



**DECISION OF THE GOVERNING BOARD OF THE SMART NETWORKS
AND SERVICES JOINT UNDERTAKING N° 05/2024**

**on the accession of the Smart Networks and Services Joint Undertaking 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 SNS JOINT UNDERTAKING,

Having regard to Council Regulation (EU) 2021/2085¹ of 19 November 2021 establishing the Joint Undertakings under Horizon Europe (hereinafter “Founding Regulation”), and notably the Smart Networks and Services Joint Undertaking (hereinafter “the SNS JU”) and in particular Article 30(6) thereof,

WHEREAS:

- (1) Regulation (EC, EURATOM) No 883/2013² 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 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 (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) A SNS JU Governing Board Decision 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 should be adopted on the basis of the model attached

¹ OJ L 427, 30.11.2021, p. 17–119

² OJ L 248, 18.9.2013, p. 1–22

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

- (4) In accordance with Founding 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 SNS JU to the Interinstitutional Agreement is hereby approved and the Executive Director of the SNS 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 Executive Director of the SNS JU is invited to communicate to the Director General of the European Anti-Fraud Office the Governing Board Decision 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 by the Governing Board and shall be published on the website of the SNS JU.

Done at Brussels, on 04 March 2024,

For the Governing Board

(signed)

Pearse O'DODNOHUE
The Chair