



DECISION NO MB/2013/17
by the Management Board
of the European Union Agency for Network and Information
Security (ENISA) concerning the accession of the ENISA to the
inter-institutional agreement of 25 May 1999 between the
European Parliament, the Council and the Commission concerning
internal investigations by the European Anti-Fraud Office (OLAF)

THE MANAGEMENT BOARD OF ENISA,

Having regard to the Regulation (EU) No 526/2013 of the European Parliament and of the Council of 21 May 2013 concerning the European Union Agency for Network and Information Security (ENISA) and repealing Regulation (EC) No 460/2004¹ (hereinafter referred to as Regulation) and in particular Article 20 (1) thereof,

Whereas:

- (1) Regulation (EC) No 1073/1999 of the European Parliament and of the Council² and Council Regulation (Euratom) No 1074/1999³ concerning investigations conducted by the European Anti-Fraud Office (OLAF) provide that OLAF should initiate and conduct administrative investigations within the institutions, agencies, bodies, and offices and agencies established by or on the basis of the Treaty on the Functioning of the European Union;
- (2) An Inter-institutional Agreement of 25 May 1999 concerning internal investigations by OLAF was concluded between the European Parliament, the Council and the Commission⁴ (hereinafter "the Inter-institutional agreement") with the aim to agree on common rules for ensuring the smooth operation of investigations carried out by OLAF;
- (3) The Decision MB/2013/17 of the Management Board of ENISA of 17 October 2013 concerning the terms and conditions for internal investigations in relation to the prevention of fraud, corruption and any illegal activities detrimental to the Unions' interests⁵, adopted on the basis of a model attached to the Inter-institutional agreement provides for measures needed to facilitate internal investigations conducted by OLAF;

¹ OJ L165, 18.6.2013, p.41.

² OJ L 136, 31.5.1999, p.1.

³ OJ L 136, 31.5.1999, p.8.

⁴ OJ L 136, 31.5.1999, p.15.

⁵ website reference

(4) In accordance with Article 20(1) of the Regulation and the Inter-institutional Agreement, the ENISA should accede to the Inter-institutional Agreement;

HAS ADOPTED THIS DECISION:

Article 1

The accession of the ENISA to the Inter-institutional Agreement is hereby approved and the Chair of the Management Board of the ENISA is invited to forward a declaration to that effect to the Presidents of the European Parliament, the Council of the European Union and the European Commission.

Article 2

The Chair of the Management Board of the ENISA is invited to communicate to the Director General of the European Anti-Fraud Office the Decision No MB/2013/17 of the Management Board of 17 October 2013 concerning the terms and conditions for internal investigations in relation to the prevention of fraud, corruption and any illegal activity detrimental to the Communities' interests.

Article 3

This decision shall enter into force on the date of its signature.

Done at Vilnius, on 17 October 2013.

On behalf of the Management Board

A handwritten signature in blue ink, consisting of a stylized first name and a last name, written in a cursive style.

Chairperson