission

Amendment

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

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

Or. ro

Amendment 174
Axel Voss

Proposal for a regulation
Article 51 – paragraph 5

Text proposed by the Commission

5. On receipt of the Court of Auditors' observations on Eurojust's provisional accounts pursuant to Article 148 of Regulation (EU, EURATOM) No 966/2012, the Administrative Director shall draw up Eurojust's final accounts under his or her own responsibility and submit them to the **College** for an opinion.

Amendment

5. On receipt of the Court of Auditors' observations on Eurojust's provisional accounts pursuant to Article 148 of Regulation (EU, EURATOM) No 966/2012, the Administrative Director shall draw up Eurojust's final accounts under his or her own responsibility and submit them to the **Executive Board** for an opinion.

Or. en

Amendment 175

Axel Voss

Proposal for a regulation

Article 51 – paragraph 6

Text proposed by the Commission

6. The **College** shall deliver an opinion on Eurojust's final accounts.

Amendment

6. The **Executive Board** shall deliver an opinion on Eurojust's final accounts.

Or. en

Amendment 176

Axel Voss

Proposal for a regulation

Article 51 – paragraph 9

Text proposed by the Commission

9. The Administrative Director shall send the Court of Auditors a reply to its observations by 30 September of the following year at the latest. The Administrative Director shall also send this reply to the **College** and to the Commission.

Amendment

9. The Administrative Director shall send the Court of Auditors a reply to its observations by 30 September of the following year at the latest. The Administrative Director shall also send this reply to the **Executive Board** and to the Commission.

Or. en

Amendment 177

Axel Voss

Proposal for a regulation

Article 52 – paragraph 1

Text proposed by the Commission

The financial rules applicable to Eurojust shall be adopted by the *College* in accordance with *[Regulation 2343/2002 of 23 December 2002 on the framework Financial Regulation for the bodies referred to in Article 185 of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities]* and after consultation with the Commission. They shall not depart from *[Regulation 2343/2002]* unless such departure is specifically required for Eurojust's operation and the Commission has given its prior consent.

Amendment

The financial rules applicable to Eurojust shall be adopted by the ***Executive Board*** in accordance with ***Commission Delegated Regulation (EU) No 1271/2013^{1a}*** and after consultation with the Commission. They shall not depart from ***Delegated Regulation (EU) No 1271/2013*** unless such departure is specifically required for Eurojust's operation and the Commission has given its prior consent.

^{1a} ***Commission Delegated Regulation (EU) No 1271/2013 of 30 September 2013 on the framework financial regulation for the bodies referred to in Article 208 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council (OJ L 328, 7.12.2013, p. 42).***

Or. en

Amendment 178

Daniel Buda

Proposal for a regulation

Article 55 – paragraph 1

Text proposed by the Commission

1. Eurojust shall transmit its Annual Report to the European Parliament, which

Amendment

1. Eurojust shall transmit its Annual Report to the European Parliament ***and***

may present observations and conclusions.

national parliaments, which may present observations and conclusions.

Or. ro

Amendment 179

Sylvia-Yvonne Kaufmann

Proposal for a regulation

Article 55 – paragraph 2

Text proposed by the Commission

2. *The President of the College shall appear before the European Parliament, at their request, to discuss matters relating to Eurojust, and in particular to present its Annual Reports, taking into account the obligations of discretion and confidentiality. Discussions shall not refer directly or indirectly to concrete actions in relation with specific operational cases.*

Amendment

2. *Before taking office, a newly appointed* President of the College shall *be invited to make a statement before the competent committee or committees of the European Parliament and answer questions put by its or their members.*

During his or her term of office, he or she shall appear before the European Parliament, at their request, to discuss matters relating to Eurojust, and in particular to present its Annual Reports, taking into account the obligations of discretion and confidentiality. Discussions shall not refer directly or indirectly to concrete actions in relation with specific operational cases.

Or. en

Amendment 180

Daniel Buda

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

Amendment

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:

this regulation, Eurojust shall transmit to the European Parliament ***and national parliaments*** for information:

Or. ro

Amendment 181

Daniel Buda

Proposal for a regulation

Article 55 – paragraph 4

Text proposed by the Commission

Amendment

4. Eurojust shall transmit its Annual Report to the national Parliaments. Eurojust shall also transmit to the national Parliaments the documents referred to in paragraph 3.

deleted

Or. ro

Amendment 182

Sylvia-Yvonne Kaufmann

Proposal for a regulation

Article 55 – paragraph 4

Text proposed by the Commission

Amendment

4. Eurojust shall transmit its Annual Report to the national Parliaments. Eurojust shall also transmit to the national Parliaments the documents referred to in paragraph 3.

4. Eurojust shall transmit its Annual Report to the national Parliaments. Eurojust shall also transmit to the national Parliaments the documents referred to in paragraph 3 *in the respective official languages.*

Or. en

Amendment 183

Daniel Buda

Proposal for a regulation
Article 59 – paragraph 4

Text proposed by the Commission

4. The obligation of confidentiality shall apply to all information received by Eurojust, unless that information has already been made public or is accessible to the public.

Amendment

4. The obligation of confidentiality shall apply to all information received or ***forwarded*** by Eurojust, unless that information has already been made public or is accessible to the public.

Or. ro

Amendment 184
Axel Voss

Proposal for a regulation
Article 60 – paragraph 2

Text proposed by the Commission

2. The ***College*** shall, within six months of the date of its first meeting, ***adopt*** the detailed rules for applying Regulation (EC) No 1049/2001.

Amendment

2. The ***Executive Board*** shall, within six months of the date of its first meeting, ***prepare*** the detailed rules for applying Regulation (EC) No 1049/2001 ***for adoption by the College***.

Or. en

Amendment 185
Daniel Buda

Proposal for a regulation
Article 67 – title

Text proposed by the Commission

Repeal

Amendment

Repeal ***and replacement***

Or. ro

Amendment 186
Daniel Buda

Proposal for a regulation
Annex I – paragraph 1 – indent 11

Text proposed by the Commission

– organised robbery;

Amendment

– organised ***theft or*** robbery;

Or. ro