

DECISION OF THE COLLEGE OF THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE OF 24 MARCH 2021

AMENDING AND SUPPLEMENTING THE COLLEGE DECISION 001/2020 OF 29 SEPTEMBER 2020 LAYING DOWN RULES ON CONDITIONS OF EMPLOYMENT OF THE EUROPEAN DELEGATED PROSECUTORS

The College of the European Public Prosecutor's Office (EPPO),

Having regard to Council Regulation (EU) 2017 /1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ("EPPO") (hereinafter referred to as "the EPPO Regulation"), and in particular Articles 13(2), 13(3), 17 and 96 and recital 116 thereof,

Having regard to Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Community of Atomic Energy, hereinafter referred to as "the Staff Regulations" and, respectively "the CEOS", and in particular to Articles 123 of the CEOS,

Having regard to Decision of the College of the European Public Prosecutor's Office of 29 September 2020 laying down rules on condition of employment of the European Delegated Prosecutors (hereinafter referred to as "the CEEDP"), and in particular Article 22-23 thereof,

Having regard to Decision of the College of the European Public Prosecutor's Office of 13 January 2021 on the Financial Rules applicable to the EPPO (hereinafter "the Financial Rules"), and in particular Article 78 thereof,

Has adopted the following decision:

Article 1

Amendment

The College Decision 001/2020 laying down rules on conditions of employment of the European Delegated Prosecutors is amended and supplemented as follows:

- I. After Article 23 a new Article is inserted, Article 23a, with the following provisions:

Article 23a

Exception

1. Exceptionally, a European Delegated Prosecutor may be authorised to exercise exclusively functions as national prosecutor, for a period [of at least one month and not longer than [2] years,] to be determined in the agreement mentioned in Article 22(1).
 2. The contract of the European Delegated Prosecutor exclusively exercising functions as national prosecutor shall include a reference to this arrangement and specify its expected/maximum duration.
 3. Where a European Delegated Prosecutor exercises exclusively functions as national prosecutor, he/she shall continue to be paid by the competent national authority in his/her capacity as national prosecutor and according to the applicable national rules.
 4. During the period a European Delegated Prosecutor exclusively exercises functions as national prosecutor, in accordance with paragraph 1, the provisions of Articles 7, 8, 9(3), 10(2), 11(2), 12-17, 22, 23(2)-(3) shall not apply.
 5. At any time, if the agreement mentioned in Article 22(1) is modified in respect of European Delegated Prosecutors engaged in accordance with paragraph 1, those European Delegated Prosecutors shall be engaged in accordance with the general rules from this Decision or according to Articles 22-23, respectively. The term set out in Article 13 (1) shall be calculated from the day the contract of the European Delegated Prosecutor is correspondingly amended.
- II. After Article 24, a new denomination is inserted: "Chapter IX – Final provisions".

Article 2

Entry into force

This decision shall enter into force on the date of its adoption by the College of the European Public Prosecutor's Office (EPPO).

Done at Luxembourg on 24 March 2021.

On behalf of the College,


Andrés RITTER

Deputy European Chief Prosecutor