



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 4 July 2013**

**ST 11664/13**

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**Interinstitutional File:  
2006/0084 (COD)**

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**CODEC 1624  
GAF 32  
FIN 376  
PE 320**

**INFORMATION NOTE**

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from: General Secretariat of the Council  
to: Permanent Representatives Committee / Council

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Subject: **ADOPTION OF LEGISLATIVE ACT FOLLOWING THE EUROPEAN  
PARLIAMENT'S SECOND READING**  
Proposal for a Regulation 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  
- Outcome of the European Parliament's second reading  
(Strasbourg, 1 to 4 July Strasbourg 2013)

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**I. INTRODUCTION**

The Rapporteur, Mrs Ingeborg GRAESSLE (EPP-DE) presented a report, on behalf of the Committee on Budgetary Control, recommending the approval of the Council's position at first reading.

At the same time, two groups each tabled thirteen amendments, identical as to their content; the EPP political group (amendments 1-13), and the Greens/EFA political group (amendments 14-26).

## **II. VOTE**

When the European Parliament voted on 3 July 2013, the amendments did not receive the support of the required majority of its component members, that majority being 384 votes. The result of the votes was as follows: 382 votes in favour, 247 against and 36 abstentions. The text of the European Parliament's legislative resolution is annexed to this note.

## **III. ADOPTION OF LEGISLATIVE ACTS FOLLOWING THE EUROPEAN PARLIAMENT'S SECOND READING**

Since the European Parliament has approved the Council's position at first reading, the act in question is deemed to have been adopted in the wording which corresponds to the Council's position at first reading, as provided for in Article 294 (7)(a) of the TFEU.

After signature by the President of the European Parliament, the President of the Council and the Secretaries-General of the two Institutions, the act in question will be published in the *Official Journal* of the European Union.

## **Investigations conducted by the European Anti Fraud Office (OLAF) \*\*\*II**

**European Parliament legislative resolution of 3 July 2013 on the position of the Council at first reading with a view to the adoption of a regulation 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 (17427/1/2012 – C7-0051/2013–2006/0084(COD))**

**(Ordinary legislative procedure: second reading)**

*The European Parliament,*

- having regard to the Council position at first reading (17427/1/2012 –C7-0051/2013),
  - having regard to the opinion of the Court of Auditors of 12 July 2011<sup>1</sup>,
  - having regard to its position at first reading<sup>2</sup> on the Commission proposal to Parliament and the Council (COM(2006)0244),
  - having regard to the amended Commission proposal (COM(2011)0135),
  - having regard to Article 294(7) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 72 of its Rules of Procedure,
  - having regard to the recommendation for second reading of the Committee on Budgetary Control (A7-0225/2013),
1. Approves the Council position at first reading;
  2. Approves the joint statement by Parliament, the Council and the Commission annexed to this resolution;
  3. Takes note of the Commission statements annexed to this resolution;
  4. Notes that the act is adopted in accordance with the Council position;
  5. Instructs its President to sign the act with the President of the Council, in accordance with Article 297(1) of the Treaty on the Functioning of the European Union;
  6. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed, and, in agreement with the Secretary-General of the Council, to arrange for its publication in the *Official Journal of the European Union*;

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<sup>1</sup> OJ C 254, 30.8.2011, p. 1.

<sup>2</sup> OJ C 16 E, 22.1.2010, p. 201.

7. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

## **ANNEX TO THE LEGISLATIVE RESOLUTION**

### **Statement by the European Parliament, the Council and the Commission**

"Each time the European Parliament, the Council and the Commission appoint new members of the new Supervisory Committee they should also appoint those members to take office at the next partial replacement."

#### **Commission statement**

"The Commission confirms that the Office has declared that it will at all times act in compliance with the Protocol No 7 on the Privileges and Immunities of the European Union and the Statute for Members of the European Parliament, fully respecting the freedom and independence of Members as provided for in Article 2 of the Statute."

#### **Commission statement**

"The Commission intends to maintain the current powers of the Director-General of the European Anti-fraud Office to lay down the conditions and detailed arrangements for recruiting at the Office, in particular as to the length of contracts and their renewals."