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LIMITE

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NOTE

From:	Presidency
To:	Delegations
No. prev. doc.:	6120/18
Subject:	Proposal of the European Parliament and of the Council for a Regulation on the European Union Agency for Criminal Justice Cooperation (Eurojust)

During the last technical meeting, held on 11 April 2018, the European Parliament and the Commission clearly indicated the political issues that would need to be solved in the final stage of the negotiations:

- the Eurojust competence to assist MS for other crimes than those provided in Annex 1 (lines 118 and 125 in the table in the Annex);
- the number of Commission representatives in the College of Eurojust (line 224);
- the compensation mechanism for Member States whose National Member is elected President of Eurojust (lines 236-241 and 194);
- voting right of assistants in the College (line 248);
- the Commission involvement in the appointment of the Administrative Director and the assessment of his/her activities (lines 310-312 and 315);

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- the obligation of the MS to inform their National Members of any case affecting 2 or 3 MS (line 368);
- the translation services (line 937)
- the application of Regulation 1049/2001 on transparency to the documents held by Eurojust (lines 947-948).

However, the European Parliament is now in a position to accept a few other provisions proposed by the Council, as follows:

- the possibility for Member States to assess the need for Eurojust to be involved in investigations and prosecutions which have repercussions at Union level (line 134);
- the election of the President and the Vice-Presidents of Eurojust (line 230);
- the meetings of the College (line 244, slightly redrafted);
- the on-call coordination representative (line 341);
- replacement and repeal (lines 984 and 985).

A few other provisions, such as Article 4(6) (line 159), Article 8 (3)-(5) (lines 209-212), Article 15(1) (line 268), Article 16(7) (line 300) and Article 61(4a) (line 957) have also been slightly redrafted.

Delegations are kindly <u>asked to assess these slightly redrafted provisions</u> in a spirit of compromise, bearing in mind that a compromise proposal needs to be found in the negotiations with the European Parliament.

At the last technical meeting the European Parliament also proposed a newly redrafted text for Article 55(2) (line 917). Delegations are therefore <u>invited to examine</u> this new proposal too.

Delegations will find in the Annex an updated table reflecting the text of the draft Eurojust Regulation as it now stands after the latest two working party meetings held by the Presidency and the technical meetings with the European Parliament.

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Nr.	Ref.	COM proposal	Council GA	LIBE Orientation vote	Possible compromise proposals
93.		HAVE ADOPTED THIS	HAVE ADOPTED THIS		HAVE ADOPTED
		REGULATION:	REGULATION:		THIS REGULATION:
94.		CHAPTER I	CHAPTER I		CHAPTER I
		OBJECTIVE AND TASKS	OBJECTIVE AND TASKS		OBJECTIVE AND
		Article 1	Article 1		TASKS
		The European Union Agency	The European Union Agency		Article 1
		for Criminal Justice	for Criminal Justice		The European Union
		Cooperation	Cooperation		Agency for Criminal
					Justice Cooperation
95.		1. The European Union	1. The European Union		1. The European
		Agency for Criminal Justice	Agency for Criminal Justice		Union Agency for
		Cooperation (Eurojust) is hereby	Cooperation (Eurojust) is		Criminal Justice
		established.	hereby established.		Cooperation (Eurojust)
					is hereby established.

96.	Article 1	2. Eurojust, as established by	2. Eurojust, as established	2. Eurojust, as established by	Agreed in principle
	_	this Regulation, shall be the legal	by this Regulation, shall <i>replace</i>	this Regulation, shall replace and	2. Eurojust, as
	paragraph	successor of Eurojust as	and succeed Eurojust as	succeed Eurojust as established by	established by this
	2	established by Council Decision	established by Council Decision	Council Decision 2002/187/JHA.	Regulation, shall
		2002/187/JHA.	2002/187/JHA.		replace and succeed
					Eurojust as established
					by Council Decision
					2002/187/JHA.
97.	Article 1	3. In each of the Member	3. In each of the Member	3. In each of the Member States,	Agreed in principle
	_	States, Eurojust shall <i>enjoy</i> the	States, Eurojust shall <i>have</i> legal	Eurojust shall <i>have</i> the legal	3. In each of the
	paragraph	most extensive legal capacity	personality accorded to legal	personality accorded to legal	Member States,
	3	accorded to legal persons under	persons under their laws.	persons under <i>national law</i> .	Eurojust shall have the
		their laws. It may, in particular,			legal <i>personality</i>
		acquire and dispose of movable			accorded to legal
		and immovable property and be			persons under their
		party to legal proceedings.			national law.
98.	Article 1a		Article 1a		Depends of the
	(new)		Definitions		Outcome on 45/2001
					negotiations

99.	Article	For the purpose of this	
	1a -	Regulation:	
	introduct		
	ory part		
100.	Article 1a	a) 'international	
	- point a	organisations' means an	
	(new)	organisations and its	
		subordinate bodies governed by	
		public international law or any	
		other body which is set up by,	
		or on the basis of, an	
		agreement between two or	
		more countries;	

101.	Article 1a	b) 'personal data' means	
	- point b	any information relating to an	
	(new)	identified or identifiable	
		natural person (''data	
		subject''); an identifiable	
		natural person is one who can	
		be identified, directly or	
		indirectly, in particular by	
		reference to an identifier such	
		as a name, an identification	
		number, location data, an	
		online identifier or to one or	
		more factors specific to the	
		physical, physiological,	
		genetic, mental, economic,	
		cultural or social identity of	
		that natural person;	

102.	Article 1a	c) 'op	perational personal
	- point c	data' me	eans all personal data
	(new)	processe	ed by Eurojust for the
		purposes	s laid down in Article
		2;	
103.	Article 1a	d) 'ad	dministrative personal
	- point d	data' me	eans all personal data
	(new)	processe	ed by Eurojust apart
		from ope	erational personal
		data;	

104.	Article 1a	e) 'processing' means any	
	- point e	operation or set of operations	
	(new)	which is performed on	
		personal data or sets of	
		personal data, whether or not	
		by automated means, such as	
		collection, recording,	
		organisation, structuring,	
		storage, adaptation or	
		alteration, retrieval,	
		consultation, use, disclosure by	
		transmission, dissemination or	
		otherwise making available,	
		alignment or combination,	
		restriction, erasure or	
		destruction;	

105.	Article 1a	g) 'supervisory authority	,
	- point g	means an independent p	ablic
	(new)	authority which is establ	shed
		by a Member State pursi	ant to
		Article 51 of Regulation	(EU)
		2016/679 ¹ of the Europe	un
		Parliament and of the Co	uncil
		or pursuant to Article 41	of
		Directive (EU) 2016/680	
106.	Article 1a	(j) 'restriction of proc	essing'
	- point j	means the marking of st	red
	(new)	personal data with the ac	n of
		limiting their processing	in the
		future;	

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Regulation (EU) 2016/679 of the European Parliament and the of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, OJ L 119, 4.5.2016, p. 1).

107.	Article 1a	(k) 'profiling' means any
	- point k	form of automated processing
	(new)	of personal data consisting of
		the use of personal data to
		evaluate certain personal
		aspects relating to a natural
		person, in particular to analyse
		or predict aspects concerning
		that natural person's
		performance at work,
		economic situation, health,
		personal preferences, interests,
		reliability, behaviour, location
		or movements;

108.	Article 1a	(l) 'pseudonymisation'	
	- point l	means the processing of	
	(new)	personal data in such a	
		manner that the personal data	
		can no longer be attributed to a	
		specific data subject without	
		the use of additional	
		information, provided that	
		such additional information is	
		kept separately and is subject	
		to technical and organisational	
		measures to ensure that the	
		personal data are not attributed	
		to an identified or identifiable	
		natural person;	

109.	Article 1a	(m) 'filing system' means any	
	- point m	structured set of personal data	
	(new)	which are accessible according	
		to specific criteria, whether	
		centralised, decentralised or	
		dispersed on a functional or	
		geographical basis;	
110.	Article 1a	(n) 'controller' means	
	- point n	Eurojust or another competent	
	(new)	authority which, alone or	
		jointly with others, determines	
		the purposes and means of the	
		processing of personal data;	
		where the purposes and means	
		of such processing are	
		determined by Union law or	
		law of a Member State, the	
		controller or the specific	
		criteria for its nomination may	
		be provided for by Union law	
		or law of a Member State;	

111.	Article 1a		(o) 'processor' means a
	- point o		natural or legal person, public
	(new)		authority, agency or other body
			which processes personal data
			on behalf of the controller;
112.	Article 1a		(p) 'recipient' means a
	- point p	i	natural or legal person, public
	(new)		authority, agency or any other
			body to which the personal
			data are disclosed, whether a
		i	third party or not.
113.	Article 1a		(q) 'personal data breach'
	- point q	i	means a breach of security
	(new)		leading to the accidental or
		i	unlawful destruction, loss,
			alteration, unauthorised
			disclosure of, or access to,
			personal data transmitted,
		,	stored or otherwise processed;

114.	Article 1a	r) 'genetic data' means	
	- point r	personal data relating to the	
	(new)	inherited or acquired genetic	
		characteristics of a natural	
		person which give unique	
		information about the	
		physiology or the health of that	
		natural person and which	
		result, in particular, from an	
		analysis of a biological sample	
		from the natural person in	
		question;	

115.	Article 1a	s) 'biometric data' means	
	- point s	personal data resulting from	
	(new)	specific technical processing	
		relating to the physical,	
		physiological or behavioural	
		characteristics of a natural	
		person, which allow or confirm	
		the unique identification of	
		that natural person, such as	
		facial images or dactyloscopic	
		data;	
116.	Article 1a	t) 'data concerning health'	
	- point t	means personal data related to	
	(new)	the physical or mental health	
		of a natural person, including	
		the provision of health care	
		services, which reveal	
		information about his or her	
		health status;	

117.		Article 2	Article 2		
		Tasks	Tasks		
118.	Article 2	1. Eurojust shall support and	1. Eurojust shall support and	1. Eurojust shall support and	(COM to come back):
	_	strengthen coordination and	strengthen coordination and	strengthen coordination and	1. Eurojust shall
	paragraph	cooperation between national	cooperation between national	cooperation between national	support and strengthen
	1	investigating and prosecuting	investigating and prosecuting	investigating and prosecuting	coordination and
		authorities in relation to serious	authorities in relation to serious	authorities in relation to serious	cooperation between
		crime affecting two or more	crime affecting two or more	crime which Eurojust is competent	national investigating
		Member States, or requiring a	Member States, or requiring a	to deal with in accordance with	and prosecuting
		prosecution on common bases, on	prosecution on common bases,	Article 3 (1) and set out in Annex I	authorities in relation to
		the basis of operations conducted	on the basis of operations	affecting two or more Member	serious crime which
		and information supplied by the	conducted and information	States, or requiring a prosecution	Eurojust is competent
		Member States' authorities <i>and</i> by	supplied by the Member States'	on common bases, on the basis of	to deal with in
		Europol.	authorities <i>and</i> by Europol.	operations conducted and	accordance with Article
				information supplied by the	3 (1) <u>and (1a)</u> and set
				Member States' authorities, by	out in Annex I affecting
				Europol, EPPO and OLAF.	two or more Member
					States, or requiring a
					prosecution on common
					bases, on the basis of
					operations conducted

119.		2. In the implementation of its	2. In the implementation of		and information supplied by the Member States' authorities, by Europol, the EPPO and OLAF.
		tasks Eurojust shall:	its tasks Eurojust shall:		
120.	Article 2	a) take into account any request emanating from a	a) take into account any request emanating from a	a) take into account any request emanating from a competent	Agreed in principle: a) take into account any
	paragraph	competent authority of a Member	competent authority of a	authority of a Member State or any	request emanating from
	2 – point	State or any information provided	Member State or any	information provided by bodies and	a competent authority of
	a	by any body competent by virtue	information provided by <i>these</i>	institutions competent by virtue of	a Member State or any
		of provisions adopted within the	authorities, by institutions and	provisions adopted within the	information provided by
		framework of the Treaties or	by any other body competent by	framework of the Treaties or	these authorities,
		collected by Eurojust itself;	virtue of provisions adopted	collected by Eurojust itself;	institutions, bodies,
			within the framework of the		offices and agencies
			Treaties or collected by		competent by virtue of
			Eurojust itself;		provisions adopted
					within the framework of
					the Treaties or collected
					by Eurojust itself;

121.		b) facilitate the execution of	b) facilitate the execution of		b) facilitate the
		requests for, and decisions on,	requests for, and decisions on,		execution of requests
		judicial cooperation, including	judicial cooperation, including		for, and decisions on,
		those based on instruments giving	those based on instruments		judicial cooperation,
		effect to the principle of mutual	giving effect to the principle of		including those based
		recognition.	mutual recognition.		on instruments giving
		1000gmiron.	mataur recognition.		effect to the principle of
					mutual recognition.
					mutuai recognition.
122.	Article 2	3. Eurojust shall exercise its	3. Eurojust shall exercise its	3. Eurojust shall exercise its	Agreed in principle:
122.		tasks at the request of the	tasks at the request of the		3. Eurojust shall
		-	_	tasks at the request of the	
	paragraph	competent authorities of the	competent authorities of the	competent authorities of the	exercise its tasks at the
	3	Member States or on its own	Member States or on its own	Member States or on its own	request of the
		initiative.	initiative.	initiative or at the request of	competent authorities of
				EPPO.	the Member States or on
					its own initiative or at
					the request of the
					EPPO within the limits
					of its competence.

123.		Article 3	Article 3		Article 3
		Competence of Eurojust	Competence of Eurojust		Competence of
					Eurojust
124.	Article 3	1. Eurojust's competence shall	1. Eurojust's competence	1. Until the date when the	Agreed in principle:
	_	cover the forms of crime listed in	shall cover the forms of crime	European Public Prosecutor's	1. Eurojust's
	paragraph	Annex 1. However, its	listed in Annex 1. However,	Office ('EPPO') has assumed its	competence shall cover the forms of crime listed
	1	competence shall not include the	Eurojust shall not exercise its	investigative and prosecutorial	in Annex 1. However,
		crimes for which the European	competence with regard to	tasks conferred on it in	from the date when the
		Public Prosecutor's Office is	crimes for which the European	accordance with Article 75 of	European Public Prosecutor's Office has
		competent.	Public Prosecutor's Office	Regulation implementing	assumed its
			exercises its competence,	enhanced cooperation on the	investigative and
			except in cases also involving	establishment of the European	prosecutorial tasks in accordance with Article
			Member States which do not	Public Prosecutor's Office,	120 of the Regulation
			participate in enhanced	Eurojust's competence shall cover	<u>2017/1939,</u> Eurojust
			cooperation on the	the forms of crime listed in Annex	shall not exercise its
			establishment of that Office	1. However, from the date the	competence with regard to crimes for which the
			and at the request of those	EPPO assumes its tasks, with	European Public
			Member States or at the	regard to crime for which the	Prosecutor's Office
			request of the European Public	European Public Prosecutor's	exercises its competence, except in
			Prosecutor's Office. To this	Office is competent, Eurojust	cases also involving
			end, Eurojust, the European	shall not exercise its competences,	Member States which
					do not participate in

Public Prosecutor's Office and except in cases involving Member enhanced cooperation on the establishment of the Member States concerned States participating in enhanced that Office and at the shall consult and cooperate cooperation but in respect of request of those with each other. The practical which EPPO does not exercise its Member States or at the request of the European details on the exercise of competence, or involving Member Public Prosecutor's competence in accordance with States which do not participate in Office. this paragraph shall be enhanced cooperation on the 2. Eurojust shall regulated by a working establishment of the European exercise its competence arrangement referred to in Public Prosecutor's Office, or for crimes affecting the *Article* 38(2*a*). where the EPPO itself seeks financial interests of the Union *in cases* support from Eurojust. The involving Member practical details on the exercise of States participating in competence in accordance with enhanced cooperation this paragraph shall be regulated but in respect of which the European Public by a working arrangement Prosecutor's Office referred to in Article 38(2a). does not have competence or decides not to exercise its competence. To this end, Eurojust, the European Public Prosecutor's Office and

the Member States

		concerned shall consult
		and cooperate with each
		other. The practical
		details on the exercise
		of competence in
		accordance with this
		paragraph shall be
		regulated by a working
		arrangement referred to
		in Article 38(2a).

125.	Article 3	1a. For forms of crime other	1a. Eurojust shall remain	Tentatively agreed
	_	than those listed in Annex 1,	competent:	(COM coming back on
	paragraph	Eurojust may also, in		this):
	1 a new	accordance with its tasks, assist		1a. For forms of
		in the investigations and		crime other than those
		prosecutions at the request of a		listed in Annex 1,
		competent authority of a		Eurojust may also, in
		Member State.		accordance with its
				tasks, assist in the
				investigations and
				prosecutions at the
				request of a competent
				authority of a Member
				State.

126.		(a) for offences laid down in Directive EU/2017/1371 of the European Parliament and of the Council of 5 July 2017 on the Fight against Fraud to the Union's Financial Interests by means of Criminal Law ('the PIF Directive'), insofar as the EPPO is not competent or does not exercise its competence;	Agreed in principle: Deleted
127.		(b) in cases regarding offences laid down in the PIF Directive, for requests from Member States which are not participating in the EPPO;	Agreed in principle: Deleted
128.		(c) (c) in cases involving both participating Member States and Member States which are not participating in the EPPO, for requests from those Member States which are not participating in the EPPO and for requests from the EPPO itself.	Agreed in principle: Deleted

129.	Article 3	2. Eurojust's competence shall	2. Eurojust's competence	2. Eurojust's competence shall	Agreed in principle:
	_	cover related criminal offences.	shall cover related criminal	cover related criminal offences to	2. Eurojust's
	paragraph	The following offences shall be	offences. The following	the criminal offences laid down in	competence shall cover
	2 –	regarded as related criminal	offences shall be regarded as	Annex 1. The following offences	criminal offences
	introduct	offences:	related criminal offences:	shall be regarded as related	<u>related</u> to the criminal
	ory part			criminal offences:	offences laid down in
					Annex 1. The following
					offences shall be
					regarded as related
					criminal offences:
130.		a) criminal offences	a) criminal offences		a) criminal offences
		committed in order to procure the	committed in order to procure		committed in order to
		means of perpetrating acts listed	the means of perpetrating acts		procure the means of
		in Annex 1;	listed in Annex 1;		perpetrating acts listed
					in Annex 1;
131.		b) criminal offences	b) criminal offences		b) criminal offences
		committed in order to facilitate or	committed in order to facilitate		committed in order to
		carry out acts listed in Annex 1;	or carry out acts listed in Annex		facilitate or carry out
			1;		acts listed in Annex 1;

132.	c) criminal offences	c) criminal offences	c) criminal offences
	committed to ensure the impunity	committed to ensure the	committed to ensure the
	of acts listed in Annex 1.	impunity of acts listed in Annex	impunity of acts listed
		1.	in Annex 1.
133.	3. At the request of a Member	3. At the request of a	3. At the request of a
	State's competent authority,	Member State's competent	Member State's competent authority,
	Eurojust may also assist	authority, Eurojust may also	Eurojust may also assist
	investigations and prosecutions	assist investigations and	investigations and prosecutions affecting
	affecting only that Member State	prosecutions affecting only that	only that Member State
	and a third country where a	Member State and a third	and a third country where a cooperation
	cooperation agreement or	country where a cooperation	agreement or
	arrangement establishing	agreement or arrangement	arrangement establishing cooperation
	cooperation pursuant to Article 43	establishing cooperation	pursuant to Article 43
	has been concluded with that third	pursuant to Article 43 has been	has been concluded with that third country
	country or where in a specific	concluded with that third	or where in a specific
	case there is an essential interest	country or where in a specific	case there is an essential
	in providing such assistance.	case there is an essential interest	interest in providing such assistance.
	 	in providing such assistance.	

134.	Article 3	4. At the request either of a	4. At the request either of a	4. At the request either of a	Agreed in principle:
	_	Member State's competent	Member State's competent	Member State's competent	4. At the request
	paragraph	authority or of the Commission,	authority or of the Commission,	authority or of the Commission,	either of a Member
	4	Eurojust may assist investigations	Eurojust may assist	Eurojust may assist investigations	State's competent
		and prosecutions affecting only	investigations and prosecutions	and prosecutions affecting only that	authority or of the
		that Member State and the	affecting only that Member	Member State.	Commission, Eurojust
		Union.	State but which have		may assist
			repercussions at Union level.		investigations and
			When acting at the request of		prosecutions affecting
			the Commission the assistance		only that Member State
			by Eurojust shall be subject to		but which have
			the prior consent of the		repercussions at Union
			competent authority of the		level. When-Before
			Member State concerned.		acting at the request of
					the Commission the
					competent authority of
					the Member State
					concerned should be
					informed consulted
					accordingly by

			Eurojust.
			This competent
			authority may oppose
			such request within the
			deadline set by Eurojust
			justifying its refusal in
			every case. in
			<u>exceptional</u>
			<u>circumstances where</u>
			the compliance would
			harm essential security
			interests or would
			jeopardise the success
			of an ongoing
			investigation or the
			safety of an individual.
135.	Article 4	Article 4	Article 4
	Operational functions of	Operational functions of	Operational functions
	Eurojust	Eurojust	of Eurojust
136.	1. Eurojust shall:	1. Eurojust shall:	1. Eurojust shall:
137.	a) inform the competent	a) inform the competent	a) inform the

authorities of the Member States	authorities of the Member	competent authorities of
of investigations and prosecutions	States of investigations and	the Member States of
of which it has been informed and	prosecutions of which it has	investigations and
which have repercussions at	been informed and which have	prosecutions of which it
Union level or which might affect	repercussions at Union level or	has been informed and
Member States other than those	which might affect Member	which have
directly concerned;	States other than those directly	repercussions at Union
	concerned;	level or which might
		affect Member States
		other than those directly
		concerned;

138.	Article 4	b) assist the competent	b) assist the competent	b) ensure coordination of	Agreed in principle:
	_	authorities of the Member States	authorities of the Member	investigations and prosecutions	b) assist the
	paragraph	in ensuring the best possible	States in ensuring the best	conducted by the competent	competent authorities
	1 – point	coordination of investigations	possible coordination of	authorities of the Member States;	of the Member States in
	b	and prosecutions;	investigations and		ensuring the best
			prosecutions;		possible coordination
					of investigations and
					prosecutions;
139.	Article 4	c) give assistance in order to	c) give assistance in order	c) assist and improve	Agreed in principle:
	_	improve cooperation between the	to improve cooperation between	cooperation between the competent	c) give assistance in
	paragraph	competent authorities of the	the competent authorities of the	authorities of the Member States, in	order to improve
	1 – point	Member States, in particular on	Member States, in particular on	particular on the basis of Europol's	cooperation between the
	c	the basis of Europol's analyses;	the basis of Europol's analyses;	analyses;	competent authorities of
					the Member States, in
					particular on the basis
					of Europol's analyses;

140.		d) cooperate and consult with	d) cooperate and consult		d) cooperate and
		the European Judicial Network in	with the European Judicial		consult with the
		criminal matters, including	Network in criminal matters,		European Judicial
		making use of and contributing to	including making use of and		Network in criminal
		the improvement of the	contributing to the improvement		matters, including
		documentary database of that	of the documentary database of		making use of and
		European Judicial Network;	that European Judicial Network;		contributing to the
					improvement of the
					documentary database
					of that European
					Judicial Network;
141.	Article 4			da) cooperate closely with the	Agreed in principle:
	_			European Public Prosecutor's	da) cooperate closely
	paragraph			Office on matters relating to its	with the European
	1 – point			competence	Public Prosecutor's
	d a (new)				Office on matters
					relating to its
					competence;

142.		e) provide operational,	e) provide operational,		e) provide
		technical and financial support to	technical and financial support		operational, technical
		Member States' cross-border	to Member States' cross-border		and financial support to
		operations and investigations,	operations and investigations,		Member States' cross-
		including joint investigation	including joint investigation		border operations and
		teams.	teams.		investigations, including
					joint investigation
					teams.
143.	Article 4			ea) support, and where	Agreed in principle:
	_			appropriate participate in, the	ea) support, and
	paragraph			Union centres of specialised	where appropriate
	1 – point			expertise developed by Europol	participate in, the
	e a (new)			and other Union bodies and	Union centres of
				agencies;	specialised expertise
					developed by Europol
					and other Union bodies
					and agencies;

144.	Article 4			eb) cooperate with Union	Agreed in principle:
	_			agencies, bodies and networks	eb) cooperate with
	paragraph			established in the area of	Union agencies, bodies
	1 – point			Freedom, Security and Justice	and networks
	e b (new)			regulated under Title V of the	established in the area
				TFEU;	of Freedom, Security
					and Justice regulated
					under Title V of the
					TFEU;
145.	Article 4			ec) support Member States'	Agreed in principle:
	_			action in combating forms of	ec) support Member
	paragraph			serious crime listed in Annex I.	States' action in
	1 – point				combating forms of
	e c (new)				serious crime listed in
					Annex I.
146.		2. In the exercise of its tasks,	2. In the exercise of its tasks,		2. In the exercise of
		Eurojust may ask the competent	Eurojust may ask the competent		its tasks, Eurojust may ask the competent
		authorities of the Member States	authorities of the Member		authorities of the
		concerned, giving its reasons, to:	States concerned, giving its		Member States concerned, giving its
			reasons, to:		reasons, to:

147.	a) undertake an investigation	a) undertake an investigation	a) undertake an
	or prosecution of specific acts;	or prosecution of specific acts;	investigation or
			prosecution of specific
			acts;
148.	b) accept that one of them may	b) accept that one of them	b) accept that one of
	be in a better position to	may be in a better position to	them may be in a better
	undertake an investigation or to	undertake an investigation or to	position to undertake an
	prosecute specific acts;	prosecute specific acts;	investigation or to
			prosecute specific acts;
149.	c) coordinate between the	c) coordinate between the	c) coordinate
	competent authorities of the	competent authorities of the	between the competent
	Member States concerned;	Member States concerned;	authorities of the
			Member States
			concerned;
150.	d) set up a joint investigation	d) set up a joint investigation	d) set up a joint
	team in accordance with the	team in accordance with the	investigation team in
	relevant cooperation instruments;	relevant cooperation	accordance with the
		instruments;	relevant cooperation
			instruments;

151.	e) provide it with any	e) provide it with any	e) provide it with
	information that is necessary to	information that is necessary to	any information that is
	carry out its tasks;	carry out its tasks;	necessary to carry out
			its tasks;
152.	f) take special investigative	f) take special investigative	f) take special
	measures;	measures;	investigative measures;
153.	g) take any other measure	g) take any other measure	g) take any other
	justified for the investigation or	justified for the investigation or	measure justified for the
	prosecution.	prosecution.	investigation or
			prosecution.
154.	3. Eurojust may also:	3. Eurojust may also:	3. Eurojust may also:
155.	a) provide Europol with	a) provide Europol with	a) provide Europol
	opinions based on analyses	opinions based on analyses	with opinions based on
	carried out by Europol;	carried out by Europol;	analyses carried out by
			Europol;

156.		b) supply logistical support, including assistance for translation, interpretation and the organisation of coordination meetings.	b) supply logistical support, including assistance for translation, interpretation and the organisation of coordination meetings.		b) supply logistical support, including assistance for translation, interpretation and the organisation of coordination meetings.
_	ragraph	4. Where two or more Member States cannot agree on which of them should undertake an investigation or prosecution following a request made under point (b) of paragraph 2, Eurojust shall issue a written opinion on the case. The opinion shall be promptly forwarded to the Member States concerned.	4. Where two or more Member States cannot agree on which of them should undertake an investigation or prosecution following a request made under point (a) and (b) of paragraph 2, Eurojust shall issue a written opinion on the case. The non- binding opinion shall be promptly forwarded to the Member States concerned.	4. Where two or more Member States cannot agree on which of them should undertake an investigation or prosecution following a request made under points (a) and (b) of paragraph 2, Eurojust shall issue a written opinion on the case. The opinion shall be immediately forwarded to the Member States concerned.	Agreed in principle: 4. Where two or more Member States cannot agree on which of them should undertake an investigation or prosecution following a request made under points (a) and (b) of paragraph 2, Eurojust shall issue a written opinion on the case. The opinion shall be immediately forwarded to the Member States concerned.

Article 4 On request of a competent On request of a competent 5. On request of a competent **Agreed in principle:** 158. 5. authority Eurojust shall issue a authority Eurojust shall issue a authority, or on its own initiative, On request of a written opinion on recurrent written opinion on *repeated* competent authority, or Eurojust shall issue a written paragraph refusals or difficulties concerning refusals or difficulties opinion on *recurrent* refusals or on its own initiative, 5 the execution of requests for, and concerning the execution of difficulties concerning the Eurojust shall issue a decisions on, judicial cooperation, requests for, and decisions on execution of requests for, and written opinion on recurrent refusals or including those based on judicial cooperation, including decisions on, judicial cooperation, instruments giving effect to the those based on instruments including those based on difficulties concerning principle of mutual recognition, giving effect to the principle of instruments giving effect to the the execution of provided it could not be resolved requests for, and mutual recognition, provided it principle of mutual recognition, through mutual agreement could not be resolved through provided it could not be resolved decisions on, judicial between the competent national mutual agreement between the through mutual agreement between cooperation, including authorities or through the those based on competent national authorities the competent national authorities involvement of the national or through the involvement of or through the involvement of the instruments giving members concerned. The opinion national members concerned. The effect to the principle of the national members concerned. The non-binding shall be *promptly* forwarded to opinion shall be immediately mutual recognition, the Member States concerned. opinion shall be *promptly* provided it could not be forwarded to the Member States forwarded to the Member States resolved through mutual concerned. agreement between the concerned. competent national authorities or through

			the involvement of the
			national members
			concerned. The opinion
			shall be <i>immediately</i>
			forwarded to the
			Member States
			concerned.
			An accompanying
			recital explaining the
			nature of non-binding
			opinion will be added at
			a later stage.
159.	Article 4	6. The competent national	Compromise proposal:
	_	authorities shall respond	6. The competent
	paragraph	without undue delay to	national authorities of
	6 (new)	Eurojust's requests and	the Member States
		opinions. Where the competent	concerned shall
		authorities of the Member	respond without undue
		States concerned decide not to	delay, taking especially
		comply with a request referred	into account the urgency

to in Article 4(2) or decide not of the issue, to Eurojust's requests to follow a written opinion referred to in Article 4(4) or referred to in Article 4(2) and to the written (5), they shall inform Eurojust opinions referred to in without undue delay of their Article 4(4) or (5)decision and of the reasons for made under this Article. it. Where it is not possible to give the reasons for refusing to In urgent cases comply with a request because Eurojust may set up a to do so would harm essential deadline to respond. The competent national security interests or authorities of Member would jeopardise the safety of States concerned shall individuals, the competent comply with the request authorities of the Member made by Eurojust States may cite operational referred to in Article reasons. 4(2) or follow a written opinion referred to in Article 4(4) or (5), exceptif they can justify to Eurojust, in a

			reasoned opinion, that
			the immediate
			compliance The
			competent authorities of
			the Member States may
			refuse to comply with
			requests or to follow the
			written opinion if the
			compliance would harm
			essential national
			security interests or
			would jeopardise the
			success of an ongoing
			investigation or the
			safety of an individual.
			Eurojust shall be
			informed about any
			delay in complying
			with its requests and
			opinions.
160.	Article 5	Article 5	Article 5

	Exercise of operational	Exercise of operational and	Exercise of operational
	functions	other functions	and other functions

161.	Article 5	1. Eurojust shall act through	1. Eurojust shall act through	Agreed in principle:
	-	one or more of the national	one or more of the national	1. Eurojust shall act
	paragraph	members concerned when taking	members concerned when	through one or more of
	1	any of the actions referred to in	taking any of the actions	the national members
		Article 4(1) or (2).	referred to in Article 4(1) or (2).	concerned when taking
			Without prejudice to	any of the actions
			paragraph 2, the College shall	referred to in Article
			focus on operational issues and	4(1) or (2). <i>Without</i>
			any other issues that are	prejudice to paragraph
			directly linked to operational	2, the College shall
			matters. It shall only be	focus on operational
			involved in administrative	issues and any other
			matters to the extent necessary	issues that are directly
			to ensure that its operational	linked to operational
			tasks are fulfilled.	matters. It shall only
				be involved in
				administrative matters
				to the extent necessary
				to ensure that its
				operational tasks are

162.	2. Eurojust shall act as a	2. Eurojust shall act as a	
	College:	College:	
163.	a) when taking any of the	a) when taking any of the	
	actions referred to in Article 4(1)	actions referred to in Article	
	or (2):	4(1) or (2):	
	(i) when so requested by one	(i) when so requested by one	
	or more of the national members	or more of the national	
	concerned by a case dealt with by	members concerned by a case	
	Eurojust;	dealt with by Eurojust;	
	(ii) when the case involves	(ii) when the case involves	
	investigations or prosecutions	investigations or prosecutions	
	which have repercussions at	which have repercussions at	
	Union level or which might affect	Union level or which might	
	Member States other than those	affect Member States other than	
	directly concerned;	those directly concerned;	

164.		b) when taking any of the	b) when taking any of the	b) when taking any
		actions referred to in Article 4 (3),	actions referred to in Article 4	of the actions referred to
		(4) or (5);	(3), (4) or (5);	in Article 4 (3), (4) or
		(4) 01 (3),	(3), (4) 01 (3),	
				(5);
165.		c) when a general question	c) when a general question	c) when a general
		relating to the achievement of its	relating to the achievement of	question relating to the
		operational objectives is involved;	its operational objectives is	achievement of its
			involved;	operational objectives is
				involved;
166.	Article 5	d) when otherwise provided	Deleted	Agreed in principle:
	-	for in this Regulation.		Deleted
	paragrapf			
	2 point d			
167.	Article 5		e) when adopting the	Agreed in principle:
	-		annual budget of Eurojust;	e) when adopting
	paragrapf			the annual budget of
	2 point e			Eurojust <u>by a majority</u>
	(new)			of two thirds of its
				members;
				inclitudi 5,

168.	Article 5	f) when adopting the	Agreed in principle:
	-	annual and multiannual	f) when adopting the
	paragrapf	programme and the annual	annual and
	2 point f	report on Eurojust's activities;	multiannual
	(new)		programme and the
			annual report on
			Eurojust's activities by
			a majority of two thirds
			of its members;
169.	Article 5	g) when electing or	Agreed in principle:
	-	dismissing the President and	g) when electing or
	paragrapf	Vice- Presidents in accordance	dismissing the
	2 point g	with Article 11;	President and Vice-
	(new)		Presidents in
			accordance with Article
			II;

170.	Article 5	h) when appointing the	Agreed in principle:
	-	Administrative Director and	h) when appointing
	paragrapf	where relevant extending his or	the Administrative
	2 point h	her term of office or removing	Director and where
	(new)	him or her from office in	relevant extending his
		accordance with Article 17;	or her term of office or
			removing him or her
			from office in
			accordance with Article
			17 ;
171.	Article 5	i) when adopting working	Agreed in principle:
	-	arrangements concluded in	i) when adopting
	paragrapf	accordance with Articles	working arrangements
	2 point i	38(2a) and 43;	concluded in
	(new)		accordance with
			Articles 38(2a) and 43;

172.	Article 5	j) when adopting rules for	Agreed in principle:
	-	the prevention and	j) when adopting
	paragrapf	management of conflicts of	rules for the prevention
	2 point j	interest in respect of the	and management of
	(new)	national members;	conflicts of interest in
			respect of the national
			members;

173.	Article 5	k) when preparing strategic	Agreed in principle:
	-	reports, policy papers,	k) when <u>adopting</u>
	paragrapf	guidelines for the benefit of	reports, policy papers,
	2 point k	national authorities and	guidelines for the
	(new)	opinions pertaining to the	benefit of national
		operational work of Eurojust.	authorities and
			opinions pertaining to
			the operational work of
			Eurojust, whenever
			these documents are of
			a strategic nature.
174.	Article 5	l) when appointing liaison	l) when appointing
	-	magistrates in accordance with	liaison magistrates in
	paragrapf	Article 46;	accordance with Article
	2 point 1		46;
	(new)		

175.	Article 5	m) when taking any other	m) when taking any
	-	decision which is not expressly	other decision which is
	paragrapf	attributed to the Executive	not expressly attributed
	2 point m	Board in this Regulation or	to the Executive Board
	(new)	which is not under the	in this Regulation or
		responsibility of the	which is not under the
		Administrative Director in	responsibility of the
		accordance with Article 18;	Administrative Director
			in accordance with
			Article 18;

176.	Article 5		n) when otherwise provided	n) when otherwise
	-		for in this Regulation.	provided for in this
	paragrapf			Regulation.
	2 point n			
	(new)			
177.		3. When it fulfils its tasks,	3. When it fulfils its tasks,	3. When it fulfils its
		Eurojust shall indicate whether it	Eurojust shall indicate whether	tasks, Eurojust shall
		is acting through one or more of	it is acting through one or more	indicate whether it is
		the national members or as a	of the national members or as a	acting through one or
		College.	College.	more of the national
				members or as a
				College.

