Fight against fraud: criminal-law protection of the Community's financial interests

2001/0115(COD) - 16/10/2002 - Modified legislative proposal

Of the 20 amendments adopted by the European Parliament, the Commission can accept 4 in full and one in part. Because of the approach it has taken as regards the form and the legal basis of its proposal, the Commission is unable to accept any of the other Parliamentary amendments, which might have more political and legal relevance in some other context. Those accepted include: - the instrument will become an integral part of the Community acquis and will have to be incorporated into the legislation of the candidate countries; - a new recital referring to future developments such as the establishment of a European Public Prosecutor; - custodial sentences available at least in cases involving serious fraud may lead to extradition. Amendments not accepted include: - further details on the definition of "national official"; - additions to the definition of fraud, since they would unduly extend the definition to cover preparatory activities, which are already adequately covered; - clauses on new offences are rejected since they do not correspond to the objective of the directive; - references to OLAF are rejected, for the simple reason that they have on direct link with the purpose of the directive.