



DECISION OF THE GOVERNING BOARD

on the accession of the Shift2Rail Joint Undertaking (S2R JU) to the Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council and the Commission concerning internal investigations by the European Anti-Fraud Office

N° 8/2016

THE GOVERNING BOARD OF THE SHIFT2RAIL JOINT UNDERTAKING,

Having regard to Council Regulation (EU) No 642/2014 of 16 June 2014 establishing the Shift2Rail Joint Undertaking⁽¹⁾ ("the S2R Regulation"), and in particular Article 14(2) thereof,

Whereas:

- (1) Regulation (EC, EURATOM) No 883/2013 of the European Parliament and of the Council 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⁽²⁾ provides that, within the institutions, bodies, offices and agencies established by, or on the basis of, the Treaties ("institutions, bodies, offices and agencies"), the Office shall conduct administrative investigations for the purpose of fighting fraud, corruption and any other illegal activity affecting the financial interests of the Union;
- (2) An Interinstitutional Agreement of 25 May 1999 concerning internal investigations by OLAF was concluded between the European Parliament, the Council and the Commission (hereinafter "the Interinstitutional agreement") with the aim to agree on common rules for ensuring the smooth operation of investigations carried out by the OLAF;
- (3) Governing Board Decision N° 9/2016 concerning the terms and conditions for internal investigations in relation to the prevention of fraud, corruption and any illegal activities detrimental to the Union's interests, adopted on the basis of the model attached to the Interinstitutional agreement, is designed to facilitate internal investigations conducted by OLAF;
- (4) In accordance with Article 14(5) of the S2R Regulation and the Interinstitutional Agreement, the Joint Undertaking should accede to the Interinstitutional Agreement by forwarding a declaration addressed jointly to the Presidents of the signatory institutions,

⁽¹⁾ OJ L 177, 17.06.2014, p. 9.

⁽²⁾ OJ L 248, 18.9.2013, p. 1.

HAS DECIDED AS FOLLOWS:

Article 1

The accession of the S2R JU to the Interinstitutional Agreement is hereby approved and the Executive Director of the S2R JU is invited to forward a declaration to that effect to the Presidents of the European Parliament, the Council of the European Union and the European Commission.

Article 2

The Executive Director of the S2R JU is invited to communicate to the Director General of the European Anti-Fraud Office the Governing Board Decision N° 7/2016 concerning the terms and conditions for internal investigations in relation to the prevention of fraud, corruption and any illegal activity detrimental to the Union's interests.

Article 3

This Decision shall enter into force on the date of its adoption by the Governing Board and shall be published on the website of the S2R JU.

Done at Brussels, on 18 March 2016.

For the Governing Board



Henrik HØLOLEI
The Chairperson