178.	Article 5	4. The College may assign	Agreed in principle:
	-	additional administrative tasks	4. The College may
	paragraph	to the Administrative Director	assign additional
	4 (new)	and the Executive Board	administrative tasks to
		beyond those provided for in	the Administrative
		Articles 16 and 18 in line with	Director and the
		its operational requirements.	Executive Board
			beyond those provided
			for in Articles 16 and
			18 in line with its
			operational
			requirements.
			Text moved from
			Article 14(3):
			3. Where exceptional
			circumstances so
			require, the College
			may temporarily decide
			to suspend the
			delegation of the

		appointing authority
		powers to the
		Administrative Director
		and those sub-
		delegated by the latter
		and exercise them itself
		or delegate them to one
		of its members or to a
		staff member other
		than the Administrative
		Director.

179.	Article 5		5. The College shall adopt	Agreed in principle:
	-		the Rules of Procedure of	5. The College shall
	paragraph		Eurojust on the basis of a two-	adopt the Rules of
	5 (new)		thirds majority of its members.	Procedure of Eurojust
			In the event that agreement	on the basis of a two-
			cannot be reached by two-	thirds majority of its
			thirds majority, the decision	members. In the event
			shall be taken by simple	that agreement cannot
			majority. The Rules of	be reached by two-
			Procedure shall be approved by	thirds majority, the
			the Council by means of	decision shall be taken
			implementing acts.	by simple majority.
				The Rules of Procedure
				shall be approved by
				the Council by means
				of implementing acts.
180.		CHAPTER II	CHAPTER II	CHAPTER II
		STRUCTURE AND	STRUCTURE AND	STRUCTURE AND
		ORGANISATION OF	ORGANISATION OF	ORGANISATION OF
		EUROJUST	EUROJUST	EUROJUST

	Section I	Section I	Section I
	Structure	Structure	Structure
181.	Article 6	Article 6	Article 6
	Structure of Eurojust	Structure of Eurojust	Structure of Eurojust
182.	The structure of Eurojust shall	The structure of Eurojust shall	The structure of
	comprise:	comprise:	Eurojust shall comprise:
	a) the national members;	a) the national members;	a) the national
	b) the College;	b) the College;	members;
	c) the Executive Board;	c) the Executive Board;	b) the College;
	d) the Administrative Director.	d) the Administrative	c) the Executive
		Director	Board;
			d) the Administrative
			Director
183.	Section II	Section II	Section II
	National Members	National Members	National Members
184.	Article 7	Article 7	Article 7
	Status of national members	Status of national members	Status of national
			members
185.	1. Eurojust shall have one	1. Eurojust shall have one	1. Eurojust shall
	national member seconded by	national member seconded by	have one national

		each Member State in accordance	each Member State in	member seconded by
		with its legal system, who shall	accordance with its legal	each Member State in
		have his or her regular place of	system, who shall have his or	accordance with its
		work at the seat of Eurojust.	her regular place of work at the	legal system, who shall
			seat of Eurojust.	have his or her regular
				place of work at the seat
				of Eurojust.
186.	Article 7	2. Each national member shall	2. Each national member	Agreed in principle:
	_	be assisted by one deputy and by	shall be assisted by one deputy	2. Each national
	paragraph	an Assistant. The deputy and the	and by an Assistant. The deputy	member shall be
	2	Assistant shall have their regular	and the Assistant shall <i>in</i>	assisted by one deputy
		place of work at Eurojust.	<i>principle</i> have their regular	and by an Assistant.
			place of work at the seat of	The deputy and the
			Eurojust. The Member State	Assistant shall in
			may decide that the deputy	principle have their
			and/or Assistant work in the	regular place of work at
			Member State of origin and	the seat of Eurojust.
			notify the College. If the	The Member State may
			operational needs of Eurojust	decide that the deputy
			so require, the College may	and/or Assistant work
			request the Member State to	in the Member State of

			justify its decision to base the	origin and notify the
			deputy and Assistant in the	College. If the
			Member State of origin. The	operational needs of
			Member State shall respond to	Eurojust so require, the
			the request of the College	College may request,
			without undue delay.	for the relevant period
				of time, the Member
				State to base the deputy
				or Assistant in the seat
				of Eurojust. The
				Member State shall
				comply to the request of
				the College without
				undue delay.
187.	Article 7	More deputies or Assistants may	2a. More deputies or	Agreed in principle:
	-	assist the national member and	Assistants may assist the	2a. More deputies or
	paragrapf	may, if necessary and with the	national member and may, if	Assistants may assist
	2a (new)	agreement of the College, have	necessary and with the	the national member
		their regular place of work at	agreement of the College, have	and may, if necessary
		Eurojust.	their regular place of work at	and with the agreement

			Eurojust. The Member State		of the College, have
			shall notify Eurojust and the		their regular place of
			Commission of the designation		work at Eurojust. <i>The</i>
			of national members, deputies		Member State shall
			and Assistants.		notify Eurojust and the
					Commission of the
					designation of national
					members, deputies and
					Assistants.
188.	Article 7	3. The national members and	3. The national members and	3. The national members and	Agreed in principle:
	_	deputies shall have a status as a	deputies shall have a status as a	deputies shall have a status as a	3. The national
	paragraph	prosecutor, judge or police	prosecutor, judge or police	prosecutor, judge or representative	members and deputies
	3	officers of equivalent	officers of equivalent	of judicial authority with	shall have a status as a
		competence. The competent	competence. The national	equivalent competences in	prosecutor, judge or
		national authorities shall grant	members shall at least have the	accordance with the national law.	representative of
		<i>them</i> the powers referred to in	powers referred to in this	The competent national	judicial authority with
		this Regulation in order to be able	Regulation in order to be able to	authorities shall grant them the	equivalent competences
		to fulfil their tasks.	fulfil their tasks.	powers referred to in this	in accordance with the
				Regulation in order to be able to	national law. <u>The</u>
				fulfil their tasks.	Member States shall
					grant them at least the

				powers referred to in
				this Regulation in order
				to be able to fulfil their
				tasks.
189.	Article 7	3a. The term of office of the	3a. The term of office of the	Agreed in principle:
	_	national members and their	national members and their	3a. The term of office
	paragraph	deputies shall be four years,	deputies shall be four years,	of the national
	3 a (new)	renewable.	renewable once. Upon expiry of	members and their
			their term of office or in the event	deputies shall be <u>five</u>
			of their resignation, members shall	years, renewable once.
			remain in office until their term is	In cases where deputy
			renewed or until they are replaced.	cannot act on behalf of
				or to substitute the
				national member, the
				latter, upon expiry of
				his or her term office,
				shall remain in the
				office upon consent of
				the respective Member
				State until the renewal
				of the term or until the

			replacement.
190.	Article 7	3b. Member States must	Agreed in principle:
	_	designate national members and	3b. Member States
	paragraph	deputies on the grounds of proven	<u>shall</u> designate national
	3 b (new)	high level of and longstanding	members and deputies
		practical experience in the field of	on the grounds of
		criminal justice.	proven high level of
			and <u>relevant</u> practical
			experience in the field
			of criminal justice.

191.		4. The deputy shall be able to	4. The deputy shall be able	4. The deputy shall
		act on behalf of or to substitute	to act on behalf of or to	be able to act on behalf
		the national member. An	substitute the national member.	of or to substitute the
		Assistant may also act on behalf	An Assistant may also act on	national member. An
		of or substitute the national	behalf of or substitute the	Assistant may also act
		member if he or she has a status	national member if he or she	on behalf of or
		as referred to in paragraph 3.	has a status as referred to in	substitute the national
			paragraph 3.	member if he or she has
				a status as referred to in
				paragraph 3.
192.		5. Operational information	5. Operational information	5. Operational
		exchanged between Eurojust and	exchanged between Eurojust	information exchanged
		Member States shall be directed	and Member States shall be	between Eurojust and
		through the national members.	directed through the national	Member States shall be
			members.	directed through the
				national members.
193.	Article 7	6. National members shall	Deleted	Agreed in principle:
	- naragranh	contact the competent authorities		<u>Deleted</u>
	paragraph 6	of their Member State directly.		

194.	Article 7	7. The salaries and	7. The salaries and	Pending: linked to line
	-	emoluments of the national	emoluments of the national	237
	paragraph	members, deputies and Assistants	members, deputies and	
	7	shall be borne by their Member	Assistants shall be borne by	
		State of origin.	their Member State of origin	
			without prejudice to Article	
			11a.	
195.		8. Where national members,	8. Where national members,	8. Where national
		deputies and Assistants act within	deputies and Assistants act	members, deputies and
		the framework of Eurojust's tasks,	within the framework of	Assistants act within the
		the relevant expenditure related to	Eurojust's tasks, the relevant	framework of Eurojust's
		these activities shall be regarded	expenditure related to these	tasks, the relevant
		as operational expenditure.	activities shall be regarded as	expenditure related to
			operational expenditure.	these activities shall be
				regarded as operational
				expenditure.
196.		Article 8	Article 8	Article 8
		Powers of national members	Powers of national members	Powers of national members

197.		1. The national members shall	1. The national members		
		have the power to:	shall have the power to:		
198.	Article 8	a) facilitate or otherwise	a) facilitate or otherwise	a) facilitate or otherwise support	a) facilitate or
	_	support the issuing and execution	support the issuing and	the issuing and execution of any	otherwise support the
	paragraph	of any mutual legal assistance or	execution of any mutual legal	mutual legal assistance or mutual	issuing and execution of
	1 – point	mutual recognition request or	assistance or mutual recognition	recognition request;	any mutual legal
	a	issue and execute them	request;		assistance or mutual
		themselves;			recognition request;
199.	Article 8	b) contact directly and	b) contact directly and	b) contact directly and exchange	Agreed in principle:
	_	exchange information with any	exchange information with any	information with any national	b) contact directly
	paragraph	national competent authority of	national competent authority of	competent authority of the Member	and exchange
	1 – point	the Member State;	the Member State;	State or Union agency and any	information with any
	b			other competent body, including	national competent
				EPPO;	authority of the Member
					State or any other
					competent Union body,
					office or agency,
					including EPPO;

200.	Article 8 - paragraph 1 – point			ba) issue and execute any mutual assistance or mutual recognition requests;	Deleted
	b a (new)				
201.		c) contact directly and exchange information with any competent international authority, in accordance with the international commitments of their Member State;	c) contact directly and exchange information with any competent international authority, in accordance with the international commitments of their Member State;		c) contact directly and exchange information with any competent international authority, in accordance with the international commitments of their Member State;
202.		d) participate in joint investigation teams including in their setting up.	Deleted		Agreed in principle: d) participate in joint investigation teams including in their setting up.

203.	Article 8 paragraph 1 – point		d a) Member States may grant additional powers to the national members in accordance with national legislation. The Member	Text is the same as the text in paragraph 1a (see bellow).
	d a (new)		States shall formally notify the Commission and College of these powers.	
204.	Article 8 - paragraph 1a (new)	Ia. Without prejudice to Paragraph 1, Member States may grant additional powers to the national members in accordance with national legislation. The Member State shall formally notify the Commission and the College of these powers.		Agreed in principle: Ia. Without prejudice to Paragraph 1, Member States may grant additional powers to the national members in accordance with national legislation. The Member State shall formally notify the
				Commission and the College of these

					powers.
205.	Article 8 - paragraph 2 - introduct	2. In agreement with the competent national authority the national members <i>shall</i> :	2. In agreement with their competent national authority the national members <i>may in accordance with national law</i> ;	2. In agreement with the competent national authority the national members <i>may</i> , <i>in accordance with national law</i> :	2. In agreement with the competent national authority the national members <i>may</i> , <i>in accordance with</i>
	ory part				national law:
206.	Article 8 - paragraph 2 – point a	a) order investigative measures;	a) issue and execute any mutual assistance or mutual recognition request;	a) order and request investigative measures, as provided for in Directive 2014/41/EU of the European Parliament and of the Council regarding the European Investigative Order in Criminal Matters;	a) issue and execute any mutual assistance or mutual recognition request;
207.	Article 8 paragraph 2 – point b	b) authorise and coordinate controlled deliveries in the Member State in accordance with national legislation.	b) order or request and execute investigative measures, as provided for in Directive 2014/41/EU of the European Parliament and of the Council of 3rd April 2014 regarding the		b) order or request and execute investigative measures, as provided for in Directive 2014/41/EU of the European

			European Investigation Order		Parliament and of the
			in criminal matters;		Council of 3rd April
					2014 regarding the
					European Investigation
					Order in criminal
					matters;
208.	Article 8		d) participate as necessary		Agreed in principle:
	_		in joint investigation teams		Text to be deleted since
	paragraph		including in their setting up.		the same text is agreed
	2 – point		However, if the joint		on article 8(1)d). (See
	d (new)		investigation team is funded by		line 202)
			the Union budget the national		
			members concerned will		
			always be invited to participate.		
209.	Article 8	3. In urgent cases <i>when timely</i>	3. In urgent cases <i>and in so</i>	3. In urgent cases <i>and in so far</i>	Pending:
	_	agreement cannot be reached,	far as it is not possible to	as it is not possible to identify or to	3. In urgent cases
	paragraph	the national members shall be	identify or to contact the	contact the competent national	and in so far as it is not
	3	competent to take the measures	competent national authority	authority in a timely manner, the	possible to identify or to
		referred to in paragraph 2,	in a timely manner, the national	national members shall be	contact the competent
		informing as soon as possible the	members shall be competent to	competent to take the measures	national authority in a

	national competent authority.	take the measures referred to in	referred to in paragraph 2 in	timely manner, the
		paragraph 2 in accordance with	accordance with national law	national members
		national law informing as soon	informing immediately the national	a) shall be competent,
		as possible the national	competent authority.	in accordance with
		competent authority.		national law, to take the
				measures referred to in
				paragraph 2, <i>in</i>
				accordance with
				national law informing
				as soon as possible the
				national competent
				authority
				<u>or</u>
				b) shall submit a
				proposal to the
				competent national
				authority responsible to
				carry out the measures
				referred to in
				paragraph 2 in cases of
				constraints, set to the

		national members in
		execution of the
		operational powers.
		Requests referred to in
		point b) of this article
		<mark>shall be handled</mark>
		without undue delay by
		the competent national
		<u>authority.</u>
		A new recital (11b) will
		accompany these
		provisions:
		<u>''(11b) Where Member</u>
		States constitutional
		<u>rules or fundamental</u>
		aspects of the national
		<u>criminal justice system</u>
		regarding the division
		<u>of powers between the</u>
		police, prosecutors and

			judges, or regarding
			the functional division
			of tasks between
			prosecution authorities,
			or related to the federal
			structure of the
			Member State
			concerned, set
			constraints to the
			national members in
			executionng of the
			operational powers in
			case of urgency, the
			national member
			concerned shall/should
			submit a proposal to
			the competent national
			authority which shall
			handle the request
			without undue delay.
210.	Article 8		3b. In cases referred to

-		in paragraph 3a,
paragraph		requests issued by the
3b (new)		<mark>national member shall</mark>
		be handled by the
		competent national
		authority without
		undue delay.

211.	Article 8	4. Where granting the	Pending
	-	powers referred to in	Compromise proposal:
	paragraph	paragraphs 2 and 3 to the	Deleted
	4 (new)	national member is contrary to	
		a Member State's	
		(a) constitutional rules,	
		or	
		(b) fundamental aspects of the	
		national criminal justice	
		system:	
		(i) regarding the division of	
		powers between the police,	
		prosecutors and judges,	
		(ii) regarding the functional	
		division of tasks between	
		prosecution authorities,	
		or	
		(iii) related to the federal	
		structure of the Member State	
		concerned,	

			the national member shall be	
			competent to submit a proposal	
			to the competent national	
			authority responsible to carry	
			out the measures referred to in	
			paragraphs 2 and 3.	
212.	Article 8		5. Member States shall	Pending
	-		ensure that, in cases referred to	Compromise proposal:
	paragraph		in paragraph 4, the request	Deleted
	5 (new)		issued by the national member	
			be handled without undue	
			delay by the competent	
			national authority.	
213.		Article 9	Article 9	Article 9
		Access to national registers	Access to national registers	Access to national
				registers

214.	The national members shall have	The national members shall	The national members
	access to, or at least be able to	have access to, or at least be	shall have access to, or
	obtain the information contained	able to obtain the information	at least be able to obtain
	in, the following types of registers	contained in, the following	
	of their Member State, in	types of registers of their	the information
	accordance with national law:	Member State, in accordance	contained in, the
		with national law:	following types of
			registers of their
			Member State, in
			accordance with
			national law:

215.	Article 9 - paragraph	a) criminal records;	a) criminal records;	a) criminal records, including the European Criminal Records Information System (ECRIS)	Agreed in principle: a) criminal records;
	1 – point a				
216.		b) registers of arrested persons;	b) registers of arrested persons;		b) registers of arrested persons;
217.		c) investigation registers;	c) investigation registers;		c) investigation registers;
218.		d) DNA registers;	d) DNA registers;		d) DNA registers;
219.		e) other registers of public authorities of their Member States where such information is necessary to fulfil their tasks.	e) other registers of public authorities of their Member States where such information is necessary to fulfil their tasks.		e) other registers of public authorities of their Member States where such information is necessary to fulfil their tasks.
220.		Section III The College	Section III The College		Section III The College
221.		Article 10	Article 10		Article 10

		Composition of the College	Composition of the College		Composition of the
					College
222.	Article 10 - paragraph 1	1. The College shall be composed of:	1. The College shall be composed of <i>all the national members</i> .		1. The College shall be composed of:
223.	Article 10 - paragraph 1 – point a	a) all the national members when the College exercises its operational functions under Article 4;	Deleted	a) all national members;	a) all national members;
224.	Article 10 paragraph 1 – point b	b) all the national members and two representatives of the Commission when the College exercises its management functions under Article 14.	Deleted	b) and two representatives of the Commission when College exercises its management functions, one of them should be also the representative in the Executive Board in line with Art. 16 para 4.	Compromise proposal (pending): b) and one representative of the Commission when College exercises its management functions, that should be also the representative in the Executive Board in line with Art. 16 para 4.

225.	Article 10	2. The term of office of the		<u>Deleted</u>	Agreed in principle:
	-	members and their deputies shall			Deleted (the text is kept
	paragraph	be at least four years, renewable			in Article 7(3a). (See
	2	once. Upon expiry of their term of			line 189).
		office or in the event of their			
		resignation, members shall			
		remain in office until their term is			
		renewed or until they are			
		replaced.			
226.	Article 10	3. The Administrative Director	2. The Administrative	3. The Administrative Director	Agreed in principle:
	_	shall attend the <i>management</i>	Director shall attend the	shall attend the meetings of the	3. The
	paragraph	meetings of the College, without	meetings of the College when	College without the right to vote.	Administrative Director
	3	the right to vote.	administrative issues are		shall attend the
			discussed, without the right to		management meetings
			vote.		of the College without
					the right to vote.
227.		4. The College may invite any	3. The College may invite		3. The College may
		person whose opinion may be of	any person whose opinion may		invite any person whose
		interest to attend its meetings as	be of interest to attend its		opinion may be of
		an observer.	meetings as an observer.		interest to attend its

				meetings as an observer.
228.		5. The members of the College may, subject to the provisions of its Rules of Procedure, be assisted by advisers or experts.	4. The members of the College may, subject to the provisions of its Rules of Procedure, be assisted by advisers or experts.	4. The members of the College may, subject to the provisions of its Rules of Procedure, be assisted by advisers or experts.
229.		Article 11 The President and Vice- President of Eurojust	Article 11 The President and Vice- President of Eurojust	Article 11 The President and Vice-President of Eurojust
230.	Article 11 - paragraph 1	1. The College shall elect a President and two Vice-Presidents from among the national members by a two thirds majority of its members.	1. The College shall elect a President and two Vice- Presidents from among the national members by a two thirds majority of its members. In the event that a two thirds majority cannot be reached the	Agreed in principle: 1. The College shall elect a President and two Vice-Presidents from among the national members by a two thirds majority of

		election will take place in	its members. In the
		accordance with the Rules of	event that a two thirds
		Procedure of Eurojust.	majority cannot be
			reached after the second
			round of election, the
			election of the Vice-
			Presidents should/shall
			take place by simple
			majority of itsthe
			members of the
			College, while the two
			thirds majority shall
			continue to be
			necessary for the
			election of the
			President.
231.	Article 11	1a. The President shall	Agreed in principle:
	_	exercise his/her functions on	1a. The President
	paragraph	behalf of the College under its	shall exercise his/her
	1a (new)	authority. The President shall:	functions on behalf of
		(i) represent Eurojust	the College. The

		(ii) call and preside over the	President shall:
		meetings of the College and the	(i) represent Eurojust
		Executive Board and keep the	(ii) call and preside
		College informed of any	over the meetings of the
		matters that are of interest to it.	College and the
		(iii) direct the work of the	Executive Board and
		College and monitor the daily	keep the College
		management ensured by the	informed of any
		Administrative Director	matters that are of
		(iv) undertake any other	interest to it.
		functions set out in the Rules	(iii) direct the work of
		of Procedure of Eurojust.	the College and
			monitor the daily
			management ensured
			by the Administrative
			Director
			(iv) undertake any
			other functions set out
			in the Rules of
			Procedure of Eurojust.

232.	Article 11	2. The Vice-Presidents shall	2. The Vice-Presidents shall	2. The Vice-
	-	replace the President if he or she	perform functions listed under	Presidents shall
	paragraph	is prevented from attending to his	paragraph 1a which the	perform functions
	2	or her duties.	President entrusts to them.	listed under paragraph
			They shall replace the President	1a which the President
			if he or she is prevented from	entrusts to them. They
			attending to his or her duties.	shall replace the
			The President and Vice-	President if he or she is
			Presidents shall be assisted in	prevented from
			the performance of their	attending to his or her
			specific duties by the	duties. The President
			administrative staff.	and Vice-Presidents
				shall be assisted in the
				performance of their
				specific duties by the
				administrative staff.

233.	Article 11	3. The term of office of the	3. The term of office of the	3. The term of office
	-	President and the Vice-Presidents	President and the Vice-	of the President and the
	paragraph	shall be four years. They may be	Presidents shall be four years.	Vice-Presidents shall be
	3	re-elected once. When a national	They may be re-elected once.	four years. They may be
		member is elected President or		re-elected once.
		Vice-President of Eurojust, his		
		or her term of office as national		
		member shall be extended to		
		ensure he or she can fulfil his or		
		her function as President or		
		Vice-President.		
234.	Article 11		3a. When a national member	3a. When a national
	-		is elected President or Vice-	member is elected
	paragraph		President of Eurojust, his or	President or Vice-
	3a (new)		her term of office shall be	President of Eurojust,
			extended to ensure that he or	his or her term of office shall be extended to
			she can fulfil his or her	ensure that he or she
			function as President or Vice-	can fulfil his or her
			President.	function as President
				or Vice-President.

235.	Article 11	4. If the President or Vice-	4. If the President
	-	President no longer fulfil the	or Vice-President no
	paragraph	conditions required for the	longer fulfil the
	4 (new)	performance of their duties, he	conditions required for
		or she may be dismissed by the	the performance of
		College acting on a proposal	their duties, he or she
		from one third of its members.	may be dismissed by the
		The decision shall be adopted	College acting on a
		on the basis of a two-thirds	proposal from one third
		majority of its members, not	of its members. The
		including the President or	decision shall be
		Vice-President concerned.	adopted on the basis of
			a two-thirds majority of
			its members, not
			including the President
			or Vice-President
			concerned.

236.	Article 11	5. When a national member	5. When a national
	-	is elected President or Vice-	member is elected
	paragraph	President of Eurojust. The	President or Vice-
	5	Member State concerned may	President of Eurojust.
		second another suitably	The Member State
		qualified person to reinforce	concerned may second
		the national desk for the	another suitably
		duration of the former's	qualified person to
		appointment as President or	reinforce the national
		Vice-President. A Member	desk for the duration of
		State who decides to second	the former's
		such a person shall be entitled	appointment as
		to apply for compensation in	President or Vice-
		accordance with Article 11a.	President.
			Pending (depending on
			Article 11a):
			A Member State who
			decides to second such
			a person shall be
			entitled to apply for
			compensation in

			accordance with Article
			11a.
237.	Article	Article 11a	Pending - the whole
	11a (new)	Compensation mechanism for	<u>article</u>
		election to the positions of	Compromise proposal:
		President and Vice-President	Article 11a
			Compensation
			mechanism for election
			to the positions of
			President and Vice-
			President
238.	Article	1. Within one year after	Compromise proposal:
	11a -	entry into force of this	1. Within one year
	paragraph	Regulation, the Council acting	after entry into force of
	1 (new)	on a proposal by the	this Regulation, the
		Commission, shall by means of	Council acting on a
		implementing acts determine a	proposal by the
		compensation model for the	Commission, shall by
		purpose of Article 11(5), to be	means of implementing
		made available to Member	acts determine a
		States whose national member	compensation model

		is elected President or Vice-	for the purpose of
		President.	Article 11(5), to be
			made available to
			Member States whose
			national member is
			elected President or
			Vice-President.
239.	Article	2. The compensation shall	Compromise proposal:
	11a -	be available to any Member	2. The
	paragraph	State if;	compensation shall be
	2 (new)	(i) their national member	available to any Member State if;
	2 ()	has been elected as President	(i) their national
		or Vice-President	member has been
			elected as President or
		and,	Vice-President
		(ii) they request	and,
		compensation from the College	(ii) they request
		and provide justification for	compensation from the
			College and provide
		the need to reinforce the	justification for the
		national desk on the grounds	need to reinforce the national desk on the
		of increased work load.	
			grounds of increased work load.
			work toda.

240.	Article		3. The compensation	3. <i>The</i>
	11a -		provided shall equate to 70% of	compensation provided
	paragraph		the national salary of the	shall equate to 70% of
	3 (new)		seconded person. Living costs	the national salary of
			and other associated expenses	the seconded person.
			shall be provided on a	Living costs and other
			comparative basis to those	associated expenses
			provided to EU officials or	shall be provided on a
			other public servants seconded	comparative basis to
			abroad.	those provided to EU
				officials or other public
				servants seconded
				abroad.
241.	Article		4. The compensation	4. The
	11a -		mechanism shall be at the	<i>compensation</i>
	paragraph		charge of the Eurojust budget.	mechanism shall be at
	4 (new)			the charge of the
				Eurojust budget.
242.		Article 12	Article 12	Article 12
		Meetings of the College	Meetings of the College	Meetings of the

					College
243.		1. The President shall convene the meetings of the College.	1. The President shall convene the meetings of the College.		1. The President shall convene the meetings of the College.
244.	Article 12	2. The College shall hold at	2. The College shall hold at	2. The College shall hold at	Compromise proposal:
	_	least one <i>operational</i> meeting per	least one meeting per month. In	least one meeting per month. In	2. The College shall
	paragraph	month. To exercise its	addition, it shall meet on the	addition, it shall meet on the	hold at least one
	2	management functions, the	initiative of the President or at	initiative of the President, at the	meeting per month. In
		College shall hold at least two	the request of at least one third	request of the Commission to	addition, it shall may
		ordinary meetings a year. In	of its members.	discuss management tasks of the	meet on the initiative of
		addition, it shall meet on the		College, or at the request of at least	the President, at the
		initiative of the President, at the		one third of its members.	request of the
		request of the Commission, or at			Commission to discuss
		the request of at least one third of			administrative tasks of
		its members.			the College, or at the
					request of at least one
					third of its members.
245.	Article 12	3. The European Public	3. Eurojust shall send the		3. Eurojust shall
	_	Prosecutor shall receive the	European Public Prosecutor's		send the European
	paragraph	agendas of all College meetings	Office the agendas of College		Public Prosecutor's
	3	and shall be entitled to	meetings whenever issues are		Office the agendas of
		participate in such meetings,	discussed which are of		College meetings

		without the right to vote, whenever issues are discussed which he or she considers to be of relevance for the functioning of the European Public Prosecutor's Office.	relevance for the exercise of the tasks of the European Public Prosecutor's Office. Eurojust shall invite the Office to participate in such meetings, without the right to vote. In those cases the relevant documents supporting the agenda shall also be provided to it.		whenever issues are discussed which are of relevance for the exercise of the tasks of the European Public Prosecutor's Office. Eurojust shall invite the Office to participate in such meetings, without the right to vote. In those cases the relevant documents supporting the agenda shall also be provided to it.
246.		Article 13 Voting rules of the College	Article 13 Voting rules of the College		Article 13 Voting rules of the College
247.	Article 13	1. Unless stated otherwise, the	1. Unless stated otherwise,	1. Unless stated otherwise,	Agreed in principle:

	_	College shall take its decisions by	the College shall take its	and where a consensus cannot be	1. Unless stated
	paragraph	a majority of its members.	decisions by a majority of its	reached, the College shall take its	otherwise, and where
	1		members.	decisions by a majority of its	a consensus cannot be
				members.	reached, the College
					shall take its decisions
					by a majority of its
					members.
248.	Article 13	2. Each member shall have	2. Each member shall have		Compromise proposal
	_	one vote. In the absence of a	one vote. In the absence of a		(pending):
	paragraph	voting member, the deputy shall	voting member, the deputy <i>and</i>		2. Each member
	2	be entitled to exercise the right to	Assistants shall be entitled to		shall have one vote. In
		vote.	exercise the right to vote <i>in</i>		the absence of a voting
			accordance with Article 7(4).		member, the deputy
					shall be entitled to
					exercise the right to
					vote in accordance with
					Article 7(4). In the
					absence of the deputy,
					the assistant shall also
					be entitled to exercise
					the right to vote in

					accordance with
249.	Article 13	3. The President and Vice-	Deleted		Article 7(4). Deleted
249.	Article 13		Deteted		Detetea
	_	Presidents shall have voting			
	paragraph	rights.			
	3				
250.		Article14	Deleted		Deleted
		Management functions of the			
251	A .: 1 44	College	D. L. L		
251.	Article 14	1. The College exercising its	Deleted	In order to clearly distinguish	In Article 5
	-	management functions shall:		between the operational and the	
	paragraph			management functions of the	
	1			College provisions shall be laid	
				down, reducing the administrative	
				burden on national members to	
				the minimum so that the focus is	
				put on Eurojust's operational	
				work. The management tasks of	
				the College shall include in	
				particular the adoption of	
				Eurojust's work programmes,	
				budget, annual activity report, and	

				working arrangements with partners. It should exercise the power of appointing authority towards the Administrative Director. The College should also adopt the Rules of Procedure of	
252.	Article 14	a) adopt each year Eurojust's	Deleted	Eurojust. deleted	deleted
	-	programming document by a			
	paragraph	majority of two thirds of its			
	1 point a	members and in accordance with			
		Article 15;			
253.	Article 14	b) adopt, by a majority of two	Deleted	deleted	deleted
	-	thirds of its members, the annual			
	paragraph	budget of Eurojust and exercise			
	1 point b	other functions in respect of			
		Eurojust's budget pursuant to			
		Chapter VI;			

254.	Article 14	c) adopt a consolidated annual activity report on	Deleted	deleted	deleted
	paragraph	Eurojust's activities and send it,			
	1 point c	by [date foreseen in FFR] of the			
		following year, to the European			
		Parliament, national			
		parliaments, the Council, the			
		Commission and the Court of			
		Auditors, and make the			
		consolidated annual activity			
		report public;			
255.	Article 14	d) adopt staff resource	Deleted	deleted	deleted
	-	programming as part of the			
	paragraph	programming document;			
	1 point d				
256.	Article 14	e) adopt the financial rules	Deleted	deleted	deleted
	-	applicable to Eurojust in			
	paragraph	accordance with Article 52;			
	1 point e				

257.	Article 14	f) adopt rules for the	Deleted	deleted	deleted
	-	prevention and management of			
	paragraph	conflicts of interest in respect of			
	1 point f	its members;			
258.	Article 14	g) in accordance with	Deleted	deleted	deleted
	-	paragraph 2, exercise, with			
	paragraph	respect to the staff of the Agency,			
	1 point g	the powers conferred by the Staff			
		Regulations ¹ on the Appointing			
		Authority and by the Conditions			
		of Employment of Other			
		Servants ² on the Authority			
		Empowered to conclude			
		Contracts of Employment ("the			
		appointing authority powers'');			
259.	Article 14	h) appoint the Administrative	Deleted	deleted	deleted
	-	Director and where relevant			
	paragraph	extend his or her term of office			
	1 point h	or remove him or her from office			
		in accordance with Article 17;			

260.	Article 14	i) appoint an Accounting Officer and a Data Protection	Deleted	deleted	deleted
	paragraph				
	1 point i	independent in the performance			
		of their duties;			
261.	Article 14	j) adopt working	Deleted	deleted	deleted
	-	arrangements concluded in			
	paragraph	accordance with Article 43;			
	1 point j				
262.	Article 14	k) elect the President and	Deleted	deleted	deleted
	-	Vice-Presidents in accordance			
	paragraph	with Article 11;			
	1 point k				
263.	Article 14	l) adopt its rules of	Deleted	deleted	<mark>deleted</mark>
	-	procedure.			
	paragraph				
	1 point l				
264.	Article 14	2. The College shall adopt, in	Deleted	deleted	<u>deleted</u>
	-	accordance with Article 110 of			
	paragraph	the Staff Regulations, a decision			
	2	based on Article 2(1) of the Staff			

		Regulations and on Article 6 of			
		the Conditions of Employment of			
		Other Servants delegating the			
		relevant appointing authority			
		powers to the Administrative			
		Director and defining the			
		conditions under which this			
		delegation of powers can be			
		suspended. The Administrative			
		Director shall be authorised to			
		sub-delegate these powers.			
265.	Article 14	3. Where exceptional	Deleted	deleted	Moved to Article 5:
	-	circumstances so require, the			
	paragraph	College may temporarily decide			
	3	to suspend the delegation of the			
		appointing authority powers to			
		the Administrative Director and			
		those sub-delegated by the latter			
		and exercise them itself or			
		delegate them to one of its			
		members or to a staff member			

		other than the Administrative Director.			
266.	Article 14 - paragraph 4	4. The College shall reach decisions on appointment, extension of the term of office and removal from office of the Administrative Director on the basis of a two-thirds majority of its members.	Deleted	deleted	deleted
267.		Article 15 Annual and multi-annual programming	Deleted		Agreed in principle:
268.	Article 15 paragraph 1	1. By [30 November each year] the College shall adopt a programming document containing <i>multi-annual and</i> annual programming, based on a draft put forward by the Administrative Director, taking into account the opinion of the Commission. It shall forward it to	Deleted	1. By [30 November each year] the College shall adopt a programming document containing annual programming, based on a draft put forward by the Administrative Director, taking into account the opinion of the Commission. It shall forward it to the European Parliament, the	1. By [30 November each year] the College shall adopt a programming document containing annual and multiannual programming, based on a draft put forward by the Administrative

		the European Parliament, the		Council, the Commission, and the	Director, taking into
		Council <i>and</i> the Commission.		European Public Prosecutor's	account the opinion of
		The programming document shall		Office. The programming	the Commission. It shall
		become definitive after final		document shall become definitive	forward it to the
		adoption of the general budget		after final adoption of the general	European Parliament,
		and if necessary shall be adjusted		budget and if necessary shall be	the Council, the
		accordingly.		adjusted accordingly.	Commission, and the
					European Public
					Prosecutor's Office.
					The programming
					document shall become
					definitive after final
					adoption of the general
					budget and if necessary
					shall be adjusted
					accordingly.
269.	Article 15	2. The annual work	Deleted		2. The annual work
	_	programme shall comprise			programme shall
	paragraph	detailed objectives and expected			comprise detailed
	2	results including performance			objectives and expected
		indicators. It shall also contain a			results including

description of the actions to be performance indicators. financed and an indication of the It shall also contain a description of the financial and human resources actions to be financed allocated to each action, in and an indication of the accordance with the principles of financial and human activity-based budgeting and resources allocated to management. The annual work programme shall be coherent with each action, in the multi-annual work programme accordance with the referred to in paragraph 4. It shall principles of activityclearly indicate which tasks have based budgeting and been added, changed or deleted in management. The comparison with the previous annual work programme shall be coherent with financial year. the multi-annual work programme referred to in paragraph 4. It shall clearly indicate which tasks have been added, changed or deleted in comparison with the

				previous financial year.
270.	Article 15	3. The College shall amend	Deleted	3. The College shall
	_	the adopted annual work		amend the adopted
	paragraph	programme when a new task is		annual work programme
	3	given to the Agency. Any		when a new task is
		substantial amendment to the		given to the Agency.
		annual work programme shall be		Any substantial
		adopted by the same procedure as		amendment to the
		the initial annual work		annual work programme
		programme. The College may		shall be adopted by the
		delegate to the Administrative		same procedure as the
		Director the power to make non-		initial annual work
		substantial amendments to the		programme. The
		annual work programme.		College may delegate to
				the Administrative
				Director the power to
				make non-substantial
				amendments to the
				annual work
				programme.

