



**EuroHPC JOINT UNDERTAKING**  
**DECISION OF THE GOVERNING BOARD OF THE EuroHPC JOINT**  
**UNDERTAKING No 15/2020**

**On the accession of the European High Performance Computing Joint Undertaking (EuroHPC JU) to the Interinstitutional Agreement of 25 May 1999 between the European Parliament, the Council and the Commission concerning internal investigations by the European Anti-Fraud Office**

THE GOVERNING BOARD OF THE EuroHPC JOINT UNDERTAKING,

Having regard to Council Regulation (EU) 2018/1488 of 28 September 2018 establishing the European High Performance Computing Joint Undertaking (hereinafter "Regulation")<sup>1</sup> and in particular Article 23 thereof,

Whereas:

- (1) Council Regulation (Euratom, EC) No 2185/96<sup>2</sup> and Regulation (EC, EURATOM) No 883/2013 of the European Parliament and of the Council concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999<sup>3</sup> provides that, within the institutions, bodies, offices and agencies established by, or on the basis of, the Treaties ("institutions, bodies, offices and agencies"), the Office shall conduct administrative investigations for the purpose of fighting fraud, corruption and any other illegal activity affecting the financial interests of the Union;
- (2) An Interinstitutional Agreement of 25 May 1999 concerning internal investigations by OLAF was concluded between the European Parliament, the Council and the Commission<sup>4</sup> (hereinafter "the Interinstitutional agreement") with the aim to agree on common rules for ensuring the smooth operation of investigations carried out by the OLAF;
- (3) The Governing Board Decision No 14/2020 concerning the terms and conditions for internal investigations in relation to the prevention of fraud, corruption and any illegal activities detrimental to the Union's interests, adopted on the basis of the model attached

---

<sup>1</sup> OJ L 252, 08.10.2018, p. 1

<sup>2</sup> Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

<sup>3</sup> OJ L 248, 18.9.2013, p. 1.

<sup>4</sup> OJ L 136, 31.05.1999, p. 15

to the Interinstitutional agreement, is designed to facilitate internal investigations conducted by OLAF;

- (4) In accordance with Article 23(6) of the EuroHPC JU Regulation and the Interinstitutional Agreement, the Joint Undertaking should accede to the Interinstitutional Agreement by forwarding a declaration addressed jointly to the Presidents of the signatory institutions,

HAS DECIDED AS FOLLOWS:

*Article 1*

The accession of the EuroHPC JU to the Interinstitutional Agreement is hereby approved and the Interim Executive Director of the EuroHPC JU 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 Interim Executive Director of the EuroHPC JU is invited to communicate to the Director General of the European Anti-Fraud Office the Governing Board Decision No 14/2020 concerning the terms and conditions for internal investigations in relation to the prevention of fraud, corruption and any illegal activity detrimental to the Union's interests.

*Article 3*

This Decision shall enter into force on the date of its adoption.

Done at Luxembourg, on 17 June 2020

For the Governing Board

[signed]

Herbert Zeisel

The Chair