



Council of the European Union
General Secretariat

Brussels, 4 December 2020

CM 5194/20

CODEC
GAF
FIN
PROCED

COMMUNICATION

WRITTEN PROCEDURE

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Subject:	Draft Regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) No 883/2013, as regards cooperation with the European Public Prosecutor's Office and the effectiveness of the European Anti-Fraud Office investigations (2018/0170 COD) – Adoption of the Council's position at first reading and of the statement of the Council's reasons – Outcome of the written procedure initiated by CM 5070/20

Delegations are informed that the written procedure, opened by CM 5070/20 of Monday, 30 November 2020 was completed on Friday, 4 December 2020 and that all delegations voted in favour of, except for Austria, Estonia, Luxembourg and the Netherlands that abstained, the adoption of the Council's position at first reading on the draft Regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) No 883/2013, as regards cooperation with the European Public Prosecutor's Office and the effectiveness of the European Anti-Fraud Office investigations, as set out in document 10008/20 + COR 1 (de) and the statement of the Council's reasons as set out in the ADD 1 to that document.

The required qualified majority has been reached. Therefore, the above position of the Council at first reading and the statement of the Council's reasons are adopted.

The statement by Italy is reproduced in the Annex to this CM and will be included in the summary of acts adopted by the written procedure as statements to be entered in the Council minutes, in accordance with the third subparagraph of Article 12(1) of the Council's Rules of Procedure.

STATEMENT BY ITALY

Italy confirms the importance of acquiring and using data from banking registries and transactions from the initial stages of the administrative investigation, inter alia in order to protect the financial interests of the European Union.

With this in view, Italy considers it necessary for access to banking data within the framework of administrative investigations conducted by OLAF to be effected through the assistance and cooperation of national authorities competent in the same administrative capacity and for the protection of the financial interests of the European Union pursuant to Article 325 TFEU.

To ensure greater and uniform effectiveness of administrative anti-fraud investigations, Italy hopes that the acquisition of banking data by administrative means will be made possible in practice throughout the territory of the European Union, as is already the case in Italy.
