CONTENTS

Preface and A List of Author General Litera	cknowledgements s uture	V VII XV XVII XXI
Introduction		1
	CHAPTER I SUBJECT MATTER AND DEFINITIONS	
Article 1 Article 2	Subject matter Definitions	11 11
	CHAPTER II ESTABLISHMENT, TASKS AND BASIC PRINCIPLES OF THE EPPO	
Article 3 Article 4 Article 5 Article 6 Article 7	Establishment Tasks Basic principles of the activities Independence and accountability Reporting	17 18 20 32 37
	CHAPTER III STATUS, STRUCTURE AND ORGANISATION OF THE EPPO	
	SECTION 1 Status and structure of the EPPO	
Article 8 Article 9 Article 10 Article 11 Article 12 Article 13	Structure of the EPPO The College The Permanent Chambers The European Chief Prosecutor and the Deputy European Chief Prosecutors The European Prosecutors The European Delegated Prosecutors	41 64 74 87 89 98
	SECTION 2 Appointment and dismissal of the members of the EPPO	
Article 14 Article 15 Article 16 Article 17 Article 18 Article 19 Article 20	Appointment and dismissal of the European Chief Prosecutor Appointment and dismissal of the Deputy European Chief Prosecutors Appointment and dismissal of the European Prosecutors Appointment and dismissal of the European Delegated Prosecutors Status of the Administrative Director Responsibilities of the Administrative Director Provisional administrative arrangements of the EPPO	104 115 117 123 128 133 134
	SECTION 3 Internal rules of procedure of the EPPO	
Article 21	Internal rules of procedure of the EPPO	138

COMPETENCE AND EXERCISE OF THE COMPETENCE OF THE EPPO SECTION 1 Competence of the EPPO Material competence of the EPPO Article 22 144 Article 23 Territorial and personal competence of the EPPO 171 SECTION 2 Exercise of the competence of the EPPO Reporting, registration and verification of information Article 24 178 Article 25 Exercise of the competence of the EPPO 195 CHAPTER V RULES OF PROCEDURE ON INVESTIGATIONS, INVESTIGATION MEASURES, PROSECUTION AND ALTERNATIVES TO PROSECUTION SECTION 1 Rules on investigations Article 26 Initiation of investigations and allocation of competences within the EPPO 213 Article 27 Right of evocation 234 Article 28 Conducting the investigation 246 Article 29 Lifting privileges or immunities 261 **SECTION 2** Rules on investigation measures and other measures Article 30 Investigation measures and other measures 268 Article 31 Cross-border investigations 282 Article 32 Enforcement of assigned measures 301 Article 33 Pre-trial arrest and cross-border surrender 303 **SECTION 3** Rules on prosecution Article 34 Referrals and transfers of proceedings to the national authorities 309 Article 35 Termination of the investigation 321 Article 36 Prosecution before national Courts 329 Article 37 Evidence 345 Article 38 Disposition of confiscated assets 352 **SECTION 4** Rules on alternatives to prosecution Article 39 Dismissal of the case 356 SECTION 5 Rules on simplified procedures Article 40 Simplified prosecution procedures 371 CHAPTER VI PROCEDURAL SAFEGUARDS Article 41 Scope of the rights of the suspects and accused persons 382 Article 42 Judicial review 400

CHAPTER IV

CHAPTER VII PROCESSING OF INFORMATION

Article 43 Article 44 Article 45	Access to information by the EPPO Case management system Case files of the EPPO Access to the case management system	441 443 447 453
Article 46	Access to the case management system	133
	CHAPTER VIII DATA PROTECTION	
Introduction to	o Chapter VIII (Articles 47 to 89)	456
	[SECTION 1]	
	[Principles]	
