European Anti-Fraud Office (OLAF): secretariat of the Supervisory Committee

2016/0064(COD) - 05/04/2016 - Court of Auditors: opinion, report

COURT OF AUDITORS OPINION No 1/2016 concerning a proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) No 883/2013, as regards the secretariat of the Supervisory Committee of the European Anti-Fraud Office (OLAF).

The Court welcomed the proposal that the secretariat of the Supervisory Committee should no longer be provided by OLAF. However, the new provisions could be completed in order to clarify that **the secretariat must act independently not only of OLAF but also of the Commission and that it is under the authority of the Supervisory Committee**.

The Court noted that the upcoming overall evaluation of the OLAF Regulation in 2017 will be an opportunity to examine and, if necessary, overhaul the governance of OLAF including its supervisory arrangements. However, the Court suggested not to wait for this overall evaluation to **clarify the procedure for lifting the immunity of the Director-General of OLAF or of any other member of OLAF staff at the request of a national judicial authority**.

The Court therefore recommended that Article 17 of the OLAF Regulation should be completed by a provision that the Commission has to inform the Supervisory Committee of any such request in a timely manner and has to consult the Committee before taking a decision.