271.	Article 15	4. The multi-annual work	Deleted	4. The multi-annual work	4. The multi-annual
	_	programme shall set out overall		programme shall set out overall	work programme shall
	paragraph	strategic programming including		strategic programming including	set out overall strategic
	4	objectives, expected results and		objectives, the strategy for	programming including
		performance indicators. It shall		cooperation with the third	objectives, the strategy
		also set out resource		countries and international	for cooperation with
		programming including multi-		organisations referred to in Article	the third countries and
		annual budget and staff. The		43, expected results and	international
		resource programming shall be		performance indicators. It shall also	organisations referred
		updated annually. The strategic		set out resource programming	to in Article 43,
		programming shall be updated		including multi-annual budget and	expected results and
		where appropriate, and in		staff. The resource programming	performance indicators.
		particular to address the outcome		shall be updated annually. The	It shall also set out
		of the evaluation referred to in		strategic programming shall be	resource programming
		Article 56.		updated where appropriate, and in	including multi-annual
				particular to address the outcome of	budget and staff. The
				the evaluation referred to in Article	resource programming
				56.	shall be updated
					annually. The strategic
					programming shall be

					updated where
					appropriate, and in
					particular to address the
					outcome of the
					evaluation referred to in
					Article 56.
272.		Section IV	Section IV		Section IV
		The Executive Board	The Executive Board		The Executive Board
273.		Article 16	Article 16		Article 16
		Functioning of the Executive	Functioning of the Executive		Functioning of the
		Board	Board		Executive Board
274.	Article 16	1. The College shall be	1. The College shall be	1. The College shall be assisted	Agreed in principle:
	_	assisted by an Executive Board.	assisted by an Executive Board.	by an Executive Board. The	1. The College shall
	paragraph	The Executive Board shall not be	The Executive Board shall <i>be</i>	Executive Board shall <i>be</i>	be assisted by an
	1	involved in the operational	responsible for taking key	responsible for taking	Executive Board. The
		functions of Eurojust referred to	administrative decisions to	administrative decisions to ensure	Executive Board shall
		in Articles 4 and 5.	ensure the functioning of	the proper functioning of	be responsible for
			Eurojust. It will also undertake	Eurojust. It shall also undertake	taking administrative
			the necessary preparatory work	the necessary preparatory work on	decisions to ensure the
			on other administrative matters	other administrative matters for	proper functioning of
			for the College's approval in	the College's approval in	Eurojust. It shall also

	accordance with Article 5(2).	accordance with Article 5(2). It	review/oversee the
	It shall not be involved in the	shall not be involved in the	necessary preparatory
	operational functions of	operational functions of Eurojust	work <u>of the</u>
	Eurojust referred to in Articles	referred to in Articles 4 and 5.	Administrative Director
	4 and 5.		on other administrative
			matters for the
			College's adoption
			approval in accordance
			with Article 5(2). It
			shall not be involved in
			the operational
			functions of Eurojust
			referred to in Articles 4
			and 5.

275.	Article 16		1a. The Executive Board	1a. The Executive Board may	Agreed in principle:
	_		may consult the College when	consult the College when	1a. The Executive
	paragraph		preparing the annual budget	preparing the annual budget for	Board may consult the
	1 a (new)		for Eurojust, the annual report	Eurojust, the annual report and	College when
			and the annual and multi-	the annual and multi-annual work	exercising its tasks.
			annual work programmes and	programmes and may obtain other	
			may obtain other non-	non-operational information from	
			operational information from	the College, where necessary for	
			the College, if necessary for it	the performance of its tasks.	
			to be able to perform its tasks.		
276.	Article 16	2. The Executive Board shall	2. The Executive Board shall	2. The Executive Board shall:	Agreed in principle:
	_	also:	also:		2. The Executive
	paragraph				Board shall <i>also</i> :
	2 –				
	introduct				
	ory part				

277.	Article 16	a) prepare the decisions to be	a) approve Eurojust's		a) approve-review
	_	adopted by the College in	annual and multi-annual work		Eurojust's annual and
	paragraph	accordance with Article 14;	programme based on the draft		multi-annual work
	2 – point		prepared by the Administrative		programme based on
	a		Director and forward to the		the draft prepared by
			College for adoption;		the Administrative
					Director and forward to
					the College for
					adoption;
278.	Article 16			a) prepare Eurojust's annual	deleted
	_			and multi-annual work	
	paragraph			programme based on the draft	
	2 - point			prepared by the Administrative	
	a a (new)			Director and forward it to the	
	a a (new)			College for adoption;	
				Conege for anophion,	

279.	Article 16	b) adopt an anti-fraud strategy,	b) adopt an anti-fraud	b) adopt an anti-fraud strategy	Agreed in principle:
	_	which is proportionate to the	strategy for Eurojust based on	for Eurojust based on a draft	b) adopt an anti-
	paragraph	fraud risks having regard to	a draft prepared by the	prepared by the Administrative	fraud strategy for
	2 – point	cost-benefit of the measures to be	Administrative Director;	Director;	Eurojust, which is
	b	implemented;			proportionate to the
					fraud risks having
					regard to cost-benefit
					of the measures to be
					implemented and based
					on a draft prepared by
					the Administrative
					Director;
					Comment to the
					proposal:
					In line with Europol
					Regulation Art 11 (1) e)
					and EPPO Regulation
					Art. 114 (b)

280.		c) adopt appropriate	c) adopt appropriate	c) adopt appropriate
		implementing rules to the Staff	implementing rules to the Staff	implementing rules to
		Regulations and the Conditions of	Regulations and the Conditions	the Staff Regulations
		Employment of Other Servants in	of Employment of Other	and the Conditions of
		accordance with Article 110 of	Servants in accordance with	Employment of Other
		the Staff Regulations;	Article 110 of the Staff	Servants in accordance
			Regulations;	with Article 110 of the
				Staff Regulations;
281.	Article 16	d) ensure adequate follow-up	d) ensure adequate follow-up	Compromise proposal:
	_	to the findings and	to the findings and	d) ensure adequate
	paragraph	recommendations stemming from	recommendations stemming	follow-up to the
	2 – point	the internal or external audit	from the internal or external	findings and
	d	reports, evaluations and	audit reports, evaluations and	recommendations
		investigations, including those of	investigations to the extent they	stemming from the
		the European Data Protection	are not linked with the	internal or external
		Supervisor (EDPS) and the	operational work of the College	audit reports,
		European Anti-fraud Office	including those of the European	evaluations and
		(OLAF);	Data Protection Supervisor	investigations, including
			(EDPS) and the European Anti-	those of the European
			fraud Office (OLAF);	Data Protection

			Supervisor (EDPS) and the European Anti-fraud Office (OLAF); Comment to the proposal: Limitation for actions in the area and intervention into the operational functions is already stated clearly in para (1) of this Article last sentence.
282.	e) take all decisions on the establishment and, where necessary, the modification of Eurojust's internal administrative structures;	e) take all decisions on the establishment and, where necessary, the modification of Eurojust's internal administrative structures;	e) take all decisions on the establishment and, where necessary, the modification of Eurojust's internal administrative structures;

283.	Article 16	f) without prejudice to the	Deleted		Agreed in principle:
	_	responsibilities of the			f) without prejudice
	paragraph	Administrative Director, as set			to the responsibilities of
	2 – point	out in Article 18, assist and advise			the Administrative
	f	him or her in the implementation			Director, as set out in
		of the decisions of the College,			Article 18, assist and
		with a view to reinforcing			advise him or her in the
		supervision of administrative and			implementation of the
		budgetary management;			decisions of the
					College, with a view to
					reinforcing supervision
					of administrative and
					budgetary management;
284.	Article 16	g) take any other decision not	Deleted	deleted	Agreed in principle:
	_	expressly attributed to the			Deleted
	paragraph	College in Articles 5 or 14 or			
	2 – point	under the responsibility of the			
	g	Administrative Director in			
		accordance with Article 18;			

285.	Article 16	h) adopt its rules of	Deleted	deleted	Agreed in principle:
	-	procedure.			Deleted
	paragraph 2 – point				
	h				
286.	Article 16			h a) undertake any additional	Agreed in principle:
	_			administrative tasks assigned to it	h a) undertake any
	paragraph			by the College under Article 5(4);	additional
	2 – point				administrative tasks
	h a (new)				assigned to it by the
					College under Article
					XX = 5(4);
287.	Article 16			h b) adopt the financial rules	Agreed in principle:
	_			applicable to Eurojust in	h b) adopt the
	paragraph			accordance with Article 52;	financial rules
	2 – point				applicable to Eurojust
	h b (new)				in accordance with
					Article 52;
288.	Article 16			h c) adopt, in accordance with	Agreed in principle:
	_			Article 110 of the Staff	h c) adopt, in
	paragraph			Regulations, a decision based on	accordance with Article
	2 – point			Article 2(1) of the Staff	110 of the Staff
	h c (new)			Regulations and on Article 6 of the	Regulations, a decision

		Conditions of Employment of	based on Article 2(1) of
		Other Servants delegating the	the Staff Regulations
		relevant appoint authority powers	and on Article 6 of the
		to the Administrative Director and	Conditions of
		defining the conditions under	Employment of Other
		which this delegation of powers	Servants delegating the
		can be suspended; the	relevant appoint
		Administrative Director shall be	authority powers to the
		authorised to sub-delegate these	Administrative Director
		powers;	and defining the
			conditions under which
			this delegation of
			powers can be
			suspended; the
			Administrative Director
			shall be authorised to
			sub-delegate these
			powers;

289.	Article 16	aa) undertake any additional	Agreed in principle:
	_	administrative tasks assigned	Deleted
	paragraph	to it by the College under	
	2 – point	Article 5(4);	
	aa (new)		
290.	Article 16	bb) prepare the annual	Agreed in principle:
	_	budget of Eurojust for	bb) prepare <u>review</u>
	paragraph	adoption by the College;	the <u>draft</u> annual budget
	2 – point		of Eurojust for
	bb (new)		adoption by the
			College;

291.	Article 16	cc) approve the annual	Agreed in principle:
	_	report on Eurojust's activities	cc) <u>review</u> the <u>draft</u>
	paragraph	and forward to the College for	annual report on
	2 – point	adoption	Eurojust's activities
	cc (new)		and forward to the
			College for adoption
292.	Article 16	dd) adopt the financial rules	Agreed in principle:
	_	applicable to Eurojust in	Deleted
	paragraph	accordance with Article 52;	
	2 – point		
	dd (new)		
293.	Article 16	ee) appoint an Accounting	Agreed in principle:
	_	Officer and a Data Protection	ee) appoint an
	paragraph	Officer who shall be	Accounting Officer and
	2 – point	functionally independent in the	a Data Protection
	ee (new)	performance of their duties;	Officer who shall be
			functionally
			independent in the
			performance of their
			duties;

294.	Article 16		ff) adopt, in accordance with		Agreed in principle:
	_		Article 110 of the Staff		Deleted
	paragraph		Regulations, a decision based		
	2 – point		on Article 2(1) of the Staff		
	ff (new)		Regulations and on Article 6 of		
			the Conditions of Employment		
			of Other Servants delegating		
			the relevant appointing		
			authority powers to the		
			Administrative Director and		
			defining the conditions under		
			which this delegation of powers		
			can be suspended. The		
			Administrative Director shall		
			be authorised to sub-delegate		
			these powers.		
295.	Article 16 paragraph 3	3. When necessary, because of urgency, the Executive Board may take certain provisional decisions on behalf of the College on administrative and	deleted	deleted	Agreed in principle: Deleted
	3	budgetary matters, which shall be subject to confirmation by the College.			

296.	Article 16	4. The Executive Board shall	4. The Executive Board shall	
	_	be composed of the President and	be composed of the President	
	paragraph	Vice-Presidents of the College,	and Vice-Presidents of the	
	4	one representative of the	College, one representative of	
		Commission and <i>one</i> other	the Commission and <i>two</i> other	
		member of the College. <i>The</i>	members of the College	
		President of the College shall be	designated on a two year	
		the Chairperson of the Executive	rotation system in accordance	
		Board. The Executive Board	with the Rules of Procedure of	
		shall take its decisions by a	the College. The Administrative	
		•		
		majority of its members, each	Director shall attend the	
		member having one vote. The	meetings of the Executive	
		Administrative Director shall take	Board <i>without</i> the right to vote.	
		part in the meetings of the		
		Executive Board, but shall not		
		have the right to vote.		
		nuve the right to vote.		

297.	Article 16		4a. The President of the	Agreed in principle:
	_		College shall be the	4a. The President of
	paragraph		Chairperson of the Executive	the College shall be the
	4a (new)		Board. The Executive Board	Chairperson of the
			shall take its decisions by a	Executive Board. The
			majority of its members. Each	Executive Board shall
			member shall have one vote.	take its decisions by a
			In the event of a tie vote, the	majority of its
			President shall have the	members. Each
			casting vote.	member shall have one
				vote. In the event of a
				tie vote, the President
				shall have the casting
				vote.
298.	Article 16	5. The term of office of	5. The term of office of	5. The term of office
	_	members of the Executive Board	members of the Executive	of members of the
	paragraph	shall be four years, with the	Board shall end when their term	Executive Board shall
	5	exception of the member of the	as national members, President	end when their term as
		College who shall be appointed	or Vice-President ends.	national members,
		following a two-year rotation		President or Vice-

299.	Article 16 paragraph 6	 system. The term of office of members of the Executive Board shall end when their term as national members ends. 6. The Executive Board shall hold at least one ordinary meeting every three months. In addition, it shall meet on the initiative of its Chairperson or at the request of the Commission or of at least two of its other members. 	6. The Executive Board shall <i>meet</i> at least <i>once a month</i> . <i>In addition</i> , it shall meet on the initiative of its Chairperson or at the request of the Commission or of at least two of its other members.	6. The Executive Board shall meet at least every three months. If necessary, it shall meet on the initiative of its Chairperson or at the request of the Commission or of at least two of its other members.	Agreed in principle: 6. The Executive Board shall meet at least once a month. In addition, it shall meet on the initiative of its Chairperson or at the request of the Commission or of at least two of its other members.
300.	Article 16 paragraph 7	7. The European Public Prosecutor shall receive the agendas of all Executive Board meetings and shall be free to participate in such meetings,	7. Eurojust shall send the European Public Prosecutor's Office the agendas of the Executive Board meetings whenever issues are discussed		Compromise proposal: 7. Eurojust shall send to the European Public Prosecutor's Office the agendas of

without the right to vote,
whenever issues are discussed
which he or she considers to be
of relevance for the functioning
of the European Public
Prosecutor's Office.

which are of relevance for the exercise of the tasks of the European Public Prosecutor's Office.

Eurojust shall invite the
Office to participate in such
meetings, without the right to
vote. In those cases the
relevant documents supporting
the agenda shall also be
provided to it.

the Executive Board

meetings and consult

with EPPO the need of

its participation in

<u>those meetings.</u>

EUROJUST The

<mark>EPPO</mark> shall be free

<u>invite EPPO</u> to

<mark>participatein such</mark>

meetings, without the

right to vote, whenever

issues are discussed

which he or she

considers are to be of

relevance for the

functioning of the

EPPO.

In those cases the

<mark>relevant documents</mark>

supporting the agenda

<mark>shall also be provided</mark>

to it.

301.	Article 16	8. The European Public	Deleted	Compromise proposal:
	_	Prosecutor may address written		Deleted
	paragraph	opinions to the Executive Board,		
	8	to which the Executive Board		
	0			
		shall respond in writing without		
		undue delay.		
302.	Article		Article 16a	Covered in Article 15
	16a (new)		Annual and multi-annual	
			programming	
303.	Article		1. By 30 November each	Deleted
	16a -		year the College shall adopt a	
	paragraph		programming document	
	1 (new)		containing a multi-annual and	
			annual work programme,	
			based on a draft put forward by	
			the Administrative Director	
			and approved by the Executive	
			Board. It shall forward it to the	
			European Parliament, the	

		Council and the Commiss The work programme sha become definitive after fin adoption of the general be and if necessary shall be adjusted accordingly.	ll val	
] 	Article 16a - paragraph 2 (new)	2. The annual work programme shall comprise detailed objectives and expected results including performance indicators. It shall also contain a description of the actions to be finance and an indication of the financial and human resonal located to each action, it accordance with the prince of activity-based budgeting management. The annual programme shall be cohed	ed urces n iples g and work	Deleted

		with the multi-annual work programme referred to in paragraph 4. It shall clearly indicate which tasks have been added, changed or deleted in comparison with the previous financial year.	
305.	Article 16a - paragraph 3 (new)	3. The Executive Board shall amend the adopted annual work programme when a new task is given to Eurojust. Any substantial amendment to the annual work programme shall be adopted by the same procedure as the initial annual work programme. The Executive Board may delegate to the Administrative Director the power to make non-substantial amendments to the	Deleted

		annual work programme, while	
		keeping the Executive Board	
		informed of any such	
		amendment.	
306.	Article	4. The multi-annual work	Deleted
	16a -	programme shall set out	
1	paragraph	overall strategic programming	
	4 (new)	including objectives, expected	
		results and performance	
		indicators. It shall also set out	
		resource programming	
		including multi-annual budget	
		and staff. The resource	
		programming shall be updated	
		annually. The strategic	
		programming shall be updated	
		where appropriate, and in	
		particular to address the	
		outcome of the evaluation	
		referred to in Article 56.	

307.	Section V	Section V	Section V
	The Administrative Director	The Administrative Director	The Administrative
			Director
308.	Article 17	Article 17	Article 17
	Status of the Administrative	Status of the Administrative	Status of the
	Director	Director	Administrative
			Director
309.	1. The Administrative Director	1. The Administrative	1. The
	shall be engaged as a temporary	Director shall be engaged as a	Administrative Director
	agent of Eurojust under Article	temporary agent of Eurojust	shall be engaged as a
	2(a) of the Conditions of	under Article 2(a) of the	temporary agent of
	Employment of Other Servants of	Conditions of Employment of	Eurojust under
	the European Union.	Other Servants of the European	Article 2(a) of the
		Union.	Conditions of
			Employment of Other
			Servants of the
			European Union.

310.	Article 17	2. The Administrative Director	2. The Administrative	2. The Administrative Director	Pending (COM to
	_	shall be appointed by the College	Director shall be appointed by	shall be appointed by the College	come back):
	paragraph	from a list of candidates proposed	the College from a list of	on the grounds of merit and	2. The
	2	by the Commission, following an	candidates proposed by the	documented administrative and	Administrative Director
		open and transparent selection	Executive Board, following an	managerial skills, as well as	shall be appointed by
		procedure. For the purpose of	open and transparent selection	relevant competence and	the College from a list
		concluding the contract of the	procedure in accordance with	experience, from a list of	of candidates proposed
		Administrative Director, Eurojust	the Rules of Procedure of	candidates proposed by <i>the</i>	by the Executive
		shall be represented by the	<i>Eurojust</i> . For the purpose of	Executive Board, following an	Board , following an
		President of the College.	concluding the contract of the	open and transparent selection	open and transparent
			Administrative Director,	procedure, in accordance with the	selection procedure in
			Eurojust shall be represented by	Rules of Procedure of Eurojust.	accordance with the
			the President of the College.	For the purpose of concluding the	Rules of Procedure of
				contract of the Administrative	Eurojust. For the
				Director, Eurojust shall be	purpose of concluding
				represented by the President of the	the contract of the
				College.	Administrative Director,
					Eurojust shall be
					represented by the
					President of the

		College.
		The text is
		accompanied by the
		following recital:
		16) In order to ensure
		an efficient day-to-day
		administration of
		Eurojust, the
		Administrative Director
		should be its legal
		representative and
		manager, accountable to
		the College. The
		Administrative Director
		should prepare and
		implement the decisions
		of the College and the
		Executive Board. The
		Administrative Director
		should be appointed on
		the grounds of merit
		and documented
		administrative and
		<mark>managerial skills, as</mark>
		well as relevant
		competence and
		<mark>experience.</mark>

311.	Article 17	3. The term of office of the	3. The term of office of the	3. The term of office of the	Pending:
	_	Administrative Director shall be	Administrative Director shall be	Administrative Director shall be	3. The term of office
	paragraph	five years. By the end of this	<i>four</i> years. By the end of this	<i>four</i> years. By the end of this	of the Administrative
	3	period, the <i>Commission</i> shall	period, the Executive Board	period, the <i>Executive Board</i> shall	Director shall be four
		undertake an assessment which	shall undertake an assessment	undertake an assessment which	years. By the end of this
		takes into account an evaluation	which takes into account an	takes into account an evaluation of	period, the <i>Executive</i>
		of the performance of the	evaluation of the performance	the performance of the	Board shall undertake
		Administrative Director.	of the Administrative Director.	Administrative Director.	an assessment which
					takes into account an
					evaluation of the
					performance of the
					Administrative Director.

312.	Article 17	4. The College, acting on a	4. The College, acting on a	4. The College, acting on a	Pending:
	_	proposal from the <i>Commission</i>	proposal from the Executive	proposal from the <i>Executive Board</i>	4. The College,
	paragraph	which takes into account the	Board which takes into account	which takes into account the	acting on a proposal
	4	assessment referred to in	the assessment referred to in	assessment referred to in paragraph	from the Executive
		paragraph 3, may extend once the	paragraph 3, may extend once	3, may extend once the term of	Board which takes into
		term of office of the	the term of office of the	office of the Administrative	account the assessment
		Administrative Director for no	Administrative Director for no	Director for no more than four	referred to in paragraph
		more than <i>five</i> years.	more than <i>four</i> years.	years.	3, may extend once the
					term of office of the
					Administrative Director
					for no more than four
					years.

313.		5. An Administrative Director	5. An Administrative		5. An Administrative
		whose term of office has been	Director whose term of office		Director whose term of
		extended may not participate in	has been extended may not		office has been
		another selection procedure for	participate in another selection		extended may not
		the same post at the end of the	procedure for the same post at		participate in another
		overall period.	the end of the overall period.		selection procedure for
					the same post at the end
					of the overall period.
314.	Article 17	6. The Administrative Director	6. The Administrative	6. The Administrative Director	Agreed in principle:
	_	shall be accountable to the	Director shall be accountable to	shall be accountable to the College.	6. The
	paragraph	College and the Executive	the College.		Administrative Director
	6	Board.			shall be accountable to
					the College.

315.	Article 17	7. The Administrative Director	7. The Administrative	7. The Administrative Director	(COM to come back):
	_	may be removed from the office	Director may be removed from	may be removed from the office	7. The
	paragraph	only upon a decision of the	the office only upon a decision	only upon a decision of the College	Administrative Director
	7	College acting on a proposal from	of the College on the basis of a	acting on a proposal from the	may be removed from
		the Commission.	two-thirds majority of its	Executive Board.	the office only upon a
			members.		decision of the College
					acting on a proposal
					from the Executive
					Board.
316.		Article 18	Article 18		Article 18
		Responsibilities of the	Responsibilities of the		Responsibilities of the
		Administrative Director	Administrative Director		Administrative
					Director
317.		1. For administrative	1. For administrative		1. For administrative
		purposes, Eurojust shall be	purposes, Eurojust shall be		purposes, Eurojust shall
		managed by its Administrative	managed by its Administrative		be managed by its
		Director.	Director.		Administrative Director.

318.	Article 18	2. Without prejudice to the	2. Without prejudice to the	2. Without prejudice to the	Agreed in principle:
	_	powers of the <i>Commission</i> , the	powers of the College or the	powers of the College or the	2. Without prejudice
	paragraph	College or the Executive Board,	Executive Board, the	Executive Board, the	to the powers of the
	2	the Administrative Director shall	Administrative Director shall be	Administrative Director shall be	College or the
		be independent in the	independent in the performance	independent in the performance of	Executive Board, the
		performance of his or her duties	of his or her duties and shall	his or her duties and shall neither	Administrative Director
		and shall neither seek nor take	neither seek nor take	seek nor take instructions from any	shall be independent in
		instructions from any government	instructions from any	government or from any other	the performance of his
		or from any other body.	government or from any other	body.	or her duties and shall
			body.		neither seek nor take
					instructions from any
					government or from any
					other body.
319.		3. The Administrative Director	3. The Administrative		3. The
		shall be the legal representative of	Director shall be the legal		Administrative Director
		Eurojust.	representative of Eurojust.		shall be the legal
					representative of
					Eurojust.

320.		4. The Administrative Director	4. The Administrative		4. The
		shall be responsible for the	Director shall be responsible for		Administrative Director
		implementation of the	the implementation of the		shall be responsible for
		administrative tasks assigned to	administrative tasks assigned to		the implementation of
		Eurojust. In particular, the	Eurojust. In particular, the		the administrative tasks
		Administrative Director shall be	Administrative Director shall be		assigned to Eurojust. In
		responsible for:	responsible for:		particular, the
					Administrative Director
					shall be responsible for:
321.	Article 18	a) the day-to-day	a) the day-to-day	a) the day-to-day administration	a) the day-to-day
	_	administration of Eurojust;	administration of Eurojust and	of Eurojust and staff management;	administration of
	paragraph		staff management;		Eurojust and staff
	4 – point				management;
	a				
322.		b) implementing the decisions	b) implementing the		b) implementing the
		adopted by the College and the	decisions adopted by the		decisions adopted by
		Executive Board;	College and the Executive		the College and the
			Board;		Executive Board;

323.	Article 18	c) preparing the <i>programming</i>	c) preparing the <i>annual and</i>	c) preparing the <i>annual and</i>	Agreed in principle:
	_	document and submitting it to the	multi-annual work programme	multi-annual work programming	c) preparing the
	paragraph	Executive Board and College	and submitting it to the	and submitting it to the Executive	annual and multi-
	4 – point	after consultation of the	Executive Board for approval;	Board for approval;	annual work
	c	Commission;			programming and
					submitting it to the
					Executive Board for
					approval <u>review;</u>
324.	Article 18	d) implementing the	d) implementing the <i>annual</i>	d) implementing the <i>annual and</i>	Agreed in principle:
	_	programming document and	and multi-annual work	multi-annual work programming	d) implementing the
	paragraph	reporting to the Executive Board	<i>programme</i> and reporting to the	and reporting to the Executive	annual and multi-
	4 – point	and College on its	Executive Board on its	Board and College on its	annual work
	d	implementation;	implementation;	implementation;	<i>programming</i> and
					reporting to the
					Executive Board and
					College on its
					implementation;

325.	e) preparing the annual report	e) preparing the annual	e) preparing the
	on Eurojust's activities and	report on Eurojust's activities	annual report on
	presenting it to the Executive	and presenting it to the	Eurojust's activities and
	Board for completion and to the	Executive Board for approval;	presenting it to the
	College for approval;		Executive Board for
			review and to the
			College for adoption
			approval ;

326.	Article 18	f) preparing an action plan	f) preparing an action plan	f) preparing an action plan	Agreed in principle:
	_	following-up on the conclusions	following-up on the conclusions	following-up on the conclusions of	f) preparing an
	paragraph	of the internal or external audit	of the internal or external audit	the internal or external audit	action plan following-
	4 – point	reports, evaluations and	reports, evaluations and	reports, evaluations and	up on the conclusions of
	f	investigations, including those of	investigations, including those	investigations, including those of	the internal or external
		the European Data Protection	of the European Data Protection	the European Data Protection	audit reports,
		Supervisor and OLAF and	Supervisor and OLAF and	Supervisor and OLAF and	evaluations and
		reporting on progress twice a year	reporting on progress twice a	reporting on progress twice a year	investigations, including
		to the Executive Board, the	year to the Executive Board, the	to the <i>College</i> , <i>the</i> Executive	those of the European
		Commission and the European	College, the Commission and	Board, the Commission and the	Data Protection
		Data Protection Supervisor;	the European Data Protection	European Data Protection	Supervisor and OLAF
			Supervisor;	Supervisor;	and reporting on
					progress twice a year to
					the College, the
					Executive Board, the
					Commission and the
					European Data
					Protection Supervisor;

327.	Article 18	g) protecting the financial	g) preparing an anti-fraud	deleted	Agreed in principle:
	_	interests of the Union by the	strategy for Eurojust and		g) preparing an
	paragraph	application of preventive	presenting it to the Executive		anti-fraud strategy for
	4 – point	measures against fraud,	Board for approval;		Eurojust and
	g	corruption and any other illegal			presenting it to the
		activities, by effective checks			Executive Board for
		and, if irregularities are detected,			approval adoption;
		by the recovery of the amounts			
		wrongly paid and, where			
		appropriate, by imposing			
		effective, proportionate and			
		dissuasive administrative and			
		financial penalties;			
328.	Article 18	h) preparing an anti-fraud	h) preparing the draft		Agreed in principle:
	_	strategy for Eurojust and	financial rules applicable to		h) preparing the
	paragraph	presenting it to the Executive	Eurojust;		draft financial rules
	4 – point	Board for approval;			applicable to Eurojust;
	h				

329.	Article 18	i) preparing the draft	i) preparing Eurojust's	Agreed in principle:
	_	financial rules applicable to	draft statement of estimates of	i) preparing
	paragraph	Eurojust;	revenue and expenditure and	Eurojust's draft
	4 – point		implementing its budget;	statement of estimates
	i			of revenue and
				expenditure and
				implementing its
				budget;
330.	Article 18	j) preparing Eurojust's draft	j) exercising, with respect	Agreed in principle:
	_	statement of estimates of revenue	to the staff of the Agency, the	j) exercising, with
	paragraph	and expenditure and	powers conferred by the Staff	respect to the staff of
	4 – point	implementing its budget.	Regulations ² on the Appointing	the Agency, the powers
	j		Authority and by the	conferred by the Staff
			Conditions of Employment of	Regulations ⁴ on the
			Other Servants ³ on the	Appointing Authority

² Council Regulation No 31 (EEC), 11 (EAEC) of 18 December 1961 laying down the Staff Regulations for Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community, OJ P 045, 14.6.1962, p. 1385, as amended, in particular, by Council Regulation 259/68, of 29 February 1968 (OJ L 56, 4.3.1968, p. 1), as itself subsequently amended.

Council Regulation No 31 (EEC), 11 (EAEC) of 18 December 1961 laying down the Staff Regulations for Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community, OJ P 045, 14.6.1962, p. 1385, as amended, in particular, by Council Regulation 259/68, of 29 February 1968 (OJ L 56, 4.3.1968, p. 1), as itself subsequently amended.

		Authority Empowered to	and by the Conditions
		conclude Contracts of	of Employment of
		Employment ("the appointing	Other Servants ⁵ on the
		authority powers'');	Authority Empowered
			to conclude Contracts
			of Employment ("the
			appointing authority
			powers'');
331.	Article 18	k) providing necessary	Agreed in principle:
	_	administrative support to	k) providing
	paragraph	facilitate the operational work	ensuring that the
	4 – point	of Eurojust;	necessary
	k (new)		administrative support
			is provided to facilitate
			the operational work of
			Eurojust;

Council Regulation No 31 (EEC), 11 (EAEC) of 18 December 1961 laying down the Staff Regulations for Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community, OJ P 045, 14.6.1962, p. 1385, as amended, in particular, by Council Regulation 259/68, of 29 February 1968 (OJ L 56, 4.3.1968, p. 1), as itself subsequently amended.

