EP Rules of procedure: fight against Community fraud, inscription of the internal conditions and modes in an annex

1999/2145(REG) - 14/10/1999

The committee unanimously adopted a report by its chair, Giorgio NAPOLITANO (PES, I), seeking to amend Parliament's Rules of Procedure. The aim is to incorporate in the Rules a decision implementing the interinstitutional agreement on internal investigations by OLAF (the EU anti-fraud office) in the EU institutions. The agreement's terms and conditions are supposed to be adapted to reflect each institution's particular requirements. The decision makes it mandatory for "any official or servant of Parliament who becomes aware of evidence which gives rise to a presumption of the existence of possible cases of fraud, corruption or any other illegal activity detrimental to the interests of the Communities" to inform without delay his head of service or Director-General or, if he deems it appropriate, the Secretary-General or OLAF itself. The Secretary-General, Directors-General and heads of service must also forward to OLAF any evidence of such irregularities of which they are aware. MEPs who become aware of such matters must inform the President of Parliament or, if they deem it appropriate, OLAF itself. However, the report stresses that the principle of confidentiality, as laid down either in legislative texts or in Parliament's Rules of Procedure, must be observed (e.g. facts learnt by members of parliamentary committees of inquiry). The decision contains a protection clause for staff who comply with their obligation to reveal such information: they are in no way to suffer inequitable or discriminatory treatment as a result of their actions. It also lays down a general duty for staff, administrative departments and MEPs (without prejudice to the Protocol on privileges and immunities) to cooperate fully with OLAF.