

DECISION OF THE COLLEGE OF THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE OF 7 FEBRUARY 2024

AMENDING THE DECISION 005/2022 OF THE COLLEGE OF THE EPPO OF 26 JANUARY 2022 DELEGATING THE POWERS OF THE APPOINTING AUTHORITY AND THE AUTHORITY AUTHORISED TO CONCLUDE CONTRACTS TO THE ADMINISTRATIVE DIRECTOR

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

Having regard to:

- the Staff Regulations of Officials ('Staff Regulations') and the Conditions of Employment of Other Servants of the European Union ('CEOS')¹, and in particular Articles 2(1), 110(2) of the Staff Regulations and Article 6 of the CEOS thereof,
- the 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")², and in particular Article 96(3) thereof,
- the Internal Rules of Procedure of the European Public Prosecutor's Office (hereinafter referred to as "Internal Rules of Procedure")³, and in particular Article 13(3) thereof.

¹ 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 Atomic Energy Community (OJ P 045 14.6.1962, p. 1385), and any subsequent amendment thereto.

² OJ L 283, 31.10.2017, p. 1–71.

³ Decision 003/2020 of the College of the EPPO of 12 October 2020 on the Internal Rules of Procedure of the EPPO, as amended and supplemented by the Decisions 085/2021, 026/2022 and 010/2024 of the College of the EPPO.

Whereas:

1. By virtue of Article 96(3) of the EPPO Regulation, the powers of the appointing authority and the authority empowered to conclude contracts of employment are conferred to the College of the EPPO.
2. Pursuant to Article 96(3) of the EPPO Regulation, the College may delegate these powers to the Administrative Director with respect to the staff of the EPPO. Moreover, pursuant to Article 96(3) of the EPPO Regulation, delegation of powers shall not concern the European Chief Prosecutor, the European Prosecutors, the European Delegated Prosecutors or the Administrative Director.
3. Pursuant Article 13(3) of the Internal Rules of Procedure, the Head of the College Secretariat shall be appointed by the College.

Has adopted the following decision:

Article 1

Amendments

The Decision 005/2022 of the College of the EPPO of 26 January 2022 delegating the powers of the appointing authority and the authority authorised to conclude contracts to the Administrative Director is amended and supplemented as follows:

- I. Article 1 is amended and supplemented as follows:

“Article 1

This Decision concerns the exercise of the powers of the appointing authority and the authority empowered to conclude contracts of employment in respect of the staff of the EPPO, except:

- a. the European Chief Prosecutor;
- b. the European Prosecutors;
- c. the European Delegated Prosecutors;
- d. the Administrative Director;
- e. the appointment of the Head of the College Secretariat;
- f. the appointment of the accounting officer;
- g. the designation of the Data Protection Officer.”

Article 2 is amended and supplemented as follows:

"Article 2

1. Within the limits of Article 1, the powers conferred by the Staff Regulations on the appointing authority and by the CEOS on the authority empowered to conclude contracts of employment shall be delegated to the Administrative Director of the EPPO, except for the adoption of the implementing rules to give effect to the Staff Regulations and the CEOS.
2. The powers referred to in paragraph 1 are conferred on the Administrative Director without prejudice to other competences of the College as provided for in the EPPO Regulation, in particular as regards the career of the European Prosecutors and European Delegated Prosecutors.
3. The decisions on extension of contract, termination of contract, appraisal and reclassification of the EPPO's accounting officer, data protection officer and Head of College Secretariat shall be subject to the adoption by the College. The decisions on the conclusion and extension of contracts, appraisal and disciplinary procedures of the European Delegated Prosecutors are exclusively governed by the rules provided for in the Decision of the College on the Conditions of employment of the European Delegated Prosecutors.
4. The powers referred to in paragraph 1 concerning Article 90(2) of the Staff Regulations are exercised by the College when the contested decision was taken at the level of the Administrative Director."

Article 2

Entry into force

This decision shall enter into force on the day following that of its adoption.

Done at Luxembourg on 7 February 2024.

On behalf of the College,

Laura Codruța KÖVESI
European Chief Prosecutor

KOVESI
Laura

Digitally signed
by KOVESI Laura
Date: 2024.02.08
18:41:53 +01'00'