Council Regulation No 31 (EEC), 11 (EAEC) of 18 December 1961 laying down the Staff Regulations for Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community, OJ P 045, 14.6.1962, p. 1385, as amended, in particular, by Council Regulation 259/68, of 29 February 1968 (OJ L 56, 4.3.1968, p. 1), as itself subsequently amended.

332.	Article 18 - paragraph 4 – point 1 (new)	l) providing support to the President and Vice-Presidents in the carrying out of their duties.		l) providing ensuring that support to the President and Vice-Presidents in the carrying out of their duties is provided.
333.	Article 18 - paragraph 4 – point j a (new)		ja) exercising, with respect to the staff of the Agency, the powers conferred by the Staff Regulations on the Appointing Authority and by the Conditions of Employment of Other Servants on the Authority Empowered to conclude Contracts of Employment ("the appointing authority powers");	Agreed in principle: Deleted

334.	Article 18	j b) providing necessary	Agreed in principle:
		administrative support to facilitate	Deleted
	paragraph	the operational work of Eurojust;	
	4 – point		
	j b (new)		
335.	Article 18	j c) providing support to the	Agreed in principle:
		President and Vice-Presidents in	Deleted
	paragraph	the carrying out of their duties.	
	4 – point		
	j c (new)		
336.	Article 18 paragraph 4 – point j d (new)	j d) prepare a draft proposal for the annual budget of Eurojust, which should be presented and consulted by the Executive Board before the adoption by the College;	Agreed in principle: j d) prepare a draft proposal for the annual budget of Eurojust, which should be presented and consulted reviewed by the Executive Board before the adoption by the College; Comment to the proposal: Consistent with line

				290 .
337.	Article 18		5. The Council may invite	Compromise proposal
	_		the Administrative Director to	(Council to come
	paragraph		report on the performance of	<u>back)</u> :
	5 (new)		his/her duties.	Deleted
338.		CHAPTER III	CHAPTER III	CHAPTER III
		OPERATIONAL MATTERS	OPERATIONAL MATTERS	OPERATIONAL
				MATTERS
339.		Article 19	Article 19	Article 19
		On-call coordination (OCC)	On-call coordination (OCC)	On-call coordination
				(OCC)
340.		1. In order to fulfil its tasks in	1. In order to fulfil its tasks	Agreed in principle:
		urgent cases, Eurojust shall	in urgent cases, Eurojust shall	1. In order to fulfil
		operate an On-Call Coordination	operate an On-Call	its tasks in urgent cases,
		able to receive and process at all	Coordination able to receive	Eurojust shall operate
		times requests referred to it. The	and process at all times requests	an On-Call
		On-Call Coordination shall be	referred to it. The On-Call	Coordination able to
		contactable, through a single On-	Coordination shall be	receive and process at
		Call Coordination contact point at	contactable, on a 24 hour/7 day	all times requests
		Eurojust, on a 24 hour/7 day	basis.	referred to it. The On-
		basis.		Call Coordination shall

341.	Article 19	2. The On-Call Coordination	2. The On-Call Coordination
	-	shall rely on one representative	shall rely on one representative
	paragraph	(On-Call Coordination	(On-Call Coordination
	2	representative) per Member State	representative) per Member
		who may be either the national	State who may be either the
		member, his deputy, or an	national member, his deputy,
		Assistant entitled to replace the	Assistant entitled to replace the
		national member. The On-Call	national member or other
		Coordination representative shall	authority designated for this
		be able to act on a 24 hour/7 day	purpose under national law.
		basis.	The On-Call Coordination
			representative shall be able to
			act on a 24 hour/7 day basis.

342.	Article 19	3. The On-Call Coordination	3. The On-Call Coordination	3. The On-Call Coordination	Agreed in principle:
	_	representatives shall act without	representatives shall act without	representatives shall act efficiently,	3. The On-Call
	paragraph	delay, in relation to the execution	delay, in relation to the	without delay, in relation to the	Coordination
	3	of the request in their Member	execution of the request in their	execution of the request in their	representatives shall act
		State.	Member State. <i>National</i>	Member State.	efficiently, without
			members who are		delay, in relation to the
			representatives shall act		execution of the request
			through the exercise of the		in their Member State.
			powers available to them in		
			accordance with Article 8.		
343.		Article 20	Article 20		Article 20
		Eurojust National Coordination	Eurojust National		Eurojust National
		System	Coordination System		Coordination System
344.		1. Each Member State shall	1. Each Member State shall		1. Each Member
		designate one or more national	designate one or more		State shall designate
		correspondents for Eurojust.	national correspondents for		one or more national
			Eurojust.		correspondents for
					Eurojust.

345.	Article 20			(1a) All the national	Agreed:
	_			correspondents appointed by the	(1a) All the national
	paragraph			Member States under paragraph 1	correspondents
	1 a (new)			must have the skills and	appointed by the
				experience needed to carry out	Member States under
				their duties.	paragraph 1 shall have
					the skills and
					experience needed to
					carry out their duties.
346.		2. Each Member State shall set	2. Each Member State shall		2. Each Member
		up a Eurojust national	set up a Eurojust national		State shall set up a
		coordination system to ensure	coordination system to ensure		Eurojust national
		coordination of the work carried	coordination of the work carried		coordination system to
		out by:	out by:		ensure coordination of
					the work carried out by:
347.		a) the national correspondents	a) the national correspondents		a) the national
		for Eurojust;	for Eurojust;		correspondents for
					Eurojust;

348.	Article 20	(aa) national correspondents for	Compromise proposal:
	_	issues relating to the competence	(aa) national
	paragraph	of the EPPO for non-participating	correspondents for
	2 – point	Member States;	issues relating to the
	a a (new)		competence of the
			EPPO;
			The accompanying
			<mark>recital should be</mark>
			modified as follows:
			18) Eurojust national
			coordination systems
			should be set up in the
			Member States to
			coordinate the work
			carried out by the
			national correspondents
			for Eurojust, the
			national correspondent
			for Eurojust for
			terrorism matters, the
			national correspondent

		for Eurojust for issues
		relating to the
		competence of the
		European Public
		Prosecutor's Office
		designated by the
		Member States that do
		not participate in the
		European Public
		Prosecutor's Office , the
		national correspondent
		for the European
		Judicial Network and up
		to three other contact
		points, as well as
		representatives in the
		Network for Joint
		Investigation Teams and
		of the networks set up
		by Council Decision
		2002/494/JHA of 13

		June 2002 setting up a
		European network of
		contact points in respect
		of persons responsible
		for genocide, crimes
		against humanity and
		war crimes ¹⁰ , Council
		Decision 2007/845/JHA
		of 6 December 2007
		concerning cooperation
		between Asset
		Recovery Offices of the
		Member States in the
		field of tracing and
		identification of
		proceeds from, or other
		property related to
		crime ¹¹ and by Council
		Decision 2008/852/JHA
		of 24 October 2008 on a
		contact-point network

				12
				against corruption ¹² .
				Member States may
				decide that one or more
				of these tasks is
				performed by the same
				national correspondent.
349.	b) the national correspondent	b) the national correspondent		b) the national
	for Eurojust for terrorism matters;	for Eurojust for terrorism		correspondent for
		matters;		Eurojust for terrorism
				matters;
350.	c) the national correspondent	c) the national correspondent		c) the national
	for the European Judicial	for the European Judicial		correspondent for the
	Network in criminal matters and	Network in criminal matters and		European Judicial
	up to three other contact points of	up to three other contact points		Network in criminal
	that European Judicial Network;	of that European Judicial		matters and up to three
		Network;		other contact points of
				that European Judicial
				Network;
		1	1	1

351.		d) national members or contact	d) national members or contact		d) national members or
		points of the Network for Joint	points of the Network for Joint		contact points of the
		Investigation Teams and of the	Investigation Teams and of the		Network for Joint
		networks set up by Decision	networks set up by Decision		Investigation Teams and
		2002/494/JHA, Decision	2002/494/JHA, Decision		of the networks set up
		2007/845/JHA and by Decision	2007/845/JHA and by Decision		by Decision
		2008/852/JHA.	2008/852/JHA;		2002/494/JHA,
					Decision 2007/845/JHA
					and by Decision
					2008/852/JHA;
352.	Article 20		e) where applicable, any other		Agreed in principle:
	_		relevant judicial authority.		e) where applicable,
	paragraph				any other relevant
	2 – point				judicial authority.
	e (new)				
353.	Article 20	3. The persons referred to in	3. The persons referred to in	3. The persons referred to in	Agreed in principle
	_	paragraphs 1 and 2 shall maintain	paragraphs 1 and 2 shall	paragraphs 1 and 2 shall maintain	The persons referred to
	paragraph	their position and status under	maintain their position and	their position and status under	in paragraphs 1 and 2
	3	national law.	status under national law.	national law, provided that	shall maintain their
				maintaining their position and	position and status

			status does not impede them from	under national law,
			performing their duties under this	which should not have
			Regulation.	a significant impact on
				performing their duties
				under this Regulation.
354.	4. The national correspondents	4. The national		4. The national
	for Eurojust shall be responsible	correspondents for Eurojust		correspondents for
	for the functioning of the Eurojust	shall be responsible for the		Eurojust shall be
	national coordination system.	functioning of the Eurojust		responsible for the
	When several correspondents for	national coordination system.		functioning of the
	Eurojust are designated, one of	When several correspondents		Eurojust national
	them shall be responsible for the	for Eurojust are designated, one		coordination system.
	functioning of the Eurojust	of them shall be responsible for		When several
	national coordination system.	the functioning of the Eurojust		correspondents for
		national coordination system.		Eurojust are designated,
				one of them shall be
				responsible for the
				functioning of the
				Eurojust national
				coordination system.

355.	Article 20	4(a). The Eurojust national	4(a). The Eurojust
	-	member shall be informed of	national member shall
	paragraph	all meetings of the ENCS	be informed of all
	4a (new)	where casework related	meetings of the ENCS
		matters are discussed and may	where casework
		attend as necessary.	related matters are
			discussed and may
			attend as necessary.

356.	5. The Eurojust national	5. The Eurojust national	5. The Eurojust
	coordination system shall	coordination system shall	national coordination
	facilitate, within the Member	facilitate, within the Member	system shall facilitate,
	State, the carrying out of the tasks	State, the carrying out of the	within the Member
	of Eurojust, in particular by:	tasks of Eurojust, in particular	State, the carrying out
		by:	of the tasks of Eurojust,
			in particular by:
357.	a) ensuring that the Case	a) ensuring that the Case	a) ensuring that the
	Management System referred to	Management System referred to	Case Management
	in Article 24 receives information	in Article 24 receives	System referred to in
	related to the Member State	information related to the	Article 24 receives
	concerned in an efficient and	Member State concerned in an	information related to
	reliable manner;	efficient and reliable manner;	the Member State
			concerned in an
			efficient and reliable
			manner;
358.	b) assisting in determining	b) assisting in determining	b) assisting in
	whether a case should be dealt	whether a request should be	determining whether a
	with the assistance of Eurojust or	handled with the assistance of	request should be
	of the European Judicial	Eurojust or of the European	handled with the

		Network;	Judicial Network;		assistance of Eurojust or
					of the European Judicial
					Network;
359.		c) assisting the national	c) assisting the national		c) assisting the
		member to identify relevant	member to identify relevant		national member to
		authorities for the execution of	authorities for the execution of		identify relevant
		requests for, and decisions on,	requests for, and decisions on,		authorities for the
		judicial cooperation, including	judicial cooperation, including		execution of requests
		those based on instruments giving	those based on instruments		for, and decisions on,
		effect to the principle of mutual	giving effect to the principle of		judicial cooperation,
		recognition;	mutual recognition;		including those based
					on instruments giving
					effect to the principle of
					mutual recognition;
360.	Article 20	d) maintaining close relations	d) maintaining close	d) maintaining close relations	Agreed in principle:
	_	with the Europol National Unit.	relations with the Europol	with the Europol National Unit,	d) maintaining close
	paragraph		National Unit, other European	other European Judicial Network	relations with the
	5 – point		Judicial Network contact	contact points and other relevant	Europol National Unit,
	d		points and other relevant	competent national authorities.	other European
			competent national authorities.		judicial network
					contact points and

			other relevant
			competent national
			authorities.
361.	6. In order to meet the	6. In order to meet the	6. In order to meet
	objectives referred to in	objectives referred to in	the objectives referred
	paragraph 5, persons referred to	paragraph 5, persons referred to	to in paragraph 5,
	in paragraph 1 and in points (a),	in paragraph 1 and in points (a),	persons referred to in
	(b) and (c) of paragraph 2 shall,	(b) and (c) of paragraph 2 shall,	paragraph 1 and in
	and persons referred to in point	and persons or authorities	points (a), (b) and (c) of
	(d) of paragraph 2 may be	referred to in points (d) and (e)	paragraph 2 shall, and
	connected to the Case	of paragraph 2 may be	persons or authorities
	Management System in	connected to the Case	referred to in points (d)
	accordance with this Article and	Management System in	and (e) of paragraph 2
	with Articles 24, 25, 26 and 30.	accordance with this Article and	may be connected to the
	The connection to the Case	with Articles 24, 25, 26 and 30.	Case Management
	Management System shall be at	The connection to the Case	System in accordance
	the charge of the general budget	Management System shall be at	with this Article and
	of the European Union.	the charge of the general budget	with Articles 24, 25, 26
		of the European Union.	and 30. The connection
			to the Case
			Management System

			shall be at the charge of
			the general budget of
			the European Union.
362.	7. The setting up of the	7. The setting up of the	7. The setting up of
	Eurojust national coordination	Eurojust national coordination	the Eurojust national
	system and the designation of	system and the designation of	coordination system and
	national correspondents shall not	national correspondents shall	the designation of
	prevent direct contacts between	not prevent direct contacts	national correspondents
	the national member and the	between the national member	shall not prevent direct
	competent authorities of his	and the competent authorities of	contacts between the
	Member State.	his Member State.	national member and
			the competent
			authorities of his
			Member State.
363.	Article 21	Article 21	Article 21
	Exchanges of information with	Exchanges of information	Exchanges of
	the Member States and between	with the Member States and	information with the
	national members	between national members	Member States and
			between national
			members

364.	Article 21	1. The competent authorities	1. The competent authorities of	1. The competent authorities of	Pending
	_	of the Member States shall	the Member States shall	the Member States shall exchange	Text open until the
	paragraph	exchange with Eurojust any	exchange with Eurojust any	with Eurojust any information	finalization of the data
	1	information necessary for the	information necessary for the	necessary for the performance of its	protection issue in
		performance of its tasks in	performance of its tasks in	tasks in accordance with Articles 2	Regulation 45/2001.
		accordance with Articles 2 and 4	accordance with Articles 2 and	and 4 as well as with EU legislation	
		as well as with the rules on data	4 as well as with the rules on	on data protection set out in this	
		protection set out in this	data protection set out in this	Regulation. This shall at least	
		Regulation. This shall at least	Regulation. This shall at least	include the information referred to	
		include the information referred	include the information referred	in paragraphs 4, 5 and 6.	
		to in paragraphs 5, 6 and 7.	to in paragraphs 4, 5 and 6.		

365.	Article 21	2. The transmission of	2. The transmission of	2. The transmission of	2. The transmission
	_	information to Eurojust shall be	information to Eurojust shall	information to Eurojust shall only	of information to
	paragraph	interpreted as a request for the	only be interpreted as a request	be interpreted as a request for the	Eurojust shall only be
	2	assistance of Eurojust in the case	for the assistance of Eurojust in	assistance of Eurojust in the case	interpreted as a request
		concerned <i>only</i> if so specified by	the case concerned if so	concerned if so specified by a	for the assistance of
		a competent authority.	specified by a competent	competent authority.	Eurojust in the case
			authority.		concerned if so
					specified by a
					competent authority.
366.		3. The national members shall	3. The national members		3. The national
		exchange any information	shall exchange any information		members shall exchange
		necessary for the performance of	necessary for the performance		any information
		the tasks of Eurojust, without	of the tasks of Eurojust, without		necessary for the
		prior authorisation, among	prior authorisation, among		performance of the
		themselves or with their Member	themselves or with their		tasks of Eurojust,
		State's competent authorities. In	Member State's competent		without prior
		particular, the competent national	authorities. In particular, the		authorisation, among
		authorities shall promptly inform	competent national authorities		themselves or with their
		their national members of a case	shall promptly inform their		Member State's
		which concerns them.	national members of a case		competent authorities.

		which concerns them.	In particular, the
			competent national
			authorities shall
			promptly inform their
			national members of a
			case which concerns
			them.
367.	4. The national competent	4. The national competent	4. The national
	authorities shall inform their	authorities shall inform their	competent authorities
	national members of the setting	national members of the setting	shall inform their
	up of joint investigation teams	up of joint investigation teams	national members of the
	and of the results of the work of	and of the results of the work of	setting up of joint
	such teams.	such teams.	investigation teams and
			of the results of the
			work of such teams.

Article 21 5. The national competent The national competent 5. The national competent **Pending:** 368. authorities shall inform their authorities shall inform their authorities shall inform their The national national members without undue national members without national members without undue paragraph competent authorities undue delay of any case delay of any case concerning delay of any case affecting at least 5 shall inform their national members crimes under the competence of affecting at least three Member two Member States directly and for without undue delay of Eurojust affecting at least three States *directly* for which which requests for or decisions on any case affecting at iudicial cooperation, including Member States and for which requests for or decisions on least three, or, in case requests for or decisions on judicial cooperation, including those based on instruments giving of serious offences or judicial cooperation, including those based on instruments effect to the principle of mutual complex proceedings, those based on instruments giving giving effect to the principle of recognition, have been transmitted at least two Member effect to the principle of mutual mutual recognition, have been to at least two Member States and. States directly and for recognition, have been transmitted to at least two which requests for or transmitted to at least two Member States and. decisions on judicial Member States. cooperation, including those based on instruments giving effect to the principle of mutual recognition, have been transmitted to at least two Member States, and

369.	Article 21	(a) the offence involved is (a) the offence involved is	(a) the offence
	_	punishable in the requesting or punishable in the requesting or	involved is punishable
	paragraph	issuing Member State by a issuing Member State by a	in the requesting or
	5 point a	custodial sentence or a custodial sentence or a detention	issuing Member State
	(new)	detention order for a maximum order for a maximum period of at	by a custodial sentence
		period of at least five or six least five or six years to be decided	or a detention order for
		years to be decided by the by the Member State concerned,	a maximum period of
		Member State concerned, and and is included in the following	at least five or six years
		is included in the following list:	to be decided by the
		list:	Member State
			concerned, and is
			included in the
			following list:
370.		(i) trafficking in human (i) trafficking in human beings;	(i) trafficking in
		beings;	human beings;
371.		(ii) sexual abuse and sexual (ii) sexual abuse and sexual	(ii) sexual abuse and
		exploitation including child exploitation including child	sexual exploitation
		pornography and solicitation pornography and solicitation of	including child
		of children for sexual children for sexual purposes;	pornography and
		purposes;	solicitation of children
			for sexual purposes;

372.	(iii) drug trafficking;	(iii) drug trafficking;	(iii) drug trafficking;
373.	(iv) illicit trafficking in arms, ammunition and explosives;	(iv) illicit trafficking in firearms, their parts and components and ammunition and explosives;	(iv) illicit trafficking in firearms, their parts and components and ammunition and explosives;
374.	(v) corruption;	(v) corruption;	(v) corruption;
375.	(vi) crime against the financial interests of the Union;	(vi) crime against the financial interests of the Union;	(vi) crime against the financial interests of the Union;
376.	(vii) forgery of money and means of payment	(vii) forgery of money and means of payment	(vii) forgery of money and means of payment
377.	(viii) money laundering activities;	(viii) money laundering activities;	(viii) money laundering activities;
378.	(ix) computer crime or	(ix) computer crime; or	(ix) computer crime; or

379.	Article 21		(b) there are factual	(b) there are factual indications	(b) there are factual
	_		indications that a criminal	that a criminal organisation is	indications that a
	paragraph		organisation is involved.	involved; or	criminal organisation
	5 point b				is involved; or
	(new)				
380.	Article 21		or	(c) there are indications that the	(c) there are
	_		(c) there are indications that	case may have a serious cross-	indications that the
	paragraph		the case may have a serious	border dimension or repercussions	case may have a
	5 point c		cross-border dimension or	at Union level or that it might	serious cross-border
	(new)		repercussions at European	affect Member States other than	dimension or
			Union level or that it might	those directly involved.	repercussions at Union
			affect Member States other		level or that it might
			than those directly involved.		affect Member States
					other than those
					directly involved.
381.		6. The national competent	6. The national competent		6. The national
		authorities shall inform their	authorities shall inform their		competent authorities
		national members of:	national members of:		shall inform their
					national members of:

382.	a) cases where conflicts of	a) cases where conflicts of	a) cases where
	jurisdiction have arisen or are	jurisdiction have arisen or are	conflicts of jurisdiction
	likely to arise;	likely to arise;	have arisen or are likely
			to arise;
383.	b) controlled deliveries	b) controlled deliveries	b) controlled
	affecting at least three countries,	affecting at least three	deliveries affecting at
	at least two of which are Member	countries, at least two of which	least three countries, at
	States;	are Member States;	least two of which are
			Member States;
384.	c) repeated difficulties or	c) repeated difficulties or	c) repeated
	refusals regarding the execution	refusals regarding the execution	difficulties or refusals
	of requests for, and decisions on,	of requests for, and decisions	regarding the execution
	judicial cooperation, including	on, judicial cooperation,	of requests for, and
	those based on instruments giving	g including those based on	decisions on, judicial
	effect to the principle of mutual	instruments giving effect to the	cooperation, including
	recognition.	principle of mutual recognition.	those based on
			instruments giving
			effect to the principle of
			mutual recognition.

385.	7. National authorities shall	7. National authorities shall	7. National
	not be obliged in a particular case	not be obliged in a particular	authorities shall not be
	to supply information if this	case to supply information if	obliged in a particular
	would mean:	this would mean:	case to supply
			information if this
			would mean:
386.	a) harming essential national	a) harming essential national	a) harming essential
	security interests; or	security interests; or	national security
			interests; or
387.	b) jeopardising the safety of	b) jeopardising the safety of	b) jeopardising the
	individuals.	individuals.	safety of individuals.

388.	8. This Article shall be	8. This Article shall be	8. This Article shall
	without prejudice to conditions	without prejudice to conditions	be without prejudice to
	set in bilateral or multilateral	set in bilateral or multilateral	conditions set in
	agreements or arrangements	agreements or arrangements	bilateral or multilateral
	between Member States and third	between Member States and	agreements or
	countries including any	third countries including any	arrangements between
	conditions set by third countries	conditions set by third countries	Member States and
	concerning the use of information	concerning the use of	third countries including
	once supplied.	information once supplied.	any conditions set by
			third countries
			concerning the use of
			information once
			supplied.

389.	Article 21	8a. This Article shall be	Agreed in principle:
	-	without prejudice to other	8a. This Article shall
	paragraph	obligations regarding the	be without prejudice to
	8a (new)	transmission of information to	other obligations
		Eurojust, including Council	regarding the
		Decision 2005/671/JHA of 20	transmission of
		September 2005 on the	information to
		exchange of information and	Eurojust, including
		cooperation concerning	Council Decision
		terrorist offences. ⁶	2005/671/JHA of 20
			September 2005 on the
			exchange of
			information and
			cooperation concerning
			terrorist offences. ⁷

OJ L 167, 26.6.2002 p.1. OJ L 167, 26.6.2002 p.1.

390.	Article 21	9. Information referred to in	9. Information referred to in	9. Information referred to in this	9. Information
	_	this Article shall be provided in a	this Article shall be provided in	Article shall be provided in a	referred to in this
	paragraph	structured way as established by	a structured way as established	structured way as established by	Article shall be
	9	Eurojust.	by Eurojust. The national	Eurojust. The national authority	provided in a structured
			authority shall not be obliged	shall not be obliged to provide this	way as established by
			to provide this information	information when it has already	Eurojust. <i>The national</i>
			when it has already been	been transmitted to Eurojust in	authority shall not be
			transmitted to Eurojust in	accordance with other provisions	obliged to provide this
			accordance with other	of this Regulation.	information when it
			provisions of this Regulation.		has already been
					transmitted to Eurojust
					in accordance with
					other provisions of this
					Regulation.
391.		Article 22	Article 22		Article 22
		Information provided by	Information provided by		Information provided
		Eurojust to competent national	Eurojust to competent		by Eurojust to
		authorities	national authorities		competent national
					authorities

392.	Article 22	1. Eurojust shall provide	1. Eurojust shall provide	1. Eurojust shall provide	Agreed in principle:
	_	competent national authorities	competent national authorities	without undue delay competent	1. Eurojust shall
	paragraph	with information on the results of	with information and feedback	national authorities with	provide without undue
	1	the processing of information,	on the results of the processing	information on the results of the	delay competent
		including the existence of links	of information, including the	processing of information,	national authorities with
		with cases already stored in the	existence of links with cases	including the existence of links	information on the
		Case Management System. This	already stored in the Case	with cases already stored in the	results of the processing
		information may include personal	Management System. This	Case Management System. This	of information,
		data.	information may include	information may include personal	including the existence
			personal data.	data.	of links with cases
					already stored in the
					Case Management
					System. This
					information may
					include personal data.

393.		2. Where a competent national	2. Where a competent		2. Where a
		authority requests Eurojust to	national authority requests		competent national
		provide it with information,	Eurojust to provide it with		authority requests
		Eurojust shall transmit it in the	information, Eurojust shall		Eurojust to provide it
		timeframe requested by that	transmit it in the timeframe		with information,
		authority.	requested by that authority.		Eurojust shall transmit
					it in the timeframe
					requested by that
					authority.
394.		Article 23	Deleted		
		Follow-up to requests and			
		opinions of Eurojust			
395.	Article 23	The competent national	Deleted	The competent national authorities	Text kept in Article 4
	_	authorities shall respond without		shall respond without undue delay,	(6).
	paragraph	undue delay to Eurojust's requests		in urgent cases Eurojust may set	
	1	and opinions made under Article		up a deadline to respond, to	
		4. Where the competent		Eurojust's requests and opinions	
		authorities of the Member States		made under Article 4. <i>The</i>	
		concerned decide not to comply		competent authorities of Member	
		with a request referred to in		States concerned shall comply with	

	Article 4(2) or decide not to		the request made by Eurojust	
	follow a written opinion referred		referred to in Article 4(2) or follow	
	to in Article 4(4) or (5), they		a written opinion referred to in	
	shall inform Eurojust without		Article 4(4) or (5), except if they	
	undue delay of their decision		can justify to Eurojust, in a	
	and of the reasons for it. Where		reasoned opinion, that the	
	it is not possible to give the		immediate compliance would	
	reasons for refusing to comply		jeopardise the success of an	
	with a request because to do so		ongoing investigation or the safety	
	would harm essential national		of an individual. Any delay to	
	security interests or would		comply with the requests and	
	jeopardise the safety of		opinions made by Eurojust under	
	individuals, the competent		Article 4 must be duly justified.	
	authorities of the Member States			
	may cite operational reasons.			
396.	Article 24	Article 24		Article 24
	Case Management System,	Case Management System,		Case Management
	index and temporary work files	index and temporary work		System, index and
		files		temporary work files

397.	Article 24	1. Eurojust shall establish a	1. Eurojust shall establish a	1. Eurojust shall establish a	Agreed in principle:
	_	Case Management System	Case Management System	Case Management System	1. Eurojust shall
	paragraph	composed of temporary work	composed of temporary work	including temporary work files and	establish a Case
	1	files and of an index which	files and of an index which	of an index which contain personal	Management System
		contain personal data as referred	contain personal data as referred	data as referred to in Annex 2 and	composed of temporary
		to in Annex 2 and non-personal	to in Annex 2 and non-personal	non-personal data.	work files and of an
		data.	data.		index which contain
					personal data as referred
					to in Annex 2 and non-
					personal data.
398.		2. The purpose of the Case	2. The purpose of the Case		2. The purpose of
		Management System shall be to:	Management System shall be		the Case Management
			to:		System shall be to:
399.		a) support the management	a) support the management		a) support the
		and coordination of investigations	and coordination of		management and
		and prosecutions for which	investigations and prosecutions		coordination of
		Eurojust is providing assistance,	for which Eurojust is providing		investigations and prosecutions for which
		in particular by the cross-	assistance, in particular by the		Eurojust is providing
		referencing of information;	cross-referencing of		assistance, in particular
		referencing of information,			by the cross-referencing
			information;		of information;

400.		b) facilitate access to	b) facilitate access to		b) facilitate access to
		information on on-going	information on on-going		information on on-going
		investigations and prosecutions;	investigations and prosecutions;		investigations and
					prosecutions;
401.	Article 24	c) facilitate the monitoring of	c) facilitate the monitoring	c) facilitate the monitoring of	Text open until the
	_	lawfulness and compliance with	of lawfulness and compliance	lawfulness and compliance with	finalization of the data
	paragraph	the provisions of this Regulation	with the provisions of this	EU legislation concerning the	protection issue in
	2 – point	concerning the processing of	Regulation concerning the	processing of personal data.	Regulation 45/2001.
	c	personal data.	processing of personal data.		
402.		3. The Case Management	3. The Case Management		3. The Case
		System may be linked to the	System may be linked to the		Management System
		secure telecommunications	secure telecommunications		may be linked to the
		connection referred to in Article 9	connection referred to in Article		secure
		of Decision 2008/976/JHA.	9 of Decision 2008/976/JHA.		telecommunications
					connection referred to
					in Article 9 of Decision
					2008/976/JHA.

403.	Article 24	4. The index shall contain	4. The index shall contain	4. The index shall contain	Agreed in principle:
	_	references to temporary work	references to temporary work	references to temporary work files	4. The index shall
	paragraph	files processed within the	files processed within the	processed within the framework of	contain references to
	4	framework of Eurojust and may	framework of Eurojust and may	Eurojust and may contain no	temporary work files
		contain no personal data other	contain no personal data other	personal data other than those	processed within the
		than those referred to in <i>points</i>	than those referred to in <i>points</i>	referred to in <i>point</i> (2) of Annex 2.	framework of Eurojust
		(1)(a) to (i), (k) and (m) and (2)	(1)(a) to (i), (k) and (m) and (2)		and may contain no
		of Annex 2.	of Annex 2.		personal data other than
					those referred to in
					points $(1)(a)$ to (i) , (k)
					and (m) and (2) of
					Annex 2.

In the performance of their In the performance of **Agreed in principle:** 404. 5. duties, the national members may their duties, the national In the process data on the individual members may process data on performance of their cases on which they are working the individual cases on which duties, the national in a temporary work file. *They* they are working in a temporary members may process data on the individual shall allow the Data Protection work file. The Data Protection Officer to have access to the Officer shall be informed by the cases on which they are temporary work file. The Data national member concerned of working in a temporary Protection Officer shall be the opening of each new work file. They shall allow the Data informed by the national member temporary work file that concerned of the opening of each contains personal data. In the Protection Officer to new temporary work file that performance of their duties the have access to the contains personal data. temporary work file. national member shall allow the Data Protection Officer to The Data Protection Officer shall be have access to the temporary informed by the work file. national member concerned of the opening of each new temporary work file that contains personal data.

405.	Article 24	6. For the processing of	6. For the processing of	6. For the processing of	Agreed in principle:
	_	operational personal data,	operational personal data,	operational personal data, Eurojust	6. For the processing
	paragraph	Eurojust may not establish any	Eurojust may not establish any	may not establish any automated	of operational personal
	6	automated data file other than the	automated data file other than	data file other than the Case	data, Eurojust may not
		Case Management System or a	the Case Management System.	Management System.	establish any automated
		temporary work file.	The national member may,		data file other than the
			however, temporarily store and		Case Management
			analyse personal data for the		System. The national
			purpose of determining		member may, however,
			whether such data are relevant		temporarily store and
			to Eurojust's tasks and can be		analyse personal data
			included in the Case		for the purpose of
			Management System. This data		determining whether
			may be held for up to 3		such data are relevant
			months.		to Eurojust's tasks and
					can be included in the
					Case Management
					System. This data may
					be held for up to 3
					months.

406.	Article 24	7. The Case Management	7. The Case Management	Agreed in principle:
	_	System and its temporary work	System and its temporary work	Deleted.
	paragraph	files shall be made available for	files shall be made available for use	
	7	use by the European Public	by the European Public	
		Prosecutor's Office.	Prosecutor's Office in the area of	
			its competence.	
407.	Article 24	8. The provisions on access to	8. The provisions on access to	Agreed in principle:
	_	the Case Management System	the Case Management System and	Deleted.
	paragraph	and the temporary work files shall	the temporary work files shall	
	8	apply mutatis mutandis to the	apply mutatis mutandis to the	
		European Public Prosecutor's	European Public Prosecutor's	
		Office. However, the information	Office in the area of its	
		entered into the Case	competence. However, the	
		Management System, temporary	information entered into the Case	
		work files and the index by the	Management System, temporary	
		European Public Prosecutor's	work files and the index by the	
		Office shall not be available for	European Public Prosecutor's	
		access at the national level.	Office shall not be available for	
			access at the national level.	

408.		Article 25	Article 25	
		Functioning of temporary work	Functioning of temporary	
		files and the index	work files and the index	
409.	Article 25	1. A temporary work file shall	1.A temporary work file shall	
	_	be opened by the national	be opened by the national	
	paragraph	member concerned for every case	member concerned for every	
	1	with respect to which information	case with respect to which	
		is transmitted to him or her in so	information is transmitted to	
		far as this transmission is in	him or her in so far as this	
		accordance with this Regulation	transmission is in accordance	
		or other applicable legal	with this Regulation. The	
		<i>instruments</i> . The national	national member shall be	
		member shall be responsible for	responsible for the management	
		the management of the temporary	of the temporary work files	
		work files opened by that national	opened by that national	
		member.	member.	

