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'I' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee
Subject: Attendance of the OLAF Supervisory Committee and the Controller of procedural guarantees at the meeting of the Working Party on Combating Fraud on 26 October 2026

1. On 26 June and 18 September 2026 respectively, the OLAF Supervisory Committee published its Opinion No 3/2026 on OLAF's reporting duty concerning criminal conduct within the European Public Prosecutor Office's competence¹ and its Opinion No 1/2026 accompanying the Commission Evaluation Report on the application and impact of the OLAF Regulation² pursuant to Articles 15(1) and 19(1) of Regulation (EU, Euratom) No 883/2013³ (the OLAF Regulation), as last amended by Regulation 2020/2223⁴.

¹ Doc. WK 9425/2026.

² Doc. 13511/26.

³ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) (OJ L 248, 18.9.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/883/oj>).

⁴ Regulation (EU, Euratom) 2020/2223 of the European Parliament and of the Council of 23 December 2020 amending Regulation (EU, Euratom) No 883/2013, as regards cooperation with the European Public Prosecutor's Office and the effectiveness of the European Anti Fraud Office investigations (OJ L 437, 28.12.2020, p. 49, ELI: <http://data.europa.eu/eli/reg/2020/2223/oj>).

2. On 18 September 2026, the Controller of procedural guarantees (the Controller) published its Opinion on the evaluation and application of Regulation 883/2013⁵ pursuant to Article 9b(9) of the amended OLAF Regulation.
3. The Presidency intends to invite representatives of the OLAF Supervisory Committee and the Controller to the meeting of the Working Party on Combating Fraud (GAF) on 26 October 2026 to present their respective opinions mentioned above and to provide delegations with the opportunity to exchange views on it.
4. The Presidency considers that this invitation is in the interest of the Council and in line with the framework applicable to the occasional presence of third parties at meetings of the Council or of its preparatory bodies.
5. In view of the above, the Permanent Representatives Committee is invited to approve the attendance of representatives of the OLAF Supervisory Committee and the Controller at the GAF meeting on 26 October 2026 each for the specific agenda item related to their respective opinions mentioned above, in accordance with its responsibilities under the Council's Rules of Procedure.

⁵ Doc. 13513/26.