410.	Article 25	2. The national member who	2. The national member who		Agreed in principle:
	_	has opened a temporary work file	has opened a temporary work		2. The national
	paragraph	shall decide, on a case-by-case	file shall decide, on a case-by-		member who has
	2	basis, whether to keep the	case basis, whether to keep the		opened a temporary
		temporary work file restricted or	temporary work file restricted		work file shall decide,
		to give access to it or to parts of	or to give access to it or to parts		on a case-by-case basis,
		it, where necessary to enable	of it, to other national members		whether to keep the
		Eurojust to carry out its tasks, to	or to Eurojust staff or any other		temporary work file
		other national members or to	person working on behalf of		restricted or to give
		Eurojust staff authorised by the	Eurojust who has received the		access to it or to parts of
		Administrative Director.	necessary authorisation from		it, to other national
			the Administrative Director.		members or to Eurojust
					staff <i>or any other</i>
					person working on
					behalf of Eurojust who
					has received the
					necessary authorisation
					from the Administrative
					Director.
411.	Article 25	3. The national member who	3. The national member who	3. The national member who	Agreed in principle:

	_	has opened a temporary work file	has opened a temporary work	has opened a temporary work file	3. The national
	paragraph	shall decide which information	file shall decide which	shall decide which information	member who has
	3	related to this temporary work file	information related to this	related to this temporary work file,	opened a temporary
		shall be introduced in the index.	temporary work file shall be	and in accordance with Article	work file shall decide
			introduced in the index.	24(4), shall be introduced in the	which information
				index.	related to this temporary
					work file, shall be
					introduced in the index
					in accordance with
					Article 24(4).
412.		Article 26	Article 26		Article 26
		Access to the Case Management	Access to the Case		Access to the Case
		System at national level	Management System at		Management System
			national level		at national level

413.	1. Persons referred to in	1. Persons referred to in Article	1. Persons referred to in
	Article 20(2), in so far as they are	20(2), in so far as they are	Article 20(2), in so far
	connected to the Case	connected to the Case	as they are connected to
	Management System, may only	Management System, may only	the Case Management
	have access to:	have access to:	System, may only have
			access to:
414.	a) the index, unless the	a) the index, unless the	a) the index, unless
	national member who has decided	national member who has	the national member
	to introduce the data in the index	decided to introduce the data in	who has decided to
	expressly denied such access;	the index expressly denied such	introduce the data in the
		access;	index expressly denied
			such access;
415.	b) temporary work files	b) temporary work files	b) temporary work
	opened by the national member of	opened by the national member	files opened by the
	their Member State;	of their Member State;	national member of
			their Member State;

416.	c) temporary work files	c) temporary work files	c) temporary work
	opened by national members of	opened by national members of	files opened by national
	other Member States and to which	other Member States and to	members of other
	the national member of their	which the national member of	Member States and to
	Member States has received	their Member States has	which the national
	access unless the national	received access unless the	member of their
	member who opened the	national member who opened	Member States has
	temporary work file expressly	the temporary work file	received access unless
	denied such access.	expressly denied such access.	the national member
			who opened the
			temporary work file
			expressly denied such
			access.
417.	2. The national member shall,	2. The national member	2. The national
	within the limitations provided	shall, within the limitations	member shall, within
	for in paragraph 1, decide on the	provided for in paragraph 1,	the limitations provided
	extent of access to the temporary	decide on the extent of access to	for in paragraph 1,
	work files which is granted in his	the temporary work files which	decide on the extent of
	or her Member State to persons	is granted in his or her Member	access to the temporary
	referred to in Article 20(2) in so	State to persons referred to in	work files which is
	far as they are connected to the	Article 20(2) in so far as they	granted in his or her

	Case Management System.	are connected to the Case	Member State to
		Management System.	persons referred to in
			Article 20(2) in so far as
			they are connected to
			the Case Management
			System.
418.	3. Each Member State shall	3. Each Member State shall	3. Each Member
	decide, after consultation with its	decide, after consultation with	State shall decide, after
	national member, on the extent of	its national member, on the	consultation with its
	access to the index which is	extent of access to the index	national member, on the
	granted in that Member State to	which is granted in that	extent of access to the
	persons referred to in Article	Member State to persons	index which is granted
	20(2) in so far as they are	referred to in Article 20(2) in so	in that Member State to
	connected to the Case	far as they are connected to the	persons referred to in
	Management System. Member	Case Management System.	Article 20(2) in so far as
	States shall notify Eurojust and	Member States shall notify	they are connected to
	the Commission of their decision	Eurojust and the Commission of	the Case Management
	regarding the implementation of	their decision regarding the	System. Member States
	this paragraph. The Commission	implementation of this	shall notify Eurojust
	shall inform the other Member	paragraph. The Commission	and the Commission of
	States thereof.	shall inform the other Member	their decision regarding

419.	par acc nec work	Persons which have been anted access in accordance with ragraph 2 shall at least have bees to the index to the extent dessary to access the temporary ork files to which they have en granted access.	4. Persons which have been granted access in accordance with paragraph 2 shall at least have access to the index to the extent necessary to access the temporary work files to which they have been granted access.	the implementation of this paragraph. The Commission shall inform the other Member States thereof. 4. Persons which have been granted access in accordance with paragraph 2 shall at least have access to the index to the extent necessary to access the temporary work files to which they have been granted access.
732.		OCTION I OMMON PROVISIONS	SECTION I COMMON PROVISIONS	SECTION I COMMON PROVISIONS
733.	Art	ticle 38	Article 38	Article 38

Common provisions Common provisions	Common provisions
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734.	Article 38	1. In so far as necessary for	1. In so far as necessary for	1. In so far as necessary for the	1. In so far as
	_	the performance of its tasks,	the performance of its tasks,	performance of its tasks, Eurojust	necessary for the
	paragraph	Eurojust may establish and	Eurojust may establish and	may establish and maintain	performance of its
	1	maintain cooperative relations	maintain cooperative relations	cooperative relations with Union	tasks, Eurojust may
		with Union bodies and agencies	with Union bodies and agencies	bodies and agencies in accordance	establish and maintain
		in accordance with the objectives	in accordance with the	with the objectives of those bodies	cooperative relations
		of those bodies or agencies, the	objectives of those bodies or	or agencies, the competent	with Union bodies and
		competent authorities of third	agencies, the competent	authorities of third countries,	agencies in accordance
		countries, international	authorities of third countries	international organisations	with the objectives of
		organisations and the	and international organisations.	including the International	those bodies or
		International Criminal Police		Criminal Police Organisation	agencies, the competent
		Organisation (Interpol).		(Interpol) in line with the strategy	authorities of third
				referred to in Article 43.	countries
					and international
					organisations including
					the International
					Criminal Police
					Organisation (Interpol)
					in line with the strategy
					referred to in Article
					43 .

735.	Article 38	2. In so far as relevant to the	2. In so far as relevant to the	2. In so far as relevant to the	2. In so far as
	_	performance of its tasks and	performance of its tasks and	performance of its tasks and subject	relevant to the
	paragraph	subject to any restriction	subject to any restriction	to any restriction stipulated	performance of its tasks
	2	stipulated pursuant to Article	stipulated pursuant to	pursuant to Article 21(8) and	and subject to any
		21(8), Eurojust may directly	Article 21(8) and Article 62,	Article 62, Eurojust may directly	restriction stipulated
		exchange all information, with the	Eurojust may directly	exchange all information, with the	pursuant to Article
		exception of personal data, with	exchange all information,	exception of personal data, with the	21(8) and Article 62,
		the entities referred to in	with the exception of	entities referred to in paragraph 1.	Eurojust may directly
		paragraph 1.	personal data, with the		exchange all
			entities referred to in		information, with the
			paragraph 1.		exception of personal
					data, with the entities
					referred to in paragraph
					I.

736.	Article 38		2a. For the purposes set out	2a. For the purposes set out in	Agreed in principle:
	_		in paragraphs 1 and 2,	paragraphs 1 and 2, Eurojust shall	2a. For the purposes
	paragraph		Eurojust may conclude	conclude working arrangements	set out in paragraphs 1
	2 a (new)		working arrangements with	with entities referred to in	and 2, Eurojust <u>may</u>
			entities referred to in	paragraph 1. Those working	conclude working
			paragraph 1. Those working	arrangements shall not form the	arrangements with
			arrangements shall not form	basis for allowing the exchange of	entities referred to in
			the basis for allowing the	personal data and shall not bind	paragraph 1. Those
			exchange of personal data and	the Union or its Member States.	working arrangements
			shall not bind the Union or its		shall not form the basis
			Member States.		for allowing the
					exchange of personal
					data and shall not bind
					the Union or its
					Member States.
737.	Article 38	3. Eurojust may, in accordance	3. Eurojust may receive and	3. Eurojust may, in accordance	Pending until the final
	_	with Article 4 of Regulation (EC)	process personal data received	with Regulation (EC) No 45/2001,	decision on the data
	paragraph	No 45/2001, receive and process	from the entities referred to in	receive and process personal data	protection rules.
	3	personal data received from the	paragraph 1 in so far as	received from the entities referred	
		entities referred to in paragraph 1	necessary for the performance	to in paragraph 1 in so far as	
		in so far as necessary for the	of its tasks and subject to the	necessary for the performance of its	

		performance of its tasks and	provisions of Section IV.	tasks.	
		subject to the provisions of			
		Section IV.			
738.	Article 38	4. Personal data shall only be	4. Personal data shall only	deleted	Pending until the final
	_	transferred by Eurojust to third	be transferred by Eurojust to institutions, bodies, offices or		decision on the data
	paragraph	countries, international	agencies of the Union, third		protection rules.
	4 –	organisations, and Interpol if	countries and international organisations if this is		
	introduct	this is necessary for preventing	necessary for the performance		
	ory part	and combating crime that falls	of its tasks and in accordance with Articles 44 and 45. If the		
		under Eurojust's competence	data to be transferred have		
		and in accordance with this	been provided by a Member State, Eurojust shall obtain the		
		Regulation. If the data to be	consent of the relevant		
		transferred have been provided	competent authority in that Member State, unless the		
		by a Member State, Eurojust	Member State has granted its		
		shall seek that Member State's	prior authorisation to such onward transfer, either in		
		consent, unless:	general terms or subject to		
			specific conditions. Such		
			consent may be withdrawn any		
			moment.		

739.	Article 38	a) the authorisation can be		deleted	Pending until the final
	_	assumed as the Member State			decision on the data
	paragraph	has not expressly limited the			protection rules.
	4 – point	possibility of onward transfers;			
	a	or			
740.	Article 38	b) the Member State has		deleted	Pending until the final
	_	granted its prior authorisation to			decision on the data
	paragraph	such onward transfer, either in			protection rules.
	4 – point	general terms or subject to			
	b	specific conditions. Such consent			
		may be withdrawn any moment.			
741.	Article 38	5. Onward transfers to third	5. Onward transfers to third	deleted	Pending until the final
	_	parties of personal data received	parties of personal data		decision on the data
	paragraph	from Eurojust by Member States,	received from Eurojust by		protection rules.
	5	Union bodies or agencies, third	Member States, Union bodies		
		countries and international	or agencies, third countries or		
		organisations or Interpol shall	international organisations		
		be prohibited unless Eurojust	shall be prohibited unless		
		has given its explicit consent	Eurojust has obtained prior		
		after considering the	consent from the Member State		
		circumstances of the case at	who provided the data and		

		hand, for a specific purpose that	given its explicit consent after		
		is not incompatible with the	considering the circumstances		
		purpose for which the data was	of the case at hand and only		
		transmitted.	for a specific purpose that is		
			not incompatible with the		
			purpose for which the data was		
			transmitted.		
742.	Chapter 5	RELATIONS WITH	SECTION II	RELATIONS WITH PARTNERS	RELATIONS WITH
	- section	PARTNERS	RELATIONS WITH	WITHIN THE UNION	PARTNERS WITHIN
	2 – title		PARTNERS		THE UNION
743.		Article 39	Article 39		Article 39
		Cooperation with the European	Cooperation with the		Cooperation with the
		Judicial Network and other	European Judicial Network		European Judicial
		networks of the European	and other networks of the		Network and other
		Union involved in cooperation	European Union involved in		networks of the
		in criminal matters	cooperation in criminal		European Union
			matters		involved in
					cooperation in
					criminal matters

744. Eurojust and the European Eurojust and the European Eurojust and the Judicial Network in criminal Judicial Network in criminal European Judicial matters shall maintain privileged matters shall maintain Network in criminal matters shall maintain relations with each other, based privileged relations with each privileged relations on consultation and other, based on consultation and complementarity, especially complementarity, especially with each other, based between the national member, the between the national member, on consultation and European Judicial Network the European Judicial Network complementarity, contact points of the same contact points of the same especially between the Member State and the national Member State and the national national member, the correspondents for Eurojust and correspondents for Eurojust and European Judicial Network contact points the European Judicial Network. In the European Judicial Network. of the same Member order to ensure efficient In order to ensure efficient State and the national cooperation, the following cooperation, the following measures shall be taken: measures shall be taken: correspondents for Eurojust and the European Judicial Network. In order to ensure efficient cooperation, the following measures

		shall be taken:
		1

745.	a) national members shall, on	a) national members shall,	a) national members
	a case-by-case basis, inform the	on a case-by-case basis, inform	shall, on a case-by-case
	European Judicial Network	the European Judicial Network	basis, inform the
	1	1	
	contact points of all cases which	contact points of all cases which	European Judicial
	they consider the Network to be	they consider the Network to be	Network contact points
	in a better position to deal with;	in a better position to deal with;	of all cases which they
			consider the Network to
			be in a better position to
			deal with;
746.	b) the Secretariat of the	b) the Secretariat of the	b) the Secretariat of
	European Judicial Network shall	European Judicial Network	the European Judicial
	form part of the staff of Eurojust.	shall form part of the staff of	Network shall form part
	It shall function as a separate unit.	Eurojust. It shall function as a	of the staff of Eurojust.
	It may draw on the administrative	separate unit. It may draw on	It shall function as a
	resources of Eurojust which are	the administrative resources of	separate unit. It may
	necessary for the performance of	Eurojust which are necessary	draw on the
	the European Judicial Network's	for the performance of the	administrative
	tasks, including for covering the	European Judicial Network's	resources of Eurojust
	costs of the plenary meetings of	tasks, including for covering the	which are necessary for
	the Network;	costs of the plenary meetings of	the performance of the

	the Network;	European Judicial
		Network's tasks,
		including for covering
		the costs of the plenary
		meetings of the
		Network;

747.		c) European Judicial Network	c) European Judicial	c) European Judicial
		contact points may be invited on a	Network contact points may be	Network contact points
		case-by-case basis to attend	invited on a case-by-case basis	may be invited on a
		Eurojust meetings.	to attend Eurojust meetings;	case-by-case basis to
				attend Eurojust
				meetings;
748.	Article 39		d) Eurojust and the	d) Eurojust and the
	-		European Judicial Network	European Judicial
	paragraph		may make use of the ENCS	Network may make use
	1 point d		when determining whether a	of the ENCS when
	(new)		request should be handled with	determining whether a
			the assistance of Eurojust or	request should be
			the European Judicial Network	handled with the
			in accordance with Article	assistance of Eurojust
			20(5)(b).	or the European
				Judicial Network in
				accordance with
				Article $20(5)(b)$.

Article 39 The Secretariat of the The Secretariat of the The Secretariat of the **Agreed in principle:** 749. Network for Joint Investigation Network for Joint Investigation Network for Joint Investigation Teams and of the network set The Secretariat of paragraph Teams and of the network set up Teams and of the network set up by by Decision 2002/494/JHA shall up by Decision 2002/494/JHA Decision 2002/494/JHA shall form the Network for Joint 2 form part of the staff of Eurojust. shall form part of the staff of part of the staff of Eurojust. These **Investigation Teams** These secretariats shall function Eurojust. These secretariats and of the network set secretariats shall function as as separate units. They may draw shall function as separate units. separate units. They may draw on up by Decision on the administrative resources of They may draw on the 2002/494/JHA shall the administrative resources of Eurojust which are necessary for Eurojust which are necessary for administrative resources of form part of the staff of Eurojust. These the performance of their tasks. Eurojust which are necessary the performance of their tasks. Coordination between the for the performance of their Coordination between the secretariats shall secretariats shall be ensured by tasks. Coordination between the secretariats shall be ensured by function as separate Eurojust. This paragraph shall units. They may draw secretariats shall be ensured by Eurojust. This paragraph shall apply to the secretariat of any Eurojust. This paragraph shall apply to the secretariat of any on the administrative new network set up by a decision apply to the secretariat of any relevant network involved in resources of Eurojust of the Council where that new network set up by a judicial cooperation in criminal which are necessary for decision provides that the decision of the Council where the performance of their matters for which support in the secretariat *shall* be provided by that decision provides that the form of a secretariat is to be tasks. Coordination secretariat *shall* be provided by provided by Eurojust. Eurojust between the secretariats Eurojust. shall be ensured by Eurojust. may support, including where Eurojust. This appropriate by means of a

			secretariat hosted at Eurojust,	paragraph shall apply to
			relevant European networks and	the secretariat of any
			bodies involved in judicial	<i>relevant</i> network
			cooperation in criminal matters.	involved in judicial
				cooperation in criminal
				matters for which
				support in the form of
				a secretariat is to be
				provided by Eurojust.
				Eurojust may support,
				including where
				appropriate by means
				of a secretariat hosted
				at Eurojust, relevant
				European networks
				and bodies involved in
				judicial cooperation in
				criminal matters.
750.	3. The network set up by	3. The network set up by		3. The network set
	Decision 2008/852/JHA may	Decision 2008/852/JHA may		up by Decision
	request that Eurojust provide a	request that Eurojust provide a		2008/852/JHA may

	secretariat to the network. If such	secretariat to the network. If	request that Eurojust
	request is made, paragraph 2 shall	such request is made, paragraph	provide a secretariat to
	apply.	2 shall apply.	the network. If such
			request is made,
			paragraph 2 shall apply.
751.	Article 40	Article 40	Article 40
	Relations with Europol	Relations with Europol	Relations with
			Europol

Article 40 Eurojust shall take all Eurojust shall take all Eurojust shall take all Eurojust shall 752. take all appropriate appropriate measures to enable appropriate measures to enable appropriate measures to enable Europol, within its mandate, to measures to enable Europol, within its mandate, to Europol, within its mandate, to paragraph have indirect access on the basis of Europol, within its have indirect access on the basis have indirect access on the basis a hit/no hit system to information mandate, to have of a hit/no hit system to of a hit/no hit system to provided to Eurojust, without indirect access on the information provided to Eurojust, information provided to prejudice to any restrictions basis of a hit/no hit without prejudice to any Eurojust, without prejudice to indicated by the providing Member system to information any restrictions indicated by the restrictions indicated by the provided to Eurojust, States, Union bodies, third providing Member States, Union providing Member States, countries, international without prejudice to bodies, third countries, Union bodies, third countries organisations, including Interpol. any restrictions international organisations or and international organisations. In case of a hit, Eurojust shall indicated by the Interpol. In case of a hit, Eurojust In case of a hit, Eurojust shall initiate the procedure by which the providing Member shall initiate the procedure by initiate the procedure by which States, Union bodies, information that generated the hit which the information that the information that generated may be shared, in accordance with third countries, generated the hit may be shared, the hit may be shared, in the decision of the Member State, international organisations, Union body, third country, in accordance with the decision of accordance with the decision of *including Interpol*. In international organisation, the Member State, Union body, the provider of the information including Interpol that provided case of a hit, Eurojust third country, international to Eurojust. the information to Eurojust. shall initiate the organisation or Interpol that procedure by which the provided the information to information that Eurojust. generated the hit may

	be sha	red, in
	accord accord	ance with the
	decisio	on <i>of the Member</i>
	State,	Union body,
	third o	ountry,
	intern.	ational
	organi	isation, including
	Interp	o l that provided
	the inj	formation to
	Euroj i	ust.

753.	Article 40	2. Searches of information in	2. Searches of	2. Searches of information in	Compromise proposal
	_	accordance with paragraph 1 shall	information in accordance with	accordance with paragraph 1 shall	for the first part. EP
	paragraph	be made only for the purpose of	paragraph 1 shall be made only	be made only for the purpose of	addition pending until
	2	identifying whether information	for the purpose of identifying	identifying whether information	a final decision to the
		available at Eurojust matches	whether information available at	available at Eurojust matches with	data provisions will be
		with information processed at	Europol matches with	information processed at Europol.	taken.
		Europol.	information processed at	In case of a hit, Europol shall	Searches of
			Eurojust.	specify which data it needs and	information in
				Eurojust may share the data with	accordance with
				Europol only to the extent that the	paragraph 1 shall be
				data that generated the hit are	made only for the
				necessary for the legitimate	purpose of identifying
				performance of its tasks.	whether information
					available at Europol
					matches with
					information processed
					at Eurojust.

754.		3. Eurojust shall allow	3. Eurojust shall allow		3. Eurojust shall
		searches in accordance with	searches in accordance with		allow searches in
		paragraph 1 only after obtaining	paragraph 1 only after obtaining		accordance with
		from Europol information about	from Europol information about		paragraph 1 only after
		which staff members have been	which staff members have been		obtaining from Europol
		designated as authorised to	designated as authorised to		information about
		perform such searches.	perform such searches.		which staff members
					have been designated as
					authorised to perform
					such searches.
755.	Article 40	4. If during Eurojust's	4. If during Eurojust's	4. If during Eurojust's	Agreed in principle:
	_	information processing activities	information processing	information processing activities in	4. If during
	paragraph	in respect of an individual	activities in respect of an	respect of an individual	Eurojust's information
	4	investigation, Eurojust or a	individual investigation,	investigation, Eurojust or a	processing activities in
		Member State identifies the	Eurojust or a Member State	Member State identifies the	respect of an individual
		necessity for coordination,	identifies the necessity for	necessity for coordination,	investigation, Eurojust
		cooperation or support in	coordination, cooperation or	cooperation or support in	or a Member State
		accordance with the mandate of	support in accordance with the	accordance with the mandate of	identifies the necessity
		Europol, Eurojust shall notify	mandate of Europol, Eurojust	Europol, Eurojust shall notify them	for coordination,
		them thereof and shall initiate the	shall notify them thereof and	thereof and shall initiate the	cooperation or support
		procedure for sharing the	shall initiate the procedure for	procedure for sharing the	in accordance with the

		information, in accordance with	sharing the information, in	information, in accordance with the	mandate of Europol,
		the decision of the Member State	accordance with the decision of	decision of the Member State	Eurojust shall notify
		providing the information. In such	the Member State providing the	providing the information. In such	them thereof and shall
		a case <i>Eurojust</i> shall consult with	information. In such a case	a case <i>Europol</i> shall consult with	initiate the procedure
		Europol.	Eurojust shall consult with	Eurojust.	for sharing the
			Europol.		information, in
					accordance with the
					decision of the Member
					State providing the
					information. In such a
					case <i>Eurojust</i> shall
					consult with <i>Europol</i> .
756.	Article 40			4 a. Eurojust shall establish and	Agreed in principle:
	_			maintain close cooperation with	4 a. Eurojust shall
	paragraph			Europol, in so far as is relevant	establish and maintain
	4 a (new)			for the performance of the tasks of	close cooperation with
				the two agencies and for achieving	Europol, in so far as is
				their objectives, taking account of	relevant for the
				the need to avoid duplication of	performance of the
				effort.	tasks of the two
				To that end, the Director of	agencies and for

		Europol and the President of	achieving their
		Eurojust shall meet on a regular	objectives, taking
		basis to discuss issues of common	account of the need to
		concern.	avoid duplication of
			effort.
			To that end, the
			Executive Director of
			Europol and the
			President of Eurojust
			shall meet on a regular
			basis to discuss issues
			of common concern.

757.	Article 40	5. Europol shall respect any	5. Europol shall respect any		Agreed in principle:
	_	restriction to access or use, in	restriction to access or use, in		5. Europol shall
	paragraph	general or specific terms,	general or specific terms,		respect any restriction
	5	indicated by Member States,	indicated by Member States,		to access or use, in
		Union bodies or agencies, third	Union bodies or agencies, third		general or specific
		countries, international	countries or international		terms, indicated by
		organisations or Interpol.	organisations.		Member States, Union
					bodies or agencies,
					third countries or
					international
					organisations.
758.		Article 41	Article 41		Article 41
		Relations with the European	Relations with the European		Relations with the
		Public Prosecutor's Office	Public Prosecutor's Office		European Public
					Prosecutor's Office
759.	Article 41	1. Eurojust shall establish and	1. Eurojust shall establish	1. Eurojust shall establish and	Compromise
	_	maintain a <i>special</i> relationship	and maintain a <i>close</i>	maintain a <i>close</i> relationship with	proposal: 1. Eurojust shall
	paragraph	with the European Public	relationship with the European	the European Public Prosecutor's	establish and maintain a
	1	Prosecutor's Office based on <i>close</i>	Public Prosecutor's Office	Office based on <i>mutual</i>	<i>close</i> relationship with the European Public
		cooperation <i>and</i> the development	based on <i>mutual</i> cooperation	cooperation within their respective	Prosecutor's Office
		of operational, administrative	within their respective	mandates and competences and on	based on <i>mutual</i> cooperation <i>within</i>
					their respective

and management links between them as defined below. To this end, the European Public Prosecutor and the President of Eurojust shall meet on a regular basis to discuss issues of common concern.

mandates and on the development of operational, administrative and management links between them as defined in this Article. To this end, the President of Eurojust and the European Chief Prosecutor shall meet on a regular basis to discuss issues of common interest.

the development of operational and administrative links between them as defined in this Article. To this end, the President of Eurojust and the European Chief Prosecutor shall meet on a regular basis to discuss issues of common interest. They shall meet upon request of the President of Eurojust or the European Chief Prosecutor.

mandates and competences and on the development of operational, and administrative and management/managem ent links between them as defined in this Article. To this end, the President of Eurojust and the *European* Chief Prosecutor shall meet on a regular basis to discuss issues of common interest. They shall meet upon request of the President of Eurojust or the European Chief Prosecutor.

760.	Article 41	2. Eurojust shall treat <i>any</i>	2. Eurojust shall treat	2. Eurojust shall treat <i>requests</i>	Compromise
	_	request for support emanating	requests for support emanating	for support emanating from the	proposal:
	paragraph	from the European Public	from the European Public	European Public Prosecutor's	2.Eurojust shall treat
	2	Prosecutor's Office without undue	Prosecutor's Office without	Office without undue delay, and	requests for support
		delay, and shall deal with such	undue delay, and shall deal with	shall deal with such requests as if	emanating from the
		requests, where appropriate, as if	such requests, where	they had been received from a	European Public
		they had been received from a	appropriate, as if they had been	national authority competent for	Prosecutor's Office
		national authority competent for	received from a national	judicial cooperation.	without undue delay,
		judicial cooperation.	authority competent for judicial		and shall deal with such
			cooperation.		requests, where
					appropriate, as if they
					had been received from
					a national authority
					competent for judicial
					cooperation.
761.		3. Whenever necessary,	3. Whenever necessary,		3. Whenever
		Eurojust shall make use of the	Eurojust shall make use of the		necessary, Eurojust
		Eurojust National Coordination	Eurojust National Coordination		shall make use of the
		Systems established in	Systems established in		Eurojust National
		accordance with Article 20, as	accordance with Article 20, as		Coordination Systems
		well as the relations it has	well as the relations it has		established in
		established with third countries,	established with third countries,		accordance with Article

including its liaison magistrates,	including its liaison magistrates,	20, as well as the
in order to support the	in order to support the	relations it has
cooperation established in	cooperation established in	established with third
accordance with paragraph 1.	accordance with paragraph 1.	countries, including its
		liaison magistrates, in
		order to support the
		cooperation established
		in accordance with
		paragraph 1.

762.	Article 41	4. The cooperation	4. In operational matters,	4. In operational matters	Agreed in principle:
	_	established in accordance with	Eurojust may associate the	relevant to competences of EPPO,	4. In operational
	paragraph	paragraph 1 shall entail the	European Public Prosecutor's	Eurojust shall associate the	matters relevant to
	4	exchange of information,	Office with its activities	European Public Prosecutor's	competences of EPPO,
		including personal data. Any	concerning cross-border cases,	Office with its activities	Eurojust shall inform
		data thus exchanged shall only	including by:	concerning cross-border cases,	and, where
		be used for the purposes for		including by:	appropriate, associate
		which it was provided. Any other			the European Public
		usage of the data shall only be			Prosecutor's Office
		allowed in as far as such usage			with its activities
		falls within the mandate of the			concerning cross-
		body receiving the data, and			border cases, including
		subject to the prior authorisation			by:
		of the body which provided the			
		data.			

763.			a) sharing information,	(a) sharing information, including	Agreed in principle:
			including personal data, on its	personal data, on its cases in	a) sharing information,
			cases in accordance with the	accordance with the relevant EU	including personal
			relevant provisions in this	provisions on data protection;	data, on its cases in
			Regulation;		accordance with the
					relevant provisions in
					this Regulation;
764.			b) inviting the European	(b) request support, where	Agreed in principle:
			Public Prosecutor's Office to	appropriate, provided by the	(b) requesting support,
			provide support in relevant	European Public Prosecutor's	where appropriate,
			cases.	Office.	provided by the
					European Public
					Prosecutor's Office.
765.	Article 41	5. For the purpose of	5. Eurojust shall have	5. Eurojust shall have access on	Agreed in principle
	_	identifying whether information	indirect access on the basis of a	the basis of a hit/no-hit system to	(with the exception of
	paragraph	available at Eurojust matches	hit/no-hit system to	information in the case	the last sentence).
	5	with information processed by	information in the case	management system of the	5. Eurojust shall
		the European Public	management system of the	European Public Prosecutors	have indirect access on
		Prosecutor's Office, Eurojust	European Public Prosecutor's	Office. Whenever a match is found	the basis of a hit/no-hit
		shall put in place a mechanism	Office. Whenever a match is	between data entered into the case	system to information
					in the case

for automatic cross-checking of data entered into its Case Management System. Whenever a match is found between data entered into the Case Management System by the European Public Prosecutor's Office and data *entered* by Eurojust, the fact that there is a match will be communicated to both Eurojust and the European Public Prosecutor's Office, as well as the Member *State* which provided the data to Eurojust. *In* cases where the data was provided by a third party, Eurojust shall only inform that third party of the match found with the consent of the European Public Prosecutor's Office.

found between data entered into the case management system by the European Public Prosecutor's Office and data held by Eurojust, the fact that there is a match will be communicated to both Eurojust and the European Public Prosecutor's Office, as well as the Member *State* which provided the data to Eurojust. Eurojust shall take the appropriate measures to enable the European Public Prosecutor's Office to have indirect access to information in its case management system on the basis of a hit/no-hit system.

management system by the European Public Prosecutor's Office and data *held* by Eurojust, the fact that there is a match will be communicated to both Eurojust and the European Public Prosecutor's Office, as well as the Member States which provided the data to Eurojust. Eurojust shall take the appropriate measures to enable the European Public Prosecutor's Office to have access to information in its case management system on the basis of a hit/no-hit system.

management system of the European Public Prosecutor's Office. Whenever a match is found between data entered into the case management system by the European Public Prosecutor's Office and data *held* by Eurojust, the fact that there is a match will be communicated to both Eurojust and the European Public Prosecutor's Office, as well as the Member State which provided the data to Eurojust. Eurojust shall take the appropriate measures to enable the European Public Prosecutor's

		Office to have indirect
		access to information
		in its case management
		system on the basis of a
		hit/no-hit system.
		Processing of personal
		<mark>data shall be regulated</mark>
		by regulation 45/2001.

766.	Article 41	6. Eurojust shall designate and	6. The European Public		Agreed in principle:
	-	inform the European Public	Prosecutor's Office may rely		6. The European
	paragraph	Prosecutor's Office which staff	on the support and resources		Public Prosecutor's
	6	members shall be authorised to	of the administration of		Office may rely on the
		have access to the results of the	Eurojust. To this end, Eurojust		support and resources
		cross-checking mechanism.	may provide services of		of the administration
			common interest to the		of Eurojust. To this
			European Public Prosecutor's		end, Eurojust may
			Office. The details shall be		provide services of
			regulated by an arrangement.		common interest to the
					European Public
					Prosecutor's Office.
					The details shall be
					regulated by an
					arrangement.
767.	Article 41 paragraph 6 a (new)			6 a. The European Public Prosecutor's Office may rely on the support of the administration of Eurojust. To this end, Eurojust may provide services of common interest to the European Public Prosecutor's Office. The details shall be regulated by an arrangement in accordance with Art 38/2a.	Deleted

768.	Article 41	7. Eurojust shall support the	deleted	deleted	Deleted
	_	functioning of the European			
	paragraph	Public Prosecutor's Office			
	7	through services to be supplied			
		by its staff. Such support shall in			
		any case include:			
769.		a) technical support in the			Deleted
		preparation of the annual			
		budget, the programming			
		document containing the annual			
		and multiannual programming			
		and the management plan;			
770.		b) technical support in staff			Deleted
		recruitment and career-			
		management;			
771.		c) security services;			Deleted
772.		d) Information Technology			Deleted
		services;			
773.		e) financial management,			Deleted
		accounting and audit services;			

774.	f) any other services of common		Deleted
	interest.		
775.	The details of the services to be		Deleted
	provided shall be laid down in an		
	agreement between Eurojust and		
	the European Public		
	Prosecutor's Office.		
776.	8. The European Public	deleted	deleted
	Prosecutor may address written		
	opinions to the College, to which		
	the College shall respond in		
	writing without undue delay.		
	Such written opinions shall in any		
	case be presented whenever the		
	College adopts the annual budget		
	and work programme.		
777.	Article 42	Article 42	Article 42
	Relations with other Union	Relations with other Union	Relations with other
	bodies and agencies	bodies and agencies	Union bodies and
			agencies

778.		1. Eurojust shall establish and	1. Eurojust shall establish and		1. Eurojust shall
		maintain cooperative relations	maintain cooperative relations		establish and maintain
		with the European Judicial	with the European Judicial		cooperative relations
		Training Network.	Training Network.		with the European
					Judicial Training
					Network.
779.	Article 42	2. OLAF <i>may</i> contribute to	2. OLAF <i>shall</i> contribute to	2. OLAF <i>shall</i> contribute to	Agreed in principle:
	_	Eurojust's coordination work	Eurojust's coordination work	Eurojust's coordination work	2. OLAF <i>shall</i>
	paragraph	regarding the protection of the	regarding the protection of the	regarding the protection of the	contribute to Eurojust's
	2	financial interests of the Union, in	financial interests of the Union,	financial interests of the Union, in	coordination work
		accordance with its mandate	in accordance with its mandate	accordance with its mandate under	regarding the protection
		under Regulation (EU, Euratom)	under Regulation (EU,	Regulation (EU, Euratom) of the	of the financial interests
		of the European Parliament and of	Euratom) of the European	European Parliament and of the	of the Union, in
		the Council <i>No</i> /2013	Parliament and of the Council	Council No 883/2013 concerning	accordance with its
		concerning investigations	No 883/2013 concerning	investigations conducted by the	mandate under
		conducted by the European Anti-	investigations conducted by the	European Anti-Fraud Office	Regulation (EU,
		•	European Anti-Fraud Office	(OLAF) and repealing Regulation	Euratom) of the
		Fraud Office (OLAF) and	(OLAF) and repealing	(EC) No 1073/1999 of the	European Parliament
		repealing Regulation (EC) No	Regulation (EC) No 1073/1999	European Parliament and of the	and of the Council <i>No</i>
		1073/1999 of the European	of the European Parliament and	Council and Council Regulation	883/2013 concerning
		Parliament and of the Council and	of the Council and Council	(Euratom) No 1074/1999.	investigations
		Council Regulation (Euratom) No	Regulation (Euratom) No		conducted by the
			1074/1999.		European Anti-Fraud

1074/1999.		Office (OLAF) and
		repealing Regulation
		(EC) No 1073/1999 of
		the European
		Parliament and of the
		Council and Council
		Regulation (Euratom)
		No 1074/1999.

780.	Article 42			2a. Frontex shall contribute to	Compromise
	_			Eurojust's work including by	proposal:
	paragraph			transmitting relevant information	2a. Frontex shall
	2 a (new)			processed in accordance with its	contribute to Eurojust's
				mandate and tasks under	work including by
				Regulation (EU) 2016/1624,	transmitting relevant
				processing of personal data shall	information processed
				be regulated by regulation	in accordance with its
				45/2001.	mandate and tasks
					under Article 8(1) m) of
					Regulation (EU)
					2016/1624, processing
					of personal data shall be
					regulated by regulation
					45/2001.
781.	Article 42	3. For purposes of the receipt	3. For purposes of the receipt	3. For purposes of the receipt	Agreed in principle:
	_	and transmission of information	and transmission of information	and transmission of information	3. For purposes of
	paragraph	between Eurojust and OLAF, and	between Eurojust and OLAF,	between Eurojust and OLAF, and	the receipt and
	3	without prejudice to Article 8,	and without prejudice to Article	without prejudice to Article 8,	transmission of
		Member States shall ensure that	8, Member States shall ensure	Member States shall ensure that the	information between
		the national members of Eurojust	that the national members of	national members of Eurojust shall	Eurojust and OLAF,

shall be regarded as competent authorities of the Member States solely for the purposes of Regulation (EC) No 1073/1999 and Council Regulation (Euratom) No 1074/1999¹⁹. The exchange of information between OLAF and national members shall be without prejudice to the information which must be given to other competent authorities under those Regulations.

Eurojust shall be regarded as competent authorities of the Member States solely for the purposes of Regulation (EU, Euratom) of the European Parliament and of the Council No 883/2013 concerning investigations conducted by the European Anti-Fraud Office (*OLAF*). The exchange of information between OLAF and national members shall be without prejudice to the information which must be given to other competent authorities under those Regulations.

be regarded as competent
authorities of the Member States
solely for the purposes of
Regulation (EU, Euratom) of the
European Parliament and of the
Council No 883/2013 concerning
investigations conducted by the
European Anti-Fraud Office
(OLAF). The exchange of
information between OLAF and
national members shall be without
prejudice to the information which
must be given to other competent
authorities under those Regulations.

and without prejudice to Article 8, Member States shall ensure that the national members of Eurojust shall be regarded as competent authorities of the Member States solely for the purposes of Regulation (EU, Euratom) of the European Parliament and of the Council No 883/2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF). The exchange of information between **OLAF** and national

			members shall be without prejudice to the information which must be given to other competent authorities under those
782.	SECTION III	SECTION III	Regulations. SECTION III
, 02.	INTERNATIONAL COOPERATION	INTERNATIONAL COOPERATION	INTERNATIONAL COOPERATION

Article 43 Relations with the authorities of third countries and international
authorities of third countries and
countries and
international
mici national
organisations
tablish and Agreed in principle:
with the -1. Eurojust <u>may</u>
untries and establish and maintain
tions. cooperation with the
authorities of third
countries and
international
organisations.
hall Agreed in principle:
rs, in To that end, Eurojust
Commission, shall prepare, every
which four years, in
ntries and Commission, a
tions with cooperation strategy
s a C

		which there is an operational need	which pinpoints the
		for cooperation.	third countries and
			international
			organisations with
			which there is an
			operational need for
			cooperation.

786.	Article 43	1. Eurojust may establish	1. The working arrangements	1. To this end, Eurojust may	Agreed in principle:
	_	working arrangements with the	referred to in Article 38(2a)	establish working arrangements	1. Eurojust may
	paragraph	entities referred to in Article	may include the secondment of	with the entities referred to in	establish working
	1	38(1).	liaison magistrates to Eurojust.	Article 38(1).	arrangements with the
					entities referred to in
					Article 38(1).
787.		2. Eurojust may designate, in	2. Eurojust may designate, in		Agreed in principle:
		agreement with the competent	agreement with the competent		2. Eurojust may
		authorities, contact points in third	authorities concerned, contact		designate, in agreement
		countries in order to facilitate	points in third countries in order		with the competent
		cooperation.	to facilitate cooperation in line		authorities concerned,
			with Eurojust's operational		contact points in third
			needs.		countries in order to
					facilitate cooperation in
					line with Eurojust's
					operational needs.
788.	Article		Article 43a		Agreed in principle:
	43a (new)		Liaison magistrates posted to		Article 43a Liaison magistrates
			third countries		posted to third
					countries and from third countries to
					Eurojust (from line 843)

789.	Article	1. For the purpose of	Agreed in principle:
	43a -	facilitating judicial cooperation	1. For the purpose of
	paragraph	with third countries in cases in	facilitating judicial
	1 (new)	which Eurojust is providing	cooperation with third
		assistance in accordance with	countries in cases in
		this Regulation, the College	which Eurojust is
		may post liaison magistrates to	providing assistance in
		a third country subject to a	accordance with this
		working arrangement as	Regulation, the College
		referred to in Article 38(2a)	may post liaison
		with that third country.	magistrates to a third
			country subject to a
			working arrangement
			as referred to in Article
			38(2a) with that third
			country.
790.		1(a) The tasks of the liaison	
		magistrates shall include any	Agreed in principle
		activity designed to encourage	the first part. Second
		and accelerate all forms of	part pending till data
		judicial cooperation in	protection decided.

	criminal matters, in particular	1(a) The tasks of the
	by establishing direct links with	liaison magistrates
	the competent authorities of	shall include any
	the host State. The liaison	activity designed to
	magistrate may exchange	encourage and
	operational personal data with	accelerate all forms of
	the competent authorities of	judicial cooperation in
	the State concerned in the	criminal matters, in
	performance of their tasks in	particular by
	accordance with Article 45.	establishing direct
		links with the
		competent authorities
		of the host State. The
		liaison magistrate may
		exchange operational
		personal data with the
		competent authorities
		of the State concerned
		in the performance of
		their tasks in
		<u>accordance with</u>

			Article 45.
791.	Article	2. The liaison magistrate	Agreed in principle:
	43a -	referred to in paragraph 1 is	2. The liaison
	paragraph	required to have experience of	magistrate referred to
	2 (new)	working with Eurojust and	in paragraph 1 is
		adequate knowledge of judicial	required to have
		cooperation and how Eurojust	experience of working
		operates. The posting of a	with Eurojust and
		liaison magistrate on behalf of	adequate knowledge of
		Eurojust shall be subject to the	judicial cooperation
		prior consent of the magistrate	and how Eurojust
		and of his or her Member	operates. The posting
		State.	of a liaison magistrate
			on behalf of Eurojust
			shall be subject to the
			prior consent of the
			magistrate and of his
			or her Member State.
792.	Article	3. Where the liaison magistrate	Agreed in principle:
	43a -	posted by Eurojust is selected	3. Where the liaison
	paragraph	among national members,	magistrate posted by

	3 (new)	deputies or assistants:	Eurojust is selected
			among national
			members, deputies or
			assistants:
793.	Article	a) he or she shall be replaced	Agreed in principle:
	43a -	in his or her function as a	a) he or she shall be
	paragraph	national member, deputy or	replaced in his or her
	3 point a	Assistant, by the Member	function as a national
	(new)	State;	member, deputy or
			Assistant, by the
			Member State;

794.	Article	b) he or she ceases to be	Agreed in principle:
	43a -	entitled to exercise the powers	b) he or she ceases to
	paragraph	granted to him or her in	be entitled to exercise
	3 point b	accordance with Article 8.	the powers granted to
	(new)		him or her in
			accordance with
			Article 8.
795.	Article	4. Without prejudice to Article	Agreed in principle:
	43a -	110 of the Staff Regulations,	4. Without prejudice to
	paragraph	the College shall draw up the	Article 110 of the Staff Regulations, the
	4 (new)	terms and conditions of the	College shall draw up
		posting of liaison magistrates,	the terms and
		including the level of	conditions of the
		remuneration and adopt the	posting of liaison magistrates, including
		necessary implementing	the level of
		arrangements in this respect in	remuneration and
			adopt the necessary
		consultation with the	implementing
		Commission.	arrangements in this
			respect in consultation
			with the Commission.

796.	Article	5. The activities of liaison	Agreed in principle:
	43a -	magistrates posted by Eurojust	5. The activities of
			liaison magistrates
	paragraph	shall be subject to the	posted by Eurojust shall be subject to the
	5 (new)	supervision of the European	snau be subject to the supervision of the
		Data Protection Supervisor.	European Data
		_	Protection Supervisor.
		The liaison magistrates shall	The liaison magistrates
		report to the College, which	shall report to the
		shall inform the European	College, which shall
			inform the European
		Parliament and the Council in	Parliament and the Council in the annual
		the annual report and in an	report and in an
		appropriate manner of their	appropriate manner of
		activities. The liaison	their activities. The
			liaison magistrates
		magistrates shall inform	shall inform national
		national members and national	members and national competent authorities
		competent authorities of all	of all cases concerning
			their Member State.
		cases concerning their Member	
		State.	

797.	Article	6. Competent authorities of the	Agreed in principle:
, , , , ,	43a -	Member States and liaison	6. Competent authorities of
	paragraph	magistrates referred to in	the Member States and liaison
	6 (new)	paragraph 1 may contact each	magistrates referred to in
		other directly. In such cases,	paragraph 1 may contact each
		the liaison magistrate shall	other directly. In such cases,
		inform the national member	the liaison magistrate shall
		concerned of such contacts.	inform the national member
			concerned of such contacts.
798.	Article	7. The liaison magistrates	Agreed in principle:
	43a -	referred to in paragraph 1	7. The liaison magistrates
	paragraph	shall be connected to the Case	referred to in paragraph 1
	7 (new)	Management System.	shall be connected to the Case
			Management System.
799.	Article	Article 43b	Agreed in principle:
	43b (new)	Requests for judicial	Article 43b
		cooperation to and from third	Requests for judicial
		Countries	cooperation to and from third
			Countries

800.	Article	1. Eurojust may, with the	Agreed in principle:
	43b -	agreement of the Member	1. Eurojust may, with the
	paragraph	States concerned, coordinate	agreement of the Member
	1 (new)	the execution of requests for	States concerned, coordinate
		judicial cooperation issued by a	the execution of requests for
		third country where these	judicial cooperation issued by
		requests require execution in at	a third country where these
		least two Member States as	requests require execution in
		part of the same investigation.	at least two Member States as
		Such requests may also be	part of the same investigation.
		transmitted to Eurojust by a	Such requests may also be
		competent national authority.	transmitted to Eurojust by a
			competent national authority.

801.	Article	2. In case of urgency and in	Agreed in principle:
	43b -	accordance with Article 19, the	2. In case of urgency and in
	paragraph	On-Call Coordination (OCC)	accordance with Article 19,
	2 (new)	may receive and transmit	the On-Call Coordination
		requests referred to in	(OCC) may receive and
		paragraph 1 of this Article and	transmit requests referred to
		issued by a third country which	in paragraph 1 of this Article
		has concluded a cooperation	and issued by a third country
		agreement or working	which has concluded a
		arrangement with Eurojust	cooperation agreement or
			working arrangement with
			Eurojust.
802.	Article	3. Without prejudice to Article	Agreed in principle:
	43b -	3(4), where requests for	3. Without prejudice to Article
	paragraph	judicial cooperation, which	3(4), where requests for
	3 (new)	relate to the same investigation	judicial cooperation, which
	3 (new)	and require execution in a	relate to the same
		third country, are made by a	investigation and require
		Member State concerned,	execution in a third country,
		Eurojust shall facilitate	are made by a Member State
		judicial cooperation with that	concerned, Eurojust shall
		third country.	facilitate judicial cooperation
			with that third country.

803.		SECTION IV	SECTION IV	Section IV
		TRANSFERS OF PERSONAL	TRANSFERS OF	Pending until the final decision
		DATA	PERSONAL DATA	on data protection rules.
804.	Article 44	Article 44	Article 44	
		Transfer of personal data to	Transmission of operational	
		Union bodies or agencies	personal data to institutions,	
			bodies, offices and agencies of	
			the Union	
805.	Article 44	Subject to any possible	1. Subject to any further	
	_	restrictions pursuant to Article	restrictions pursuant to this	
	paragraph	21(8) Eurojust <i>may directly</i>	Regulation, in particular	
	1	transfer personal data to Union	Article 21 (8), 27f, 38(4), 62	
		bodies or agencies in so far as it	Eurojust shall only transmit	
			operational personal data to	
		is necessary for the performance	another institution, body,	
		of its tasks or those of the	office or agency of the Union if	
		recipient Union body or agency.	the data are necessary for the	
			<i>legitimate</i> performance of tasks	
			covered by the competence of	
			the other institution, body,	
			office or agency of the Union.	

806.	Article 44	2. Where the operational
	_	personal data are transmitted
	paragraph	following a request from the
	2 (new)	other institution, body, office
		or agency of the Union, both
		the controller and the recipient
		shall bear the responsibility for
		the legitimacy of this transfer.
		Eurojust shall be required to
		verify the competence of the
		other institution, body, office
		or agency of the Union and to
		make a provisional evaluation
		of the necessity for the
		transmission of the operational
		personal data. If doubts arise
		as to this necessity, Eurojust
		shall seek further information
		from the recipient.
		The other institution, body,
		office or agency of the Union
		office of agency of the citien

			shall ensure that the necessity	
			for the transmission of the	
			operational personal data can	
			be subsequently verified.	
807.	Article 44		3. The other institution,	
	-		body, office or agency of the	
	paragraph		Union shall process the	
	3 (new)		operational personal data only	
			for the purposes for which they	
			were transmitted.	
808.	Article 45	Article 45	Article 45	
	- title	Transfer of personal data to	General principles for	
		third countries and international	transfers of operational	
		organisations	personal data to third countries	
			and international	
			organisations	

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809.	Article 45	1. Eurojust may transfer	1. Eurojust may transfer
	-	personal data to an authority of a	operational personal data to a
	paragraph	third country or to an	third country or international
	1	international organisation or	organisation, subject to
		Interpol, in so far as this is	compliance with the other
		necessary for it to perform its	provisions of this Regulation,
		tasks, only on the basis of:	only where the conditions laid
			down in this Article are met:
810.	Article 45	a) a decision of the	(a) the transfer is necessary
	-	Commission adopted in	for the performance of the
	paragraph	accordance with Articles 25 and	tasks of Eurojust;
	1 point a	31 of Directive 95/46/EC of the	
		European Parliament and of the	
		Council ⁸ that that country or	
		international organisation, or a	
		processing sector within that	
		third country or international	
		organisation ensures an	
		adequate level of protection	
		(adequacy decision); or	

⁸ OJ L 281, 23.11.1995, p. 31.

811.	Article 45	b) an international agreement	(b) the operational personal	
	_	concluded between the Union	data are transferred to an	
	naraaranh	and that third country or	authority in a third country or	
	paragraph	·		
	1 point b	international organisation	international organisation	
		pursuant to Article 218 of the	competent in law enforcement	
		Treaty adducing adequate	and criminal matters;	
		safeguards with respect to the		
		protection of privacy and		
		fundamental rights and freedoms		
		of individuals; or		
812.	Article 45	c) a cooperation agreement	(c) where the operational	
	-	concluded between Eurojust and	personal data to be transferred	
	paragraph	that third country or	in accordance with this Article	
	1 point c	international organisation in	have been transmitted or made	
		accordance with Article 27 of	available by a Member State of	
		Decision 2002/187/JHA .	the European Union to	
			Eurojust, the latter shall obtain	
			prior authorisation for the	
			transfer by the relevant	
			competent authority of that	
			Member State of the European	

		Union in compliance with its
		national law, unless that
		Member State of the European
		Union has granted this
		authorisation to such transfer
		in general terms or subject to
		specific conditions;
813.	Article 45	(d) in the case of an onward
	-	transfer to another third
	paragraph	country or international
	1 point d	organisation by a third country
	(new)	or international organisation,
		Eurojust shall require the third
		country or international
		organisation to seek its prior
		authorisation for that onward
		transfer, which Eurojust may
		provide only with prior
		authorisation of the Member
		State the data originates from
		and after taking into due

		account all relevant factors,	
		including the seriousness of	
		the criminal offence, the	
		purpose for which the	
		operational personal data was	
		originally transferred and the	
		level of personal data	
		protection in the third country	
		or an international	
		organisation to which	
		operational personal data are	
		onward transferred;	
814.	Such transfers do not require	Deleted	
	further authorisation. Eurojust		
	may conclude working		
	arrangements to implement such		
	agreements or adequacy		
	decisions.		

815.	Article 45	1bis. Subject to conditions in
	-	paragraph 1 of this Article,
	paragraph	Eurojust may transfer
	1bis	operational personal data to a
	(new)	third country or international
		organisation only where one of
		the following applies:
816.	Article 45	(a) the Commission has
	-	decided pursuant to Article 45a
	paragraph	that the third country or
	1bis point	international organisation in
	a (new)	question ensures an adequate
		level of protection, or in the
		absence of such an adequacy
		decision, where appropriate
		safeguards are adduced or
		exist pursuant to Article 45b,
		or both in absence of an
		adequacy decision and of such
		appropriate safeguards,

		derogation for specific
		situations apply pursuant to
		Article 45c; or
817.	Article 45	(b) on the basis of a
	-	cooperation agreement
	paragraph	concluded before [] ⁹ between
	1bis point	Eurojust and that third country
	b (new)	or international organisation
		in accordance with Article 27
		of Decision 2002/187/JHA; or
818.	Article 45	(c) on the basis of an
	-	international agreement
	paragraph	concluded between the Union
	1bis point	and the third country or
	c (new)	international organisation
	c (new)	pursuant to Article 218 of the
		Treaty adducing adequate
		safeguards with respect to the
		protection of privacy and
		fundamental rights and
		freedoms of individuals.

⁹ Date of application of this Regulation

819.	Article 45		1.a. The working
	-		arrangements referred to in
	paragraph		Article 38(2a) may be used to
	1a (new)		set out the modalities to
			implement such agreements or
			adequacy decisions.
820.	Article 45	2. By way of derogation from	2. Eurojust may in case of
	-	paragraph 1, Eurojust may	urgency transfer operational
	paragraph	authorise the transfer of	personal data without prior
	2	personal data to third countries	authorisation by a
		or international organisations or	Member State of the European
		Interpol on a case-by-case basis	Union in accordance with
		if:	point (c) of paragraph 1 only if
			the transfer of the operational
			personal data is necessary for
			the prevention of an immediate
			and serious threat to public
			security of a Member State of
			the European Union or a third
			country or to essential interests
			of a Member State of the

			European Union and the prior
			authorisation cannot be
			obtained in good time. The
			authority responsible for giving
			prior authorisation shall be
			informed without delay.
821.	Article 45	a) the transfer of data is	Deleted
	-	absolutely necessary to	
	paragraph	safeguard the essential interests	
	2 point a	of one or more Member States	
		within the scope of Eurojust's	
		objectives;	
822.	Article 45	b) the transfer of the data is	Deleted
	-	absolutely necessary in the	
	paragraph	interests of preventing imminent	
	2 point b	danger associated with crime or	
		terrorist offences;	

823.	Article 45	c) the transfer is otherwise	Deleted
	-	necessary or legally required on	
	paragraph	important public interest	
	2 point c	grounds of the Union or its	
		Member States, as recognised by	
		Union law or by national law, or	
		for the establishment, exercise or	
		defence of legal claims; or	
824.	Article 45	d) the transfer is necessary to	Deleted
	-	protect the vital interests of the	
	paragraph	data subject or another person.	
	2 point d		
825.	Article 45	3. Moreover the College may,	3. The transfer of
	-	in agreement with the European	operational personal data
	paragraph	Data Protection Supervisor,	received from Eurojust to a
	3	authorise a set of transfers in	third country or an
		conformity with points a) to d)	international organisation by a
		above, taking into account the	Member State of the European
		existence of safeguards with	Union, or institution, body,
		respect to the protection of	office or agency of the Union
		privacy and fundamental rights	shall be prohibited. This shall

and freedoms of individuals, for	not apply in cases where
a period not exceeding one year,	Eurojust has authorised such
renewable.	transfer, after taking into due
	account all relevant factors,
	including the seriousness of
	the criminal offence, the
	purpose for which the
	operational personal data was
	originally transmitted and the
	level of personal data
	protection in the third country
	or an international
	organisation to which
	operational personal data are
	transferred.
	a period not exceeding one year,

826.	Article 45	4. The European Data	4. Articles 45a to 45c shall
	-	Protection Supervisor shall be	be applied in order to ensure
	paragraph	informed of cases where	that the level of protection of
	4	paragraph 3 was applied.	natural persons ensured by this
			Regulation and by Union law
			is not undermined.
827.	Article 45	5. Eurojust may transfer	Deleted
	-	administrative personal data in	
	paragraph	accordance with Article 9 of	
	5	Regulation (EC) No 45/2001.	
828.	Article		Article 45a
	45a - title		Transfers on the basis of an
	(new)		adequacy decision
829.	Article		Eurojust may transfer
	45a (new)		operational personal data to a
			third country or an
			international organisation
			where the Commission has
			decided in accordance with
			Article 36 of
			Directive (EU) 2016/680 that

		the third country, a territory or	
		one or more specified sectors	
		within that third country, or	
		the international organisation	
		in question ensures an	
		adequate level of protection.	
830.	Article	Article 45b	
	45b - title	Transfers subject to	
	(new)	appropriate safeguards	
831.	Article	1. In the absence of an	
	45b -	adequacy decision, Eurojust	
	paragraph	may transfer operational	
	1 (new)	personal data to a third	
		country or an international	
		organisation where:	
832.	Article	(a) appropriate safeguards	
	45b -	with regard to the protection of	
	paragraph	operational personal data are	
	1 point a	provided for in a legally	
	(new)	binding instrument; or	

833.	Article	(b) Eurojust has assessed all	
	45b -	the circumstances surrounding	
	paragraph	the transfer of operational	
	1 point b	personal data and concludes	
	(new)	that appropriate safeguards	
		exist with regard to the	
		protection of operational	
		personal data.	
834.	Article	2. Eurojust shall inform the	
	45b -	European Data Protection	
	paragraph	Supervisor about categories of	
	2 (new)	transfers under point (b) of	
		paragraph 1.	
835.	Article	3. When a transfer is based	
	45b -	on point (b) of paragraph 1,	
	paragraph	such a transfer shall be	
	3 (new)	documented and the	
		documentation shall be made	
		available to the European Data	
		Protection Supervisor on	
		request, including the date and	

		time of the transfer, and
		information about the
		receiving competent authority,
		about the justification for the
		transfer and about the
		operational personal data
		transferred.
836.	Article	Article 45c
	45c - title	Derogations for specific
	(new)	situations
837.	Article	1. In the absence of an
	45c -	adequacy decision, or of
	paragraph	appropriate safeguards
	1 (new)	pursuant to Article 45b,
		Eurojust may transfer
		operational personal data to a
		third country or an
		international organisation only
		on the condition that the
		transfer is necessary:

838.	Article	(a) in order to protect the
	45c -	vital interests of the data
	paragraph	subject or another person;
	1 point a	
	(new)	
839.	Article	(b) to safeguard legitimate
	45c -	interests of the data subject;
	paragraph	
	1 point b (new)	
840.	Article	(c) for the prevention of an
	45c -	immediate and serious threat to
	paragraph	public security of a
	1 point c	Member State of the European
	(new)	Union or a third country; or
841.	Article	(d) in individual cases for
	45c -	the performance of the tasks of
	paragraph	Eurojust, unless Eurojust
	1 point d	determines that fundamental
	(new)	rights and freedoms of the data
		subject concerned override the
		public interest in the transfer.

842.	Article		2. Where a transfer is based		
	45c -		on paragraph 1, such a		
	paragraph		transfer shall be documented		
	2 (new)		and the documentation shall be		
			made available to the		
			European Data Protection		
			Supervisor on request,		
			including the date and time of		
			the transfer, and information		
			about the receiving competent		
			authority, about the		
			justification for the transfer		
			and about the operational		
			personal data transferred.		
843.	Article 46	Article 46	Deleted	Liaison magistrates posted to	If Article 43a is adopted
	– title	Liaison magistrates posted to		third countries and from third-	Article 46 will be deleted.
		third countries		countries to Eurojust	

844.	Article 46	1. For the purpose of	Deleted	1. For the purpose of	
	_	facilitating judicial cooperation		facilitating judicial cooperation	
	paragraph	with third countries in cases in		with third countries in cases in	
	1	which Eurojust is providing		which Eurojust is providing	
		assistance in accordance with this		assistance in accordance with	
		Regulation, the College may post		this Regulation, the College may	
		liaison magistrates to a third		post liaison magistrates to a third	
		country subject to a working		country subject to a working	
		arrangement as referred to in		arrangement as referred to in	
		Article 43 with that third country.		Article 43 with that third	
				country. Eurojust may establish	
				working arrangements with	
				entities referred to in Article	
				38(1) which may include the	
				secondment of liaison	
				magistrates to Eurojust.	

845.	Article 46		Deleted	1a. The tasks of the liaison
	_			magistrates shall include any
	paragraph			activity designed to encourage
	1 a (new)			and accelerate all forms of
				judicial cooperation in criminal
				matters, in particular by
				establishing direct links with the
				competent authorities of the
				third country.
846.		2. The liaison magistrate	Deleted	
		referred to in paragraph 1 is		
		required to have experience of		
		working with Eurojust and		
		adequate knowledge of judicial		
		cooperation and how Eurojust		
		operates. The posting of a liaison		
		magistrate on behalf of Eurojust		
		shall be subject to the prior		
		consent of the magistrate and of		
		his or her Member State.		

847.		3. Where the liaison	Deleted		
		magistrate posted by Eurojust is			
		selected among national			
		members, deputies or assistants:			
848.		a) he or she shall be replaced	Deleted		
		in his or her function as a national			
		member, deputy or Assistant, by			
		the Member State;			
849.		b) he or she ceases to be	Deleted		
		entitled to exercise the powers			
		granted to him or her in			
		accordance with Article 8.			
850.	Article 46	4. The expenditure of Eurojust	Deleted	4. The expenditure of	
	_	shall include staff remuneration,		Eurojust shall include staff	
	paragraph	administrative and infrastructure		remuneration, administrative and	
	4	expenses, operating costs.		infrastructure expenses,	
				operating costs, including	
				funding for joint investigation	
				teams.	

851.	5. The activities of liaison	Deleted	
	magistrates posted by Eurojust		
	shall be the subject of supervision		
	by the European Data Protection		
	Supervisor. The liaison		
	magistrates shall report to the		
	College, which shall inform the		
	European Parliament and the		
	Council in the annual report and		
	in an appropriate manner of their		
	activities. The liaison magistrates		
	shall inform national members		
	and national competent		
	authorities of all cases concerning		
	their Member State.		

852.	6. Competent authorities of	Deleted
	the Member States and liaison	
	magistrates referred to in	
	paragraph 1 may contact each	
	other directly. In such cases, the	
	liaison magistrate shall inform the	
	national member concerned of	
	such contacts.	
853.	7. The liaison magistrates	Deleted
	referred to in paragraph 1 shall be	
	connected to the Case	
	Management System.	
854.	Article 47	Deleted
	Requests for judicial	
	cooperation to and from third	
	Countries	

855.	1. Eurojust shall coordinate
	the execution of requests for
	judicial cooperation issued by a
	third country where these requests
	are part of the same investigation
	and require execution in at least
	two Member States. Such
	requests may also be transmitted
	to Eurojust by a competent
	national authority.
856.	2. In case of urgency and in
	accordance with Article 19, the
	On-Call Coordination (OCC) may
	receive and process requests
	referred to in paragraph 1 of this
	Article and issued by a third
	country which has concluded a
	working arrangement with
	Eurojust.

857.	3. Without prejudice to Article		
	3(3), where requests for judicial		
	cooperation, which relate to the		
	same investigation and require		
	execution in a third country, are		
	made, Eurojust shall facilitate		
	judicial cooperation with that		
	third country.		
858.	CHAPTER VI	CHAPTER VI	CHAPTER VI
	FINANCIAL PROVISIONS	FINANCIAL PROVISIONS	FINANCIAL PROVISIONS
859.	Article 48	Article 48	Article 48
	Budget	Budget	Budget
860.	1. Estimates of all the revenue	1. Estimates of all the revenue	1. Estimates of all the revenue
	and expenditure of Eurojust shall	and expenditure of Eurojust	and expenditure of Eurojust
	be prepared for each financial	shall be prepared for each	shall be prepared for each
	year, corresponding to the	financial year, corresponding to	financial year, corresponding
	calendar year, and shall be shown	the calendar year, and shall be	to the calendar year, and shall
	in Eurojust's budget.	shown in Eurojust's budget.	be shown in Eurojust's budget.

861.	2. Eurojust's budget shall be	2. Eurojust's budget shall be	2. Eurojust's budget shall be
	balanced in terms of revenue and	balanced in terms of revenue	balanced in terms of revenue
	of expenditure.	and of expenditure.	and of expenditure.
862.	3. Without prejudice to other	3. Without prejudice to other	3. Without prejudice to other
	resources, Eurojust's revenue	resources, Eurojust's revenue	resources, Eurojust's revenue
	shall comprise:	shall comprise:	shall comprise:
863.	a) a contribution from the	a) a contribution from the Union	a) a contribution from the
	Union entered in the general	entered in the general budget of	Union entered in the general
	budget of the European Union;	the European Union;	budget of the European Union;
864.	b) any voluntary financial	b) any voluntary financial	b) any voluntary financial
	contribution from the Member	contribution from the Member	contribution from the Member
	States;	States;	States;
865.	c) charges for publications and	c) charges for publications and	c) charges for publications and
	any service provided by Eurojust;	any service provided by Eurojust;	any service provided by Eurojust;
866.	d) ad-hoc grants.	d) ad-hoc grants	d) ad-hoc grants

867.		4. The expenditure of Eurojust	4. The expenditure of Eurojust		Agreed in principle:
		shall include staff remuneration,	shall include staff remuneration,		4. The expenditure of Eurojust
		administrative and infrastructure	administrative and		shall include staff
		expenses, operating costs.	infrastructure expenses,		remuneration, administrative
			operating costs <i>including</i>		and infrastructure expenses,
			funding for Joint Investigation		operating costs including
			Teams.		funding for Joint
					Investigation Teams.
868.		Article 49	Article 49		Article 49
		Establishment of the budget	Establishment of the budget		Establishment of the budget
869.	Article 49	1. Each year the	1. Each year the Administrative	1. Each year the	Agreed in principle:
	_	Administrative Director shall	Director shall draw up a draft	Administrative Director shall	1. Each year the
	paragraph	draw up a draft statement of	statement of estimates of	draw up a draft statement of	Administrative Director shall
	1	estimates of Eurojust's revenue	Eurojust's revenue and	estimates of Eurojust's revenue	draw up a draft statement of
		and expenditure together, for the	expenditure together, for the	and expenditure together, for the	estimates of Eurojust's revenue
		following financial year,	following financial year,	following financial year,	and expenditure together, for
		including the establishment plan,	including the establishment	including the establishment plan,	the following financial year,
		and send it to the <i>College</i> .	plan, and send it to the	and send it to the <i>Executive</i>	including the establishment
			Executive Board. The	Board. The European Judicial	plan, and send it to the
			European Judicial Network	Network and other networks of	Executive Board. The
			and other networks referred to	the Union involved in	European Judicial Network

			in Article 39 shall be informed	cooperation in criminal matters	and other networks of the
			on the parts related to their	referred to in Article 39 shall be	Union involved in cooperation
			activities in due time before	involved on the parts related to	in criminal matters referred to
			forwarding the estimate to the	their activities in due time	in Article 39 shall be informed
			Commission.	before forwarding the estimate	on the parts related to their
				to the Commission.	activities in due time before
					forwarding the estimate to the
					Commission.
870.	Article 49	2. The <i>College</i> shall, on the	2. The <i>Executive Board</i> shall,	2. The <i>Executive Board</i>	Agreed in principle:
	_	basis of that draft, <i>produce</i> a	on the basis of that draft,	shall, on the basis of that draft,	2. The <i>Executive Board</i>
	paragraph	provisional draft estimate of	prepare a provisional draft	prepare a provisional draft	shall, on the basis of that draft,
	2	Eurojust's revenue and	estimate of Eurojust's revenue	estimate of Eurojust's revenue	<u>review</u> a provisional draft
		expenditure for the following	and expenditure for the	and expenditure for the	estimate of Eurojust's revenue
		financial year.	following financial year which	following financial year which	and expenditure for the
			shall be forwarded to the	shall be forwarded to the	following financial year which
			College for adoption.	College for adoption.	shall be forwarded to the
					College for adoption.

871.	Article 49	3. The provisional draft	3. The provisional draft estimate		Agreed in principle:
	_	estimate of Eurojust's revenue and	of Eurojust's revenue and		3. The provisional draft
	paragraph	expenditure shall be sent to the	expenditure shall be sent to the		estimate of Eurojust's revenue
	3	European Commission by no later	European Commission by no		and expenditure shall be sent to
		than 31 January each year. <i>The</i>	later than 31 January each year.		the European Commission by
		College shall send a final draft	Eurojust shall send a final draft		no later than 31 January each
		estimate, which shall include a	estimate, which shall include a		year. <i>Eurojust</i> shall send a
		draft establishment plan, to the	draft establishment plan, to the		final draft estimate, which shall
		Commission by 31 March.	Commission by 31 March.		include a draft establishment
					plan, to the Commission by 31
					March.
872.	Article 49	4. The Commission shall send	4. The Commission shall send	4. The Commission shall	Agreed in principle:
	_	the statement of estimates to the	the statement of estimates to the	send the statement of estimates	4. The Commission shall send
	paragraph	European Parliament and the	European Parliament and the	to the European Parliament and	the statement of estimates to
	4	Council (the budgetary authority)	Council (the budgetary	the Council together with the	the European Parliament and
		together with the draft general	authority) together with the	draft general budget of the	the Council (the budgetary
		budget of the European Union.	draft general budget of the	European Union.	authority) together with the
			European Union.		draft general budget of the
					European Union.

873.		5. On the basis of the	5. On the basis of the statement		5. On the basis of the statement
		statement of estimates, the	of estimates, the Commission		of estimates, the Commission
		Commission shall enter in the	shall enter in the draft general		shall enter in the draft general
		draft general budget of the	budget of the European Union		budget of the European Union
		European Union the estimates it	the estimates it considers		the estimates it considers
		considers necessary for the	necessary for the establishment		necessary for the establishment
		establishment plan and the	plan and the amount of the		plan and the amount of the
		amount of the contribution to be	contribution to be charged to the		contribution to be charged to
		charged to the general budget,	general budget, which it shall		the general budget, which it
		which it shall place before the	place before the budgetary		shall place before the
		budgetary authority in accordance	authority in accordance with		budgetary authority in
		with Articles 313 and 314 of the	Articles 313 and 314 of the		accordance with Articles 313
		Treaty.	Treaty.		and 314 of the Treaty.
874.	Article 49	6. The budgetary authority	6. The budgetary authority shall	6. The budgetary authority	Agreed in principle:
	_	shall authorise the appropriations	authorise the appropriations for	shall authorise the appropriations	6. The budgetary authority
	paragraph	for <i>Eurojust's</i> contribution.	the contribution from the	for the contribution from the	shall authorise the
	6		European Union to Eurojust.	Union to Eurojust.	appropriations for the
					contribution from the Union to
					Eurojust.

875.	Article 49	7. The budgetary authority	The budgetary authority shall	Agreed in principle:
	_	shall adopt Eurojust's	adopt Eurojust's establishment	The budgetary authority shall
	paragraph	establishment plan.	plan. Eurojust's budget shall be	adopt Eurojust's establishment
	7		adopted by the College. It shall	plan. <i>Eurojust's budget shall</i>
			become final following final	be adopted by the College. It
			adoption of the general budget	shall become final following
			of the European Union. Where	final adoption of the general
			necessary, it shall be adjusted	budget of the European
			by the College accordingly.	Union. Where necessary, it
				shall be adjusted by the
				College accordingly.
876.	Article 49	8. Eurojust's budget shall be	Deleted	Deleted
	_	adopted by the College. It shall		
	paragraph	become final following final		
	8	adoption of the general budget of		
		the European Union. Where		
		necessary, it shall be adjusted		
		accordingly.		

877.	Article 49	9. For any building project	9. For any building project	9. For any building project	Agreed in principle:
	_	likely to have significant	likely to have significant	likely to have significant	9. For any building project
	paragraph	implications for <i>the</i> budget	implications for the <i>Eurojust</i> 's	implications for Eurojust's	likely to have significant
	9	Eurojust shall inform the	budget Article 88 of Regulation	budget Article 88 of delegated	implications for Eurojust's
		European Parliament and the	(EU) No 1271/2013 shall apply.	Regulation (EU) 1271/2013	budget Article 88 of delegated
		Council as early as possible in		shall apply.	Regulation (EU) 1271/2013
		accordance with the provisions			shall apply.
		of Article 203 of Regulation (EU,			
		EURATOM) No 966/2012.			
878.	Article 49	Except in cases of force majeure	deleted	deleted	deleted
	_	referred to in Article 203 of			
	paragraph	Regulation (EU, EURATOM)			
	10 –	No 966/2012 the European			
	subparagr	Parliament and the Council shall			
	aph 1	deliberate upon the building			
		project within four weeks of its			
		receipt by both institutions.			

879.	Article 49	The building project shall be	deleted	deleted	deleted
	_	deemed approved at the expiry of			
	paragraph	this four-week period, unless the			
	10 –	European Parliament or the			
	subparagr	Council take a decision contrary			
	aph 2	to the proposal within that period			
		of time.			
880.	Article 49	If the European Parliament or	deleted	deleted	deleted
	_	the Council raise duly justified			
	paragraph	concerns within that four-week			
	10 –	period, that period shall be			
	subparagr	extended once by two weeks.			
	aph 3				
881.	Article 49	If the European Parliament or	deleted	deleted	deleted
	_	the Council take a decision			
	paragraph	contrary to the building project,			
	10 –	Eurojust shall withdraw its			
	subparagr	proposal and may submit a new			
	aph 4	one.			

882.	Article 49	11. Eurojust may finance a	deleted	deleted	deleted
	_	budget acquisition project			
	paragraph	through a loan subject to prior			
	11	approval of the budgetary			
		authority in accordance with			
		Article 203 of Regulation (EU,			
		EURATOM) No 966/2012.			
883.		Article 50	Article 50		Article 50
		Implementation of the budget	Implementation of the budget		Implementation of the budget
884.		The Administrative Director shall	The Administrative Director		The Administrative Director
		act as the authorising officer of	shall act as the authorising		shall act as the authorising
		Eurojust and shall implement	officer of Eurojust and shall		officer of Eurojust and shall
		Eurojust's budget under his or her	implement Eurojust's budget		implement Eurojust's budget
		own responsibility and within the	under his or her own		under his or her own
		limits authorised in the budget.	responsibility and within the		responsibility and within the
			limits authorised in the budget.		limits authorised in the budget.

885.	Article 51	Article 51	Article 51
	Presentation of accounts and	Presentation of accounts and	Presentation of accounts and
	discharge	discharge	discharge
886.	1. By 1 March following each	1. By 1 March following each	1. By 1 March following each
	financial year, Eurojust's	financial year, Eurojust's	financial year, Eurojust's
	Accounting Officer shall send the	Accounting Officer shall send	Accounting Officer shall send
	provisional accounts to the	the provisional accounts to the	the provisional accounts to the
	Commission's Accounting Officer	Commission's Accounting	Commission's Accounting
	and the Court of Auditors.	Officer and the Court of	Officer and the Court of
		Auditors.	Auditors.
887.	2. Eurojust shall send the	2. Eurojust shall send the report	2. Eurojust shall send the
	report on the budgetary and	on the budgetary and financial	report on the budgetary and
	financial management to the	management to the European	financial management to the
	European Parliament, the Council	Parliament, the Council and the	European Parliament, the
	and the Court of Auditors, by 31	Court of Auditors, by 31 March	Council and the Court of
	March of the following financial	of the following financial year.	Auditors, by 31 March of the
	year.		following financial year.

888.	3. By 31 March following	3. By 31 March following	3. By 31 March following
	each financial year, the	each financial year, the	each financial year, the
	Commission's accounting officer	Commission's Accounting	Commission's Accounting
	shall send Eurojust's provisional	Officer shall send Eurojust's	Officer shall send Eurojust's
	accounts consolidated with the	provisional accounts	provisional accounts
	Commission's accounts to the	consolidated with the	consolidated with the
	Court of Auditors.	Commission's accounts to the	Commission's accounts to the
		Court of Auditors.	Court of Auditors.
889.	4. In accordance with Article	4. In accordance with Article	4. In accordance with
	148(1) of Regulation (EU,	148(1) of Regulation (EU,	Article 148(1) of Regulation
	EURATOM) No 966/2012, the	EURATOM) No 966/2012, the	(EU, EURATOM) No
	Court of Auditors shall, by 1 June	Court of Auditors shall, by 1	966/2012, the Court of
	of the following year at the latest,	June of the following year at the	Auditors shall, by 1 June of the
	make its observations on the	latest, make its observations on	following year at the latest,
	provisional accounts of Eurojust.	the provisional accounts of	make its observations on the
		Eurojust.	provisional accounts of
			Eurojust.

890.	Article 51	5. On receipt of the Court of	5. On receipt of the Court of	5. On receipt of the Court of	Agreed in principle:
	_	Auditors' observations on	Auditors' observations on	Auditors' observations on	5. On receipt of the Court
	paragraph	Eurojust's provisional accounts	Eurojust's provisional accounts	Eurojust's provisional accounts	of Auditors' observations on
	5	pursuant to Article 148 of	pursuant to Article 148 of	pursuant to Article 148 of	Eurojust's provisional accounts
		Regulation (EU, EURATOM) No	Regulation (EU, EURATOM)	Regulation (EU, EURATOM)	pursuant to Article 148 of
		966/2012, the Administrative	No 966/2012, the	No 966/2012, the Administrative	Regulation (EU, EURATOM)
		Director shall draw up Eurojust's	Administrative Director shall	Director shall draw up Eurojust's	No 966/2012, the
		final accounts under his or her	draw up Eurojust's final	final accounts under his or her	Administrative Director shall
		own responsibility and submit	accounts under his or her own	own responsibility and submit	draw up Eurojust's final
		them to the <i>College</i> for an	responsibility and submit them	them to the <i>Executive Board</i> for	accounts under his or her own
		opinion.	to the <i>Executive Board</i> for an	an opinion.	responsibility and submit them
			opinion.		to the <i>Executive Board</i> for an
					opinion.
891.	Article 51	6. The <i>College</i> shall deliver an	6. The Executive Board	6. The <i>Executive Board</i> shall	Agreed in principle:
	_	opinion on Eurojust's final	shall deliver an opinion on	deliver an opinion on Eurojust's	6. The <i>Executive Board</i>
	paragraph	accounts.	Eurojust's final accounts.	final accounts.	shall deliver an opinion on
	6				Eurojust's final accounts.

892.	Article 51	7. The Administrative Director	7. The Accounting Officer	7. The Administrative	Agreed in principle:
	_	shall, by 1 July following each	of Eurojust shall, by 1 July	Director shall, by 1 July	7. The Administrative
	paragraph	financial year, send the final	following each financial year,	following each financial year,	Director shall, by 1 July
	7	accounts to the European	send the final accounts to the	send the final accounts to the	following each financial year,
		Parliament, the Council, the	European Parliament, the	European Parliament, the	send the final accounts to the
		Commission and the Court of	Council, the Commission and	Council, the Commission and the	European Parliament, the
		Auditors, together with the	the Court of Auditors, together	Court of Auditors, together with	Council, the Commission and
		College's opinion.	with the Executive Board's	the Executive Board's opinion.	the Court of Auditors, together
			opinion.		with the Executive Board's
					opinion.
893.		8. The final accounts of	8. The final accounts of		8. The final accounts of
		Eurojust shall be published in the	Eurojust shall be published in		Eurojust shall be published in
		Official Journal of the European	the Official Journal of the		the Official Journal of the
		Union by 15 November of the	European Union by 15		European Union by 15
		following year.	November of the year following		November of the year
			the respective financial year.		following the respective
					financial year.

894.	Article 51	9. The Administrative Director	9. The Administrative	9. The Administrative	Agreed in principle:
	_	shall send the Court of Auditors a	Director shall send the Court of	Director shall send the Court of	9. The Administrative
	paragraph	reply to its observations by 30	Auditors a reply to its	Auditors a reply to its	Director shall send the Court of
	9	September of the following year	observations by 30 September	observations by 30 September of	Auditors a reply to its
		at the latest. The Administrative	of the following year at the	the following year at the latest.	observations by 30 September
		Director shall also send this reply	latest. The Administrative	The Administrative Director	of the following year at the
		to the <i>College</i> and to the	Director shall also send this	shall also send this reply to the	latest. The Administrative
		Commission.	reply to the Executive Board	Executive Board and to the	Director shall also send this
			and to the Commission.	Commission.	reply to the <i>Executive Board</i>
					and to the Commission.
895.	Article 51	10. The Administrative Director	deleted		Deleted
	_	shall report to the European			
	paragraph	Parliament on the performance of			
	10	his/her duties when invited to do			
		so. The Council may invite the			
		Administrative Director to report			
		on the performance of his/her			
		duties.			

896.	11. The Administrative Director	11. The Administrative	11. The Administrative
	shall submit to the European	Director shall submit to the	Director shall submit to the
	Parliament, at the latter's request,	European Parliament, at the	European Parliament, at the
	any information required for the	latter's request, any information	latter's request, any information
	smooth application of the	required for the smooth	required for the smooth
	discharge procedure for the	application of the discharge	application of the discharge
	financial year in question in	procedure for the financial year	procedure for the financial year
	accordance with Article 165(3) of	in question in accordance with	in question in accordance with
	Regulation (EU, EURATOM) N°	Article 165(3) of Regulation	Article 165(3) of Regulation
	966/2012.	(EU, EURATOM) N°	(EU, EURATOM) N°
		966/2012.	966/2012.
897.	12. On a recommendation from	12. On a recommendation	12. On a recommendation
	the Council acting by a qualified	from the Council acting by a	from the Council acting by a
	majority, the European	qualified majority, the European	qualified majority, the
	Parliament, shall, before 15 May	Parliament, shall, before 15	European Parliament, shall,
	of year $N + 2$, give a discharge to	May of year $N + 2$, give a	before 15 May of year $N + 2$,
	the Administrative Director in	discharge to the Administrative	give a discharge to the
	respect of the implementation of	Director in respect of the	Administrative Director in
	the budget for year N.	implementation of the budget	respect of the implementation
		for year N.	of the budget for year N.

898.	Article 51		12a. The discharge of the	Agreed in principle:
	_		budget of Eurojust shall be	12a. The discharge of the
	paragraph		given by the European	budget of Eurojust shall be
	12 a		Parliament on the	given by the European
	(new)		recommendation of the Council	Parliament on the
			following a procedure	recommendation of the
			comparable to that provided for	Council following a procedure
			in Article 319 of the Treaty on	comparable to that provided
			the Functioning of the	for in Article 319 of the Treaty
			European Union and Articles	on the Functioning of the
			164 to 166 of Regulation (EU,	European Union and Articles
			Euratom) No 966/2012 of the	164 to 166 of Regulation (EU,
			European Parliament and of the	Euratom) No 966/2012 of the
			Council, and based on the audit	European Parliament and of
			report of the Court of Auditors.	the Council, and based on the
				audit report of the Court of
				Auditors.

899.				If the European Parliament	Pending:
				refuses to grant discharge, the	If the European Parliament
				Administrative Director shall	refuses to grant discharge, the
				tender his resignation to the	Administrative Director shall
				College, which shall take its	be invited to explain his/her
				final decision in the light of the	position to the College, which
				circumstances.	shall take its final decision in
					the light of the circumstances.
900.		Article 52	Article 52		Article 52
		Financial Rules	Financial Rules		Financial Rules
901.	Article 52	The financial rules applicable to	1. The financial rules applicable	The financial rules applicable to	Agreed in principle:
	_	Eurojust shall be adopted by the	to Eurojust shall be adopted by	Eurojust shall be adopted by the	The financial rules applicable
	paragraph	College in accordance with	the <i>Executive Board</i> in	Executive Board in accordance	to Eurojust shall be adopted by
	1	[Regulation 2343/2002 of 23	accordance with <i>Commission</i>	with delegated Regulation (EU)	the <i>Executive Board</i> in
		December 2002 on the	delegated No. 1271/2013 of 30	1271/2013 of 30 September	accordance with delegated
		framework Financial Regulation	September 2013 on the	2013 on the framework Financial	Regulation (EU) 1271/2013 of
		for the bodies referred to in	framework financial regulation	Regulation for the bodies	30 September 2013 on the
		Article 185 of Council	for the bodies referred to in	referred to in Article 208 of	framework Financial
		Regulation (EC, Euratom) No	Article 208 of Regulation	Regulation (<i>EU</i>) <i>966/2012</i> and	Regulation for the bodies
		1605/2002 on the Financial	966/2012 and after consultation	after consultation with the	referred to in Article 208 of
		Regulation applicable to the	with the Commission. They	Commission. They shall not	Regulation (EU) 966/2012 and

		general budget of the European	shall not depart from	depart from Regulation (EU)	after consultation with the
		Communities] and after	Regulation No. 1271/2013	1271/2013 unless such departure	Commission. They shall not
		consultation with the	unless such departure is	is specifically required for	depart from Regulation (EU)
		Commission. They shall not	specifically required for	Eurojust's operation and the	1271/2013 unless such
		depart from [Regulation	Eurojust's operation and the	Commission has given its prior	departure is specifically
		2343/2002] unless such departure	Commission has given its prior	consent.	required for Eurojust's
		is specifically required for	consent.		operation and the Commission
		Eurojust's operation and the			has given its prior consent.
		Commission has given its prior			
		consent.			
902.	Article 52			In respect of the financial	Agreed in principle:
	_			support to joint investigation	In respect of the financial
	paragraph			teams activities, Eurojust shall	support to be given to joint
	1 a (new)			establish in cooperation with	investigation teams' activities,
				Europol the rules and	Europol and Eurojust shall jointly establish the rules and
				conditions upon which the	conditions upon which
				applications shall be processed.	applications for such support
					are to be processed.
					Text identical to Europol
					Text identical to Europol Regulation - article 61(4).

903.	Article 52		2. Eurojust may award	Agreed in principle:
	-		grants related to the fulfilment	2. Eurojust may award
	paragraph		of its tasks referred to under	grants related to the fulfilment
	2 (new)		Article 4(1). Grants provided	of its tasks referred to under
			for tasks under 4(1)(e) may be	Article 4(1). Grants provided
			awarded without a call for	for tasks under 4(1)(e) may be
			proposals to the Member	awarded without a call for
			States.	proposals to the Member
				States.
904.	Article 52		3. In respect of the	Deleted
	-		financial support to joint	
	paragraph		investigation teams activities,	
	3 (new)		Eurojust shall establish in	
			cooperation with Europol the	
			rules and conditions upon	
			which the applications shall be	
			processed.	
905.		CHAPTER VII	CHAPTER VII	CHAPTER VII
		STAFF PROVISIONS	STAFF PROVISIONS	STAFF PROVISIONS

906.	Article 53	Article 53	Article 53
	General provisions	General provisions	General provisions
907.	The Staff Regulations of the	1. The Staff Regulations of the	1. The Staff Regulations of the
	European Union and the	European Union and the	European Union and the
	Conditions of Employment of	Conditions of Employment of	Conditions of Employment of
	Other Servants of the European	Other Servants of the European	Other Servants of the European
	Union and the rules adopted by	Union and the rules adopted by	Union and the rules adopted by
	agreement between the	agreement between the	agreement between the
	institutions of the European	institutions of the European	institutions of the European
	Union for giving effect to those	Union for giving effect to those	Union for giving effect to those
	Staff Regulations and those	Staff Regulations and those	Staff Regulations and those
	Conditions of Employment of	Conditions of Employment of	Conditions of Employment of
	Other Servants shall apply to the	Other Servants shall apply to	Other Servants shall apply to
	staff of Eurojust.	the staff of Eurojust.	the staff of Eurojust.

		other staff	and other staff	and other staff
		Seconded national experts and	Seconded national experts	Seconded national experts
909.		Article 54	Article 54	Article 54
				distribution.
			distribution.	including their geographical
			including their geographical	Euratom, ECSC) No 259/68,
			Euratom, ECSC) No 259/68,	down by Regulation (EEC,
			down by Regulation (EEC,	of the European Union laid
			of the European Union laid	Staff Regulations of Officials
			Staff Regulations of Officials	referred to in Article 27 of the
			referred to in Article 27 of the	into account all the criteria
			into account all the criteria	the European Union, taking
			the European Union, taking	officials and other servants of
			officials and other servants of	regulations applicable to
	2 (new)		regulations applicable to	according to the rules and
	paragraph		according to the rules and	consist of staff recruited
	-		consist of staff recruited	2. Eurojust staff shall
908.	Article 53		2. Eurojust staff shall	Agreed in principle:

910.	Article 54	1. Eurojust may make use of	1. Eurojust may make use, <i>in</i>		Agreed in principle:
	_	seconded national experts or other	addition to its own staff, of		1. Eurojust may make use, <i>in</i>
	paragraph	staff not employed by Eurojust.	seconded national experts or		addition to its own staff, of
	1		other staff not employed by		seconded national experts or
			Eurojust.		other staff not employed by
			Lurojust.		Eurojust.
011	A .: 1 54		2 77 6 11		
911.	Article 54	2. The College shall adopt a	2. The College shall adopt a	2. The College shall adopt a	Agreed in principle:
	_	decision laying down rules on the	decision laying down rules on	decision laying down rules on	2. The College shall adopt a
	paragraph	secondment to Eurojust of	the secondment of national	the secondment to Eurojust of	decision laying down rules on
	2	national experts.	experts to Eurojust.	national experts and on the use	the secondment to Eurojust of
				of other staff, notably to avoid	national experts and on the use
				potential conflicts of interest.	of other staff, notably to avoid
					potential conflicts of interest.
912.	Article 54			2a. Eurojust shall take	Agreed in principle:
	_			appropriate administrative	2a. Eurojust shall take
	paragraph			measures, inter alia through	appropriate administrative
	2 a (new)			training and prevention	measures, inter alia through
				strategies, to avoid conflicts of	training and prevention
				interest, including relating to	strategies, to avoid conflicts of
				post-employment issues.	interest, including relating to
					post-employment issues.

913.		CHAPTER VIII	CHAPTER VIII		CHAPTER VIII
		EVALUATION AND	EVALUATION AND		EVALUATION AND
		REPORTING	REPORTING		REPORTING
914.		Article 55	Article 55		Article 55
		Involvement of the European	Involvement of the European		Involvement of the European
		Parliament and national	Institutions and national		Institutions and national
		Parliaments	Parliaments		Parliaments
915.	Article 55	1. Eurojust shall transmit its	1. Eurojust shall transmit its	1. Eurojust shall transmit its	Agreed in principle:
	_	Annual Report to the European	Annual Report to the European	Annual Report to the European	1. Eurojust shall transmit its
	paragraph	Parliament, which may present	Parliament, the Council and	Parliament and national	Annual Report to the European
	1	observations and conclusions.	national Parliaments, which	parliaments, which may present	Parliament, the Council and
			may present observations and	observations and conclusions.	national Parliaments, which
			conclusions.		may present observations and
					conclusions.

916.	Article 55	(1a) Before taking office, the	Pending:
	_	newly appointed President of	(1a) The European
	paragraph	the College shall be invited to	Parliament may invite the
	1 a (new)	make a statement before the	newly elected and appointed
		competent committee or	President of the College shall
		committees of the European	be invited, before undertaking
		Parliament and answer	the tasks of the President upon
		questions put by its or their	his election, to make a
		members.	statement before the competent
			committee or committees of
			the European Parliament and
			answer questions put by its or
			their members. Discussions
			shall not refer directly or
			indirectly to concrete actions in
			relation with specific
			operational cases.

917. Article 55 2. The President of the The President of the College During his or her term of Pending, taking into account College shall appear before the shall appear before the office, the President of the the proposal by the **Parliament:** European Parliament, at their European Parliament or the College shall appear before the paragraph 2. The President of the 2 request, to discuss matters Council, at their request, to European Parliament, at their College shall appear within relating to Eurojust, and in discuss matters relating to its request, to discuss matters the framework of an particular to present its Annual Eurojust, and in particular to relating to Eurojust, and in Reports, taking into account the present its Annual Reports, Interparliamentary Committee particular to present its Annual Meeting once a year for the obligations of discretion and taking into account the Reports, taking into account the confidentiality. Discussions shall joint evaluation by the obligations of discretion and obligations of discretion and not refer directly or indirectly to confidentiality. Discussions confidentiality. Discussions European Parliament and national Parliaments of the concrete actions in relation with shall not refer directly or shall not refer directly or activities of Eurojust, to specific operational cases. indirectly to concrete actions in indirectly to concrete actions in discuss its current activities relation with specific relation with specific operational cases. operational cases. and to present its Annual Report or other key documents of the Agency, taking into account the obligations of discretion and confidentiality. The President of the College shall appear before the European Parliament or the

			Council, at their request <u>or at</u>
			the request of the European
ļ			Parliament and national
			parliaments within the
			framework of the Inter
			Parliamentary Conference, to
			discuss matters relating to
			Eurojust, and in particular to
			present its Annual Reports,
			taking into account the
			obligations of discretion and
			confidentiality. Discussions
			shall not refer directly or
			indirectly to concrete actions
			in relation with specific
			operational cases.
			Accompanying recital 31:
			(31) In order to increase the
			transparency and democratic
			oversight of Eurojust it is
			necessary to provide a

	_	_	
			mechanism for the joint
			evaluation by the European
			Parliament and national
			Parliaments of Eurojust's
			activities. The evaluation
			should take place in the
			framework of an
			Interparliamentary Committee
			Meeting in the premises of the
			European Parliament in
			Brussels with the participation
			of members of the competent
			committees of the European
			Parliament and of the
			national Parliaments. The
			Interparliamentary Committee
			Meeting shall be organized by
			the European Parliament
			together with the Parliament
			of the Member State holding
			the rotating presidency of the

		Council of the European
		Union. However, the
		Interparliamentary Committee
		Meeting shall take place in
		full respect of the principles of
		independence of Eurojust as
		<u>regards action taken in</u>
		specific operational cases or
		the obligations of discretion
		and confidentiality.

918.	Article 55	3. In addition to the other	In addition to the other	3. In addition to the other	Agreed in principle:
	_	obligations of information and	obligations of information and	obligations of information and	3. In addition to the other
	paragraph	consultation set out in this	consultation set out in this	consultation set out in this	obligations of information and
	3 –	regulation, Eurojust shall transmit	regulation, Eurojust shall	regulation, Eurojust shall	consultation set out in this
	introducto	to the European Parliament for	transmit to the European	transmit to the European	regulation, Eurojust shall
	ry part	information:	Parliament and to national	Parliament and to national	transmit to the European
			Parliaments in the respective	parliaments in the respective	Parliament and to national
			official languages for	official languages for	parliaments in the respective
			information:	information:	official languages for
					information:
919.		a) the results of studies and	a) the results of studies and		a) the results of studies and
		strategic projects elaborated or	strategic projects elaborated or		strategic projects elaborated or
		commissioned by Eurojust;	commissioned by Eurojust;		commissioned by Eurojust;
920.	Article 55			(aa) the annual and multi-	Agreed in principle:
	_			annual programming	(aa) the annual and multi-
	paragraph			documents	annual programming
	3 – point				documents
	a a (new)				

921.		b) working arrangements	b) working arrangements		b) working arrangements
		concluded with third parties;	concluded with third parties;		concluded with third parties;
922.	Article 55	c) the annual report of the	c) the annual report of the	deleted	Pending issue
	_	European Data Protection	European Data Protection		in relation with the final
	paragraph	Supervisor.	Supervisor.		decision on data protection
	3 – point				rules
	c				
923.	Article 55	4. Eurojust shall transmit its	Deleted	deleted	Deleted
	_	Annual Report to the national			
	paragraph	Parliaments. Eurojust shall also			
	4	transmit to the national			
		Parliaments the documents			
		referred to in paragraph 3.			
924.	Article 55			Article 55a	Article 55a
	a (new)				
925.				Opinions on proposed	Opinions on proposed
				legislative acts	legislative acts

926.				The Commission and the	Agreed in principle:
				Member States concerned may	The Commission and the
				request Eurojust's opinion on	Member States concerned
				all the proposed legislative acts	exercising their rights on the
				referred to in Article 76 TFEU.	basis of Article 76 letter b
					TFEU may request Eurojust's
					opinion on all the proposed
					legislative acts referred to in
					Article 76 TFEU.
927.		Article 56	Article 56		Article 56
		Evaluation and review	Evaluation and review		Evaluation and review
928.	Article 56	1. By [5 years after the entry	1. By 5 years after the date of		Agreed in principle:
	-	into force of this Regulation] at	application of this Regulation		1. By 5 years after the date of
	paragraph	the latest, and every 5 years	at the latest, and every 5 years		application of this Regulation
	1	thereafter, the Commission shall	thereafter, the Commission shall		at the latest, and every 5 years
		commission an evaluation of the	commission an evaluation of the		thereafter, the Commission
		implementation and impact of this	implementation and impact of		shall commission an evaluation
		Regulation, as well as the	this Regulation, as well as the		of the implementation and
		effectiveness and efficiency of	effectiveness and efficiency of		impact of this Regulation, as
		Eurojust and its working	Eurojust and its working		well as the effectiveness and

	practices. The evaluation shall,	practices. The College shall be	efficiency of Eurojust and its
	in particular, address the	involved in the evaluation.	working practices. The College
	possible need to modify the		shall be involved heard in the
	mandate of Eurojust, and the		evaluation. <i>The evaluation</i>
	financial implications of any		shall may, in particular,
	such modification.		address the possible need to
			modify the mandate of
			Eurojust, and the financial
			implications of any such
			modification.
929.	2. The Commission shall	2. The Commission shall	2. The Commission shall
	forward the evaluation report	forward the evaluation report	forward the evaluation report
	together with its conclusions to	together with its conclusions to	together with its conclusions to
	the European Parliament and	the European Parliament and	the European Parliament and
	national Parliaments, the Council	national Parliaments, the	national Parliaments, the
	and the College. The findings of	Council and the College. The	Council and the College. The
	the evaluation shall be made	findings of the evaluation shall	findings of the evaluation shall
	public.	be made public.	be made public.

930.	Article 56	3. On the occasion of every	Deleted	Deleted
	-	second evaluation, the		
	paragraph	Commission shall also assess the		
	3	results achieved by Eurojust		
		having regard to its objectives,		
		mandate and tasks.		
931.		CHAPTER IX	CHAPTER IX	CHAPTER IX
		GENERAL AND FINAL	GENERAL AND FINAL	GENERAL AND FINAL
		PROVISIONS	PROVISIONS	PROVISIONS
932.		Article 57	Article 57	Article 57
		Privileges and Immunities	Privileges and Immunities	Privileges and Immunities
933.		The Protocol on the Privileges	The Protocol on the Privileges	The Protocol on the Privileges
		and Immunities of the European	and Immunities of the European	and Immunities of the
		Union shall apply to Eurojust and	Union shall apply to Eurojust	European Union shall apply to
		its staff.	and its staff.	Eurojust and its staff.
934.		Article 58	Article 58	Article 58
		Language arrangements	Language arrangements	Language arrangements

935.		1. Regulation No 1 ¹⁰ shall	1. Regulation No 1 ¹¹ shall apply		1. Regulation No 1 ¹² shall
		apply to Eurojust.	to Eurojust.		apply to Eurojust.
936.	Article 58		1(a). The College shall decide	1a. The College shall decide	Agreed in principle:
	_		by a two-thirds majority of its	by a majority of two-thirds of its	1(a). The College shall decide
	paragraph		members on the internal	members on the internal	by a two-thirds majority of its
	1 a (new)		language arrangements of	language arrangements of	members on the internal
			Eurojust.	Eurojust.	language arrangements of
					Eurojust.
937.	Article 58	2. The translation services	2. The translation services		Pending (COM to come
	-	required for the functioning of	required for the functioning of		back):
	paragraph	Eurojust shall be provided by the	Eurojust shall be provided by		2. The translation services
	2	Translation Centre of the bodies	the Translation Centre of the		required for the functioning of
		of the European Union.	bodies of the European Union		Eurojust shall be provided by
			unless the urgency of the		the Translation Centre of the
			matter requires another		bodies of the European Union
			solution.		unless the unavailability of the
					Translation Centre requires
					another solution.

¹⁰

¹¹

OJ L 17, 6.10.1958, p.385. OJ L 17, 6.10.1958, p.385. OJ L 17, 6.10.1958, p.385. 12

938.		Article 59	Article 59		Article 59
		Confidentiality	Confidentiality		Confidentiality
939.	Article 59	1. The national members, their	1. The national members, their	1. The national members,	Agreed in principle:
	_	deputies and their Assistants	deputies and their Assistants	their deputies and their	1. The national members, their
	paragraph	referred to in Article 7, Eurojust	referred to in Article 7, Eurojust	Assistants referred to in Article	deputies and their Assistants
	1	staff, national correspondents and	staff, national correspondents	7, Eurojust staff, national	referred to in Article 7,
		the Data Protection Officer shall	seconded national experts, the	correspondents, seconded	Eurojust staff, national
		be bound by an obligation of	Data Protection Officer and the	national experts, liaison	correspondents, seconded
		confidentiality with respect to any	staff of the European Data	magistrates, the Data Protection	national experts, liaison
		information which has come to	Protection Supervisor shall be	Officer and members and staff	magistrates, the Data
		their knowledge in the course of	bound by an obligation of	of the European Data Protection	Protection Officer and
		the performance of their tasks.	confidentiality with respect to	Supervisor shall be bound by an	members and staff of the
			any information which has	obligation of confidentiality with	European Data Protection
			come to their knowledge in the	respect to any information which	Supervisor shall be bound by
			course of the performance of	has come to their knowledge in	an obligation of confidentiality
			their tasks.	the course of the performance of	with respect to any information
				their tasks.	which has come to their
					knowledge in the course of the
1					performance of their tasks.

940.		2. The obligation of	2. The obligation of		2. The obligation of
		confidentiality shall apply to all	confidentiality shall apply to all		confidentiality shall apply to
		persons and to all bodies called	persons and to all bodies called		all persons and to all bodies
		upon to work with Eurojust.	upon to work with Eurojust.		called upon to work with
					Eurojust.
941.		3. The obligation of	3. The obligation of		3. The obligation of
		confidentiality shall also apply	confidentiality shall also apply		confidentiality shall also apply
		after leaving office or	after leaving office or		after leaving office or
		employment or after the	employment or after the		employment or after the
		termination of the activities of the	termination of the activities of		termination of the activities of
		persons referred to in paragraphs	the persons referred to in		the persons referred to in
		1 and 2.	paragraphs 1 and 2.		paragraphs 1 and 2.
942.	Article 59	4. The obligation of	4. The obligation of	4. The obligation of	Agreed in principle:
	_	confidentiality shall apply to all	confidentiality shall apply to all	confidentiality shall apply to all	4. The obligation of
	paragraph	information received by Eurojust,	information received by	information received or	confidentiality shall apply to
	4	unless that information has	Eurojust, unless that	exchanged by Eurojust, unless	all information received or
		already been made public or is	information has already	that information has already been	exchanged by Eurojust, unless
		accessible to the public.	lawfully been made public.	made public or is accessible to	that information has already
				the public.	<u>lawfully</u> been made public or is
					accessible to the public.

943.	Article 59	5. Members and the staff of	Deleted	deleted	Deleted
	_	the European Data Protection			
	paragraph	Supervisor shall be subject to the			
	5	obligation of confidentiality with			
		respect to any information which			
		has come to their knowledge in			
		the course of the performance of			
		their tasks.			
944.	Article		Article 59a		Article 59a
	59a - title		Conditions of confidentiality of		Conditions of confidentiality
	(new)		national proceedings		of national proceedings
945.	Article		1. Without prejudice to		Agreed in principle:
	59a -		Article 21(3), where		1. Without prejudice to
	paragraph		information is received or		Article 21(3), where
	1 (new)		exchanged via Eurojust, the		information is received or
	1 (new)		authority of the Member State		exchanged via Eurojust, the
			who provided the information		authority of the Member State
			may, pursuant to its national		who provided the information
			law, stipulate conditions on the		may, pursuant to its national
			use by the receiving authority		law, stipulate conditions on
			of that information in national		the use by the receiving
			proceedings.		authority of that information
					in national proceedings.

946.	Article		2. The authority of the	Agreed in principle:
	59a -		Member State who receives the	2. The authority of the
	paragraph		information shall be bound by	Member State who receives
	2 (new)		those conditions.	the information shall be
				bound by those conditions.
947.		Article 60	Article 60	Article 60
		Transparency	Transparency	Transparency
948.		1. Regulation (EC) No	1. Regulation (EC) No	Pending:
		1049/2001 shall apply to	1049/2001 shall apply to	Regulation (EC) No 1049/2001
		documents which relate to	documents which relate to	shall apply to documents other
		Eurojust's administrative tasks.	Eurojust's administrative tasks.	than temporary work files and
				the index, that are kept in
				accordance with Article 24 of
				this Regulation.
				The following recitals will
				accompany this paragraph:
				The Eurojust's proceedings
				should be transparent in
				accordance with Article 15(3)
				TFEU and specific provisions
				on how the right of public

			access to documents is
			ensured, would need to be
			adopted by the College.
			Nothing in this Regulation is
			intended to restrict the right of
			public access to documents in
			so far as it is guaranteed in
			the Union and in the Member
			States, in particular under
			Article 42 of the Charter and
			other relevant provisions.
			The general rules on
			transparency that apply to
			Union agencies should also
			apply to Eurojust but only
			with regard to documents
			other than temporary work
			files and the index, so as not
			to jeopardise in any manner
			the requirement of
<u> </u>			

					confidentiality in its
					operational work. In the same
					manner, administrative
					inquiries conducted by the
					European Ombudsman should
					respect the requirement of
					confidentiality of the Eurojust.
					In view of ensuring the
					integrity of the operational
					activity of Eurojust,
					documents relating to the
					operational activity should not
					be covered by the rules of
					transparency.
949.	Article 60	2. The <i>College</i> shall, within	2. The <i>Executive Board</i> shall,	2. The <i>Executive Board</i>	Agreed in principle:
	_	six months of the date of its first	within six months of the date of	shall, within six months of the	2. The <i>Executive Board</i> shall,
	paragraph	meeting, <i>adopt</i> the detailed rules	its first meeting, <i>prepare</i> the	date of its first meeting <i>prepare</i>	within six months of the date
	2	for applying Regulation (EC) No	detailed rules for applying	the detailed rules for applying	of its first meeting <i>prepare</i> the
		1049/2001.	Regulation (EC) No 1049/2001	Regulation (EC) No 1049/2001	detailed rules for applying
			for adoption by the College.	for adoption by the College.	Regulation (EC) No 1049/2001
					for adoption by the College.

950.		3. Decisions taken by Eurojust	3. Decisions taken by Eurojust		3. Decisions taken by Eurojust
		under Article 8 of Regulation	under Article 8 of Regulation		under Article 8 of Regulation
		(EC) No 1049/2001 may form the	(EC) No 1049/2001 may form		(EC) No 1049/2001 may form
		subject of a complaint to the	the subject of a complaint to the		the subject of a complaint to
		Ombudsman or of an action	Ombudsman or of an action		the Ombudsman or of an action
		before the Court of Justice of the	before the Court of Justice of		before the Court of Justice of
		European Union, under the	the European Union, under the		the European Union, under the
		conditions laid down in Articles	conditions laid down in Articles		conditions laid down in
		228 and 263 of the Treaty	228 and 263 of the Treaty		Articles 228 and 263 of the
		respectively.	respectively.		Treaty respectively.
951.	Article 60			3a. Eurojust shall publish on	Compromise proposal:
	_			its website the list of the	3.a Eurojust shall publish on
	paragraph			members of its Executive Board	its website the list of the
	3 a (new)			and of its external and in-house	members of its Executive
				experts, together with their	Board and of its external and
				respective declarations of	in-house experts , together
				interest and curricula vitae. The	with their respective
				minutes of the meetings of the	declarations of interest and
				College and of the Executive	curricula vitae. The
				Board shall be systematically	summaries of the outcome of
				published.	the meetings of the Executive

		Board shall be systematically
		published. (alignment with
		Article 65.4 of Europol
		Regulation)
		Adapted from Article 65.4
		Europol regulation:
		Eurojust shall publish on its
		website a list of the Executive
		Board members and
		summaries of the outcome of
		the meetings of the Executive
		Board. The publication of
		those summaries shall be
		temporarily or permanently
		omitted or restricted if such
		publication would risk
		jeopardising the performance
		of Eurojust's tasks, taking into
		account its obligations of
		discretion and confidentiality
		and the operational character

					of Eurojust.
					The following recital will
					accompany this paragraph:
					In order to increase Eurojust's
					transparency vis-à-vis Union
					citizens and its accountability,
					Eurojust should publish on its
					website a list of its Executive
					Board members and, where
					appropriate, the summaries of
					the outcome of the meetings of
					the Executive Board, while
					respecting data protection
					<u>requirements.</u>
952.		Article 61	Article 61		Article 61
		OLAF and the European Court	OLAF and the European		OLAF and the European
		of Auditors	Court of Auditors		Court of Auditors
953.	Article 61	1. In order to facilitate	1. In order to facilitate	1. In order to facilitate	Agreed in principle:
	_	combating fraud, corruption and	combating fraud, corruption and	combating fraud, corruption and	1. In order to facilitate
	paragraph	other unlawful activities under	other unlawful activities under	other unlawful activities under	combating fraud, corruption
	1	Regulation (EC) No 1073/1999,	Regulation (EC) No 883/2013,	Regulation (<i>EU</i>) 883/2013	and other unlawful activities

		within six months from the entry	within six months from the	within six months from the entry	under Regulation (EC) No
		into force of this Regulation, it	entry into force of this	into force of this Regulation,	883/2013 , within six months
		shall accede to the	Regulation, <i>Eurojust</i> it shall	Eurojust shall accede to the	from the entry into force of this
		Interinstitutional Agreement of 25	accede to the Interinstitutional	Interinstitutional Agreement of	Regulation, Eurojust it shall
		May 1999 concerning internal	Agreement of 25 May 1999	25 May 1999 concerning internal	accede to the Interinstitutional
		investigations by the European	concerning internal	investigations by the European	Agreement of 25 May 1999
		Anti-fraud Office (OLAF) and	investigations by the European	Anti-fraud Office (OLAF) and	concerning internal
		adopt the appropriate provisions	Anti-fraud Office (OLAF) and	adopt the appropriate provisions	investigations by the European
		applicable to all the employees of	adopt the appropriate provisions	applicable to all the employees	Anti-fraud Office (OLAF) and
		Eurojust using the template set	applicable to all <i>the national</i>	of Eurojust using the template	adopt the appropriate
		out in the Annex to that	members, their deputies and	set out in the Annex to that	provisions applicable to all <i>the</i>
		Agreement.	Assistants, seconded national	Agreement.	national members, their
			experts and Eurojust staff		deputies and Assistants,
			using the template set out in the		seconded national experts and
			Annex to that Agreement.		Eurojust staff using the
					template set out in the Annex
					to that Agreement.
954.	Article 61	2. The European Court of	2. The European Court of	2. The European Court of	Agreed in principle:
	_	Auditors shall have the power of	Auditors shall have the power	Auditors shall regularly carry out audits on the compliance	2. The European Court of
	paragraph	audit, on the basis of documents	of audit, on the basis of	and on the performance of	Auditors shall <i>have the power of audit</i> , on the basis of
	2	and on the spot, over all grant	documents and on the spot,	Eurojust's activities, on the basis of documents or on-the-spot checks, over all grant	documents <i>and on the spot</i> , over all grant beneficiaries,

	beneficiaries, contractors and	over all grant beneficiaries,	beneficiaries, contractors and	contractors and subcontractors
	subcontractors who have received	contractors and subcontractors		who have received Union
			received Union funds from	funds from Eurojust.
	Union funds from Eurojust.	who have received Union funds	Eurojust.	
		from Eurojust.		

955.	Article 61	3. OLAF may carry out	OLAF may carry out	3. OLAF may carry out	Agreed in principle:
	_	investigations, including on-the-	investigations, including on-the-	investigations, including on-the-	OLAF may carry out
	paragraph	spot checks and inspections, in	spot checks and inspections, in	spot checks and inspections, in	investigations, including on-
	3	accordance with the provisions	accordance with the provisions	accordance with the provisions	the-spot checks and
		and procedures laid down in	and procedures laid down in	and procedures laid down in	inspections, in accordance with
		Regulation (<i>EC</i>) <i>No 1073/1999</i>	Regulation (EC) No 883/2013	Regulation (<i>EU</i>) 883/2013 and	the provisions and procedures
		and Council Regulation	and Council Regulation	Council Regulation (Euratom,	laid down in Regulation (EC)
		(Euratom, EC) No 2185/96 ²² with	(Euratom, EC) No 2185/96 ¹³	EC) No 2185/96 ²² with a view to	<i>No 883/2013</i> and Council
		a view to establishing whether	with a view to establishing	establishing whether there have	Regulation (Euratom, EC) No
		there have been any irregularities	whether there have been any	been any irregularities affecting	2185/96 with a view to
		affecting the financial interests of	irregularities affecting the	the financial interests of the	establishing whether there have
		the Union in connection with	financial interests of the Union	Union in connection with	been any irregularities
		expenditure funded by Eurojust.	in connection with expenditure	expenditure funded by Eurojust.	affecting the financial interests
			funded by Eurojust.		of the Union in connection
					with expenditure funded by
					Eurojust.

OJ L 292, 15.11.1996, p. 2.

956.	4. Without prejudice	e to 4. Without prejudic	e to	4. Without prejudice to
	paragraphs 1, 2 and 3,	working paragraphs 1, 2 and	3, working	paragraphs 1, 2 and 3, working
	arrangements with third	d countries, arrangements with	third	arrangements with third
	international organisati	ons and countries, internation	onal	countries, international
	Interpol, contracts, gran	nt organisations and I	nterpol,	organisations and Interpol,
	agreements and grant d	lecisions of contracts, grant agr	eements and	contracts, grant agreements and
	Eurojust shall contain p	provisions grant decisions of I	Eurojust shall	grant decisions of Eurojust
	expressly empowering	the contain provisions	expressly	shall contain provisions
	European Court of Auc	litors and empowering the Eu	ropean	expressly empowering the
	OLAF to conduct such	audits and Court of Auditors a	nd OLAF to	European Court of Auditors
	investigations, according	ng to their conduct such audits	and	and OLAF to conduct such
	respective competences	s. investigations, acco	ording to	audits and investigations,
		their respective con	npetences.	according to their respective
				competences.

957.	Article 61		4a. The staff of Eurojust, the	Agreed in principle:
	_		Administrative Director and the	4a. The staff of Eurojust,
	paragraph		members of the College and	the Administrative Director
	4 a (new)		Executive Board shall, without	and the members of the
			delay and without any question	College and Executive Board
			of their responsibility being	shall, without delay and
			called into question as a result,	without any question of their
			notify OLAF of any frauds	responsibility being called into
			which have come to their	question as a result, notify
			attention in the fulfilment of	OLAF and EPPO of any
			their duties or remit. If they fail	suspicion of fraudsillegal
			to meet this obligation and to	activity, covered by their
			inform OLAF of fraud of which	<u>competence</u> which have come
			they have knowledge, they shall	to their attention in the
			become personally liable for the	fulfilment of their duties or
			consequences.	remit. If they fail to meet this
				obligation and to inform
				OLAF of fraud of which they
				have knowledge, they shall
				become personally liable for
				the consequences.

958.		Article 62	Article 62		Article 62
959.	Article 62 – title	Security rules on the protection of classified information	Rules on the protection of sensitive non-classified and of classified information	Security rules on the protection of sensitive non-classified and classified information	Rules on the protection of sensitive non-classified and of classified information
960.	Article 62 paragraph 1	Eurojust shall apply the security principles contained in the Commission's security rules for protecting European Union Classified Information (EUCI) and sensitive non-classified information, as set out in the annex to Commission Decision 2001/844/EC, ECSC, Euratom ²³ . This shall cover, inter alia,	1. Eurojust shall establish internal rules on the protection of sensitive non-classified information, including the creation and processing of such information at Eurojust.	Eurojust shall establish internal rules on the protection of the European Union classified information which shall be consistent with Council Decision 2013/488/EU in order to ensure an equivalent level of protection for such information	Agreed in principle: Eurojust shall establish internal rules on the protection of the European Union classified information which shall be consistent with Council Decision 2013/488/EU in order to ensure an equivalent level of protection for such information
		provisions for the exchange, processing and storage of such information.			

961.	Article 62		Eurojust shall establish internal	Agreed in principle:
	_		rules on the handling and	Eurojust shall establish
	paragraph		confidentiality of information	internal rules on the handling
	1 a (new)		and on the protection of	and confidentiality of
			sensitive non-classified	information and on the
			information, including the	protection of sensitive non-
			creation and processing of such	classified information,
			information at Eurojust.	including the creation and
				processing of such
				information at Eurojust.
962.	Article 62	2. Eurojust shall establish		Deleted
	-	internal rules on the protection		
	paragraph	of the European Union		
	2 (new)	classified information which		
		shall be consistent with		
		Council Decision 2013/488/EU		
		in order to ensure an		
		equivalent level of protection		
		for such information.		

963.	Article 63	Article 63	Article 63
	Administrative inquiries	Administrative inquiries	Administrative inquiries
	The administrative activities of	The administrative activities of	The administrative activities of
	Eurojust shall be subject to the	Eurojust shall be subject to the	Eurojust shall be subject to the
	inquiries of the European	inquiries of the European	inquiries of the European
	Ombudsman in accordance with	Ombudsman in accordance with	Ombudsman in accordance
	Article 228 of the Treaty.	Article 228 of the Treaty.	with Article 228 of the Treaty.
964.	Article 64	Article 64	Article 64
	Liability other than liability for	Liability other than liability	Liability other than liability
	unauthorised or incorrect	for unauthorised or incorrect	for unauthorised or incorrect
	processing of data	processing of data	processing of data
965.	1. Eurojust's contractual	1. Eurojust's contractual liability	1. Eurojust's contractual
	liability shall be governed by the	shall be governed by the law	liability shall be governed by
	law applicable to the contract in	applicable to the contract in	the law applicable to the
	question.	question.	contract in question.

966.		2. The Court of Justice of the	2. The Court of Justice of the		2. The Court of Justice of the
		European Union shall have	European Union shall have		European Union shall have
		jurisdiction to give judgment	jurisdiction to give judgment		jurisdiction to give judgment
		pursuant to any arbitration clause	pursuant to any arbitration		pursuant to any arbitration
		contained in a contract concluded	clause contained in a contract		clause contained in a contract
		by Eurojust.	concluded by Eurojust.		concluded by Eurojust.
967.	Article 64	3. In the case of non-	3. In the case of non-contractual	3. In the case of non-	Pending issue until the final
	_	contractual liability, Eurojust	liability, Eurojust shall, in	contractual liability, Eurojust	decision on data protection
	paragraph	shall, in accordance with the	accordance with the general	shall, in accordance with the	rules.
	3	general principles common to the	principles common to the laws	general principles common to the	
		laws of the Member States and	of the Member States and	laws of the Member States and	
		independently of any liability	independently of any liability	independently of any liability	
		under Article 37, make good any	under Article 37, make good	under <i>Union law</i> , make good	
		damage caused by the College or	any damage caused by the	any damage caused by the	
		the staff of Eurojust in the	College or the staff of Eurojust	College or the staff of Eurojust	
		performance of their duties.	in the performance of their	in the performance of their	
			duties.	duties.	

968.	4. Paragraph 3 shall also apply	4. Paragraph 3 shall also apply	4. Paragraph 3 shall also apply
	to damage caused through the	to damage caused through the	to damage caused through the
	fault of a national member, a	fault of a national member, a	fault of a national member, a
	deputy or an Assistant in the	deputy or an Assistant in the	deputy or an Assistant in the
	performance of their duties.	performance of their duties.	performance of their duties.
	However, when he or she is	However, when he or she is	However, when he or she is
	acting on the basis of the powers	acting on the basis of the	acting on the basis of the
	granted to him or her pursuant to	powers granted to him or her	powers granted to him or her
	Article 8, his or her Member State	pursuant to Article 8, his or her	pursuant to Article 8, his or her
	of origin shall reimburse Eurojust	Member State of origin shall	Member State of origin shall
	the sums which Eurojust has paid	reimburse Eurojust the sums	reimburse Eurojust the sums
	to make good such damage.	which Eurojust has paid to	which Eurojust has paid to
		make good such damage.	make good such damage.
969.	5. The Court of Justice of the	5. The Court of Justice of the	5. The Court of Justice of the
	European Union shall have	European Union shall have	European Union shall have
	jurisdiction in disputes over	jurisdiction in disputes over	jurisdiction in disputes over
	compensation for damages	compensation for damages	compensation for damages
	referred to in paragraph 3.	referred to in paragraph 3.	referred to in paragraph 3.

	operating conditions	operating conditions	and operating conditions
	Headquarters Agreement and	Headquarters Agreement and	Headquarters Agreement
972.	Article 65	Article 65	Article 65
	applicable to them.	applicable to them.	applicable to them.
	Conditions of Employment	or Conditions of Employment	or Conditions of Employment
	down in the Staff Regulations or	down in the Staff Regulations	down in the Staff Regulations
	governed by the provisions laid	governed by the provisions laid	governed by the provisions laid
	staff towards Eurojust shall be	staff towards Eurojust shall be	staff towards Eurojust shall be
971.	7. The personal liability of its	7. The personal liability of its	7. The personal liability of its
		44/2001 ¹⁵ .	44/2001 ¹⁶ .
	(EC) No 44/2001 ¹⁴ .	Council Regulation (EC) No	Council Regulation (EC) No
	reference to Council Regulation	determined by reference to	determined by reference to
	Article shall be determined by	in this Article shall be	to in this Article shall be
	liability as referred to in this	Eurojust's liability as referred to	Eurojust's liability as referred
	with disputes involving Eurojust's	deal with disputes involving	deal with disputes involving
	Member States competent to deal	Member States competent to	Member States competent to
970.	6. The national courts of the	6. The national courts of the	6. The national courts of the

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OJ L 12, 16.1.2001, p. 1. Regulation (EC) No 44/2001 is replaced by Regulation (EU) No 1215/2012 from 10 January 2015

OJ L 12, 16.1.2001, p. 1. Regulation (EC) No 44/2001 is replaced by Regulation (EU) No 1215/2012 from 10 January 2015.

OJ L 12, 16.1.2001, p. 1. Regulation (EC) No 44/2001 is replaced by Regulation (EU) No 1215/2012 from 10 January 2015.

973.	The seat of Eurojust shall be The	1. The seat of Eurojust shall be	Agreed in principle:
	Hague, The Netherlands.	The Hague, The Netherlands.	The seat of Eurojust shall be
	The necessary arrangements		The Hague, The Netherlands.
	concerning the accommodation		The necessary arrangements
	to be provided for Eurojust in the		concerning the
	Netherlands and the facilities to		accommodation to be provided
	be made available by the		for Eurojust in the
	Netherlands together with the		Netherlands and the facilities
	specific rules applicable in the		to be made available by the
	Netherlands to the		Netherlands together with the
	Administrative Director,		specific rules applicable in the
	members of the College,		Netherlands to the
	Eurojust staff and members of		Administrative Director,
	their families shall be laid down		members of the College,
	in a Headquarters Agreement		Eurojust staff and members of
	between Eurojust and the		their families shall be laid
	Netherlands concluded once the		down in a Headquarters
	College's approval is obtained.		Agreement between Eurojust
	The Netherlands shall provide		and the Netherlands
	the best possible conditions to		concluded once the College's
	ensure the functioning of		approval is obtained.

		Eurojust, including multilingual,		
		European-oriented schooling		The last part of the sentence
		and appropriate transport		"The Netherlands shall
		connections.		provide the best possible
				conditions to ensure the
				functioning of Eurojust,
				including multilingual,
				European-oriented schooling
				and appropriate transport
				connections" will be moved to
				a recital (alignment with
				Article 70 and recital 67 of the
				Europol Regulation).
974.	Article 65		2. The necessary arrangements	Deleted
	-		concerning the accommodation	
	paragraph		to be provided for Eurojust in	
	2 (new)		the Netherlands and the	
			facilities to be made available	
			by the Netherlands together	
			with the specific rules	
			applicable in the Netherlands	

			to the Administrative Director,	
			members of the College,	
			Eurojust staff and members of	
			their families shall be laid	
			down in a Headquarters	
			Agreement between Eurojust	
			and the Netherlands concluded	
			once the College's approval is	
			obtained.	
975.	Article 66		Article 66	Article 66
	Transitional arra	angements	Transitional arrangements	Transitional arrangements
976.	1. Eurojust sha	all be the general	1. Eurojust shall be the general	1. Eurojust shall be the general
	legal successor in	respect of all	legal successor in respect of all	legal successor in respect of all
	contracts conclude	ed by, liabilities	contracts concluded by,	contracts concluded by,
	incumbent on, and	d properties	liabilities incumbent on, and	liabilities incumbent on, and
	acquired by Euroj	ust as	properties acquired by Eurojust	properties acquired by Eurojust
	established by Co	uncil Decision	as established by Council	as established by Council
	2002/187/JHA.		Decision 2002/187/JHA.	Decision 2002/187/JHA.

977.	Article 66	2. The national members of	2. The national members of	The national members of
	-	Eurojust who were seconded by	Eurojust who were seconded by	Eurojust who were seconded
	paragraph	each Member State under	each Member State under	by each Member State under
	2	Decision 2002/187/JHA shall take	Decision 2002/187/JHA shall	Decision 2002/187/JHA shall
		the role of national members of	take the role of national	take the role of national
		Eurojust under Section II of this	members of Eurojust under	members of Eurojust under
		Regulation. The term of their	Section II of this Regulation.	Section II of this Regulation.
		office may be extended once		The term of their office may
		under Article 10(2) of this		be extended once under
		Regulation after the entry into		Article 10(2) 7(3a) of this
		force of this Regulation,		Regulation after the entry into
		irrespective of a previous		force of this Regulation,
		extension.		irrespective of a previous
				extension.
				(The reference of the relevant
				article will need to be
				changed.)

978. The President and Vice-3. The President and Vice-3. The President and Vice-Presidents of Eurojust at the time Presidents of Eurojust at the Presidents of Eurojust at the of the entry into force of this time of the entry into force of time of the entry into force of this Regulation shall take the Regulation shall take the role of this Regulation shall take the the President and Vice-Presidents role of the President and Vicerole of the President and Vice-Presidents of Eurojust under of Eurojust under Article 11, until Presidents of Eurojust under Article 11, until their term in their term in accordance with Article 11, until their term in accordance with Decision Decision 2002/187/JHA expires. accordance with Decision They may be re-elected once after 2002/187/JHA expires. They 2002/187/JHA expires. They may be re-elected once after the entry into force of this may be re-elected once after the the entry into force of this Regulation under Article 11(3) of entry into force of this Regulation under Article 11(3) this Regulation, irrespective of a Regulation under Article 11(3) of this Regulation, irrespective of this Regulation, irrespective previous re-election. of a previous re-election. of a previous re-election.

979.	4. The Administrative Director	4. The Administrative Director	4. The Administrative Director
	who was lastly appointed under	who was lastly appointed under	who was lastly appointed under
	Article 29 of Decision	Article 29 of Decision	Article 29 of Decision
	2002/187/JHA shall take the role	2002/187/JHA shall take the	2002/187/JHA shall take the
	of the Administrative Director	role of the Administrative	role of the Administrative
	under Article 17 until his or her	Director under Article 17 until	Director under Article 17 until
	term as decided under Decision	his or her term as decided under	his or her term as decided
	2002/187/JHA expires The term	Decision 2002/187/JHA	under Decision 2002/187/JHA
	of the Administrative Director	expires. The term of the	expires. The term of the
	may be extended once after the	Administrative Director may be	Administrative Director may
	entry into force of this	extended once after the entry	be extended once after the
	Regulation.	into force of this Regulation.	entry into force of this
			Regulation.
980.	5. This Regulation shall not	5. This Regulation shall not	5. This Regulation shall not
	affect the legal force of	affect the legal force of	affect the legal force of
	agreements concluded by	agreements concluded by	agreements concluded by
	Eurojust as established by	Eurojust as established by	Eurojust as established by
	Decision 2002/187/JHA. In	Decision 2002/187/JHA. In	Decision 2002/187/JHA. In
	particular, all international	particular, all international	particular, all international
	agreements concluded by	agreements concluded by	agreements concluded by
	Eurojust which have entered into	Eurojust which have entered	Eurojust which have entered

		force before the entry into force	into force before the entry into	into force before the entry into
		of this Regulation shall remain	force of this Regulation shall	force of this Regulation shall
		legally valid.	remain legally valid.	remain legally valid.
981.	Article 66		6. The discharge procedure	Agreed in principle:
	-		in respect of the budgets	6. The discharge procedure
	paragraph		approved on the basis of	in respect of the budgets
	6 (new)		Article 35 of Decision	approved on the basis of
			2002/187/JHA shall be carried	Article 35 of Decision
			out in accordance with the	2002/187/JHA shall be carried
			rules established by Article 36	out in accordance with the
			of Decision 2002/187/JHA.	rules established by Article 36
				of Decision 2002/187/JHA.
982.	Article 66		7. The Regulation shall not	Agreed in principle:
	-		affect labour contracts which	7. The Regulation shall not
	paragraph		have been concluded in	affect labour contracts which
	7 (new)		accordance with Article 31	have been concluded in
			prior to the entry into force of	accordance with Article 31
			this Regulation. The Data	prior to the entry into force of
			Protection Officer who was	this Regulation. The Data
			lastly appointed under Article	Protection Officer who was
			17 of Decision 2002/187/JHA	lastly appointed under Article

			shall take the role of the Data	17 of Decision 2002/187/JHA
			Protection Officer under	shall take the role of the Data
			Article 31.	Protection Officer under
				Article 31.
983.	Article 67	Article 67	Article 67	Compromise proposal
	- title	Repeal	Replacement	Article 67
				Replacement and repeal
984.	Article 67	1. This Regulation replaces	1. Decisions 2002/187/JHA,	Agreed in principle:
	-	and repeals Decisions	2003/659/JHA and	1. Decisions 2002/187/JHA,
	paragraph	2002/187/JHA, 2003/659/JHA	2009/426/JHA are hereby	2003/659/JHA and
	1	and 2009/426/JHA.	replaced for the Member States	2009/426/JHA are hereby
			bound by this Regulation with	replaced for the Member
			effect from the date of	States bound by this
				Regulation with effect from
			application of this Regulation.	[] ^{[/} .
				Therefore,
				Decisions 2002/187/JHA,
				2003/659/JHA and
				2009/426/JHA are repealed with effect from $[]^{18}$.
				with chect if the property of

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¹ year after entry into force.1 year after entry into force. 18

985.	Article 67 - paragraph 2	2. References to the repealed Council Decisions referred to in paragraph 1 shall be construed as references to this Regulation.	2. For the Member States bound by this Regulation, references to the Council Decisions referred to in paragraph 1 shall be construed as references to this Regulation.	Agreed in principle: 2. With regard to the Member States bound by this Regulation, references to the [] Decisions referred to in paragraph 1 shall be construed as references to this Regulation.
986.		Article 68 Entry into force	Article 68 Entry into force	Article 68 Entry into force
987.		This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties. Done at Brussels,	1. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	Agreed in principle: 1. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

988.	Article 68		2. This Regulation shall be	Agreed in principle:
	-		binding in its entirety and	2. This Regulation shall be
	paragraph		directly applicable in the	binding in its entirety and
	2 (new)		Member States in accordance	directly applicable in the
			with the Treaties.	Member States in accordance
				with the Treaties.
989.	Article 68		3. It shall apply from [] ¹⁹ .	3. It shall apply from $[]^{20}$.
	-			
	paragraph			
	3 (new)			
990.		For the European Parliament		
		For the Council		
		The President The President		
991.		ANNEX 1	ANNEX 1	
992.		List of forms of serious crime	List of forms of serious crime	
		which Eurojust is competent to	which Eurojust is competent to	
		deal with in accordance with	deal with in accordance with	
		Article 3(1):	Article 3(1):	

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¹ year after entry into force.1 year after entry into force. 20

993.		- organised crime;	- terrorism,		Pending issue: the order of list
					of the Council is aligned with
					the Annex I of the Europol
					Regulation
994.	Annex I –	- terrorism;	- organised crime,	terrorism, terrorist	
	paragraph			offences, offences related to a	
	1 – indent			terrorist group and offences	
	2			related to terrorist activities:	
995.		drug trafficking;	 drug trafficking, 		
996.	Annex I –	- money-laundering;	money-laundering	- money-laundering	
	paragraph		activities,	activities;	
	1 – indent				
	4				
997.	Annex I –	- corruption;	- crime connected with		
	paragraph		nuclear and radioactive		
	1 – indent		substances,		
	5				
998.	Annex I –	- crime against the financial	– illegal immigrant		In Europol regulation:
	paragraph	interests of the Union;	smuggling,		immigrant smuggling
	1 – indent				
	6				

999.	Annex I –	– murder, grievous bodily	- trafficking in human	– murder <i>and</i> grievous	
	paragraph	injury;	beings,	bodily injury;	
	1 – indent				
	7				
1000.	Annex I –	– kidnapping, illegal	– motor vehicle crime,		
	paragraph	restraint and hostage taking;			
	1 – indent				
	8				
1001.	Annex I –	 sexual abuse and sexual 	– murder, grievous bodily		In Europol regulation: murder
	paragraph	exploitation of women and	injury,		and grievous bodily injury
	1 – indent	children, child pornography and			
	9	solicitation of children for sexual			
		purposes;			
1002.	Annex I –	racism and xenophobia;	– illicit trade in human		
	paragraph		organs and tissue		
	1 – indent				
	10				
1003.	Annex I –	- organised robbery;	– kidnapping, illegal	- robbery <i>and aggravated</i>	
	paragraph		restraint and hostage taking,	theft;	
	1 – indent				
	11				

1004.	Annex I –	- motor vehicle crime;	- racism and xenophobia	
	paragraph			
	1 – indent			
	12			
1005.	Annex I –	swindling and fraud;	 organised robbery and 	The term "organised" is not
	paragraph		aggravated theft,	mentioned in the Europol
	1 – indent			Annex I.
	13			
1006.	Annex I –	- racketeering and extortion;	– illicit trafficking in	
	paragraph		cultural goods, including	
	1 – indent		antiquities and works of art,	
	14			
1007.	Annex I –	 counterfeiting and product 	- swindling and fraud,	
	paragraph	piracy;		
	1 – indent			
	15			
1008.	Annex I –	- forgery of administrative	- crime against the	
	paragraph	documents and trafficking	financial interests of the	
	1 – indent	therein;	Union,	
	16			

1009.	Annex I –	- forgery of money and	 insider dealing and 		
	paragraph	means of payment;	financial market manipulation,		
	1 – indent				
	17				
1010.	Annex I –	- computer crime;	- racketeering and		
	paragraph		extortion,		
	1 – indent				
	18				
1011.	Annex I –	 insider dealing and 	 counterfeiting and 		
	paragraph	financial market manipulation;	product piracy,		
	1 – indent				
	19				
1012.	Annex I –	– <i>illegal</i> immigrant	- forgery of administrative	immigrant smuggling;	
	paragraph	smuggling;	documents and trafficking		
	1 – indent		therein,		
	20				
1013.	Annex I –	- trafficking in human	- forgery of money and		
	paragraph	beings;	means of payment,		
	1 – indent				
	21				

1014.	Annex I –	– illicit trade in human	- computer crime,		
	paragraph	organs and tissue;			
	1 – indent				
	22				
1015.	Annex I –	– illicit trafficking in	- corruption,		
	paragraph	hormonal substances and other			
	1 – indent	growth promoters;			
	23				
1016.	Annex I –	- illicit trafficking in cultural	– illicit trafficking in arms,		
	paragraph	goods, including antiquities and	ammunition and explosives,		
	1 – indent	works of art;			
	24				
1017.	Annex I –	 illicit trafficking in arms, 	– illicit trafficking in		
	paragraph	ammunition and explosives;	endangered animal species,		
	1 – indent				
	25				
1018.	Annex I –	 illicit trafficking in 	– illicit trafficking in	- illicit trafficking in <i>animal</i>	
	paragraph	endangered animal species;	endangered plant species and	species, including endangered	
	1 – indent		varieties,	species;	
	26				

1019.	Annex I –	– illicit trafficking in	– environmental crime,		
	paragraph	endangered plant species and	including ship source		
	1 – indent	varieties;	pollution,		
	27				
1020.	Annex I –	environmental crime;	– illicit trafficking in	 environmental crime, 	
	paragraph		hormonal substances and other	including ship-source pollution;	
	1 – indent		growth promoters,		
	28				
1021.	Annex I –	- ship-source pollution;	- sexual abuse and sexual	deleted	The wording of the Europol
	paragraph		exploitation including child		Annex I is "sexual abuse and
	1 – indent		pornography and solicitation		sexual exploitation, including
	29		of children for sexual		child abuse material and
			purposes,		solicitation of children for
					sexual purposes"
1022.	Annex I –	- crime connected with	- genocide, crimes against		
	paragraph	nuclear and radioactive	humanity and war crimes.		
	1 – indent	substances;			
	30				

1023.	Annex I –			- sexual abuse and sexual	See above line 1021
	paragraph			exploitation, including child	
	1 – indent			abuse material and solicitation	
	30 a			of children for sexual purposes;	
	(new)				
1024.	Annex I –	– genocide, crimes against	- unlawful seizure of		This crime is not in Europol
	paragraph	humanity and war crimes.	aircraft/ships		Annex I.
	1 – indent				
	31				
1025.	Annex 2		Annex 2		PENDING ISSUE- until the
	(new)				final decision on data
					protection rules.
1026.			Categories of operational		
			personal data referred to in		
			Article 27		
1027.			1. a) surname, maiden		
			name, given names and any		
			alias or assumed names;		
1028.			b) date and place of birth;		
1029.			c) nationality;		

1030.	d) sex;
1031.	e) place of residence,
	profession and whereabouts of
	the person concerned;
1032.	f) social security numbers
	or other official numbers used
	in the Member States to
	identify individuals, driving
	licences, identification
	documents and passport data,
	customs and Tax Identification
	Numbers;
1033.	g) information concerning
	legal persons if it includes
	information relating to
	identified or identifiable
	individuals who are the subject
	of a judicial investigation or
	prosecution;

1034.	h) details of accounts held
	with banks or other financial
	institutions;
1035.	i) description and nature of
	the alleged offences, the date
	on which they were committed,
	the criminal category of the
	offences and the progress of
	the investigations;
1036.	j) the facts pointing to an
	international extension of the
	case;
1037.	k) details relating to alleged
	membership of a criminal
	organisation;
1038.	l) telephone numbers, e-
	mail addresses, traffic data and
	location data, as well as any
	related data necessary to
	identify the subscriber or user;
1039.	m) vehicle registration data;

1040.	(n)	DNA profiles established
	from	the non-coding part of
	DNA	, photographs and
	finge	erprints.
1041.	2.	a) surname, maiden
	name	e, given names and any
	alias	or assumed names;
1042.	b)	date and place of birth;
1043.	<i>c</i>)	nationality;
1044.	(d)	sex;
1045.	(e)	place of residence,
	profe	ession and whereabouts of
	the p	erson concerned;
1046.	Ŋ	the description and
	natus	re of the offences
	invol	ving them, the date on
	which	h they were committed, the
	crimi	inal category of the
	offen	aces and the progress of
	the in	nvestigations.

1047.	g) social security number or
	other official numbers used by
	the Member States to identify
	individuals, driving licences,
	identification documents and
	passport data, customs and Tax
	Identification Numbers;
1048.	h) details of accounts held
	with banks and other financial
	institutions;
1049.	i) telephone numbers, e-
	mail addresses, traffic data and
	location data, as well as any
	related data necessary to
	identify the subscriber or user;
1050.	j) vehicle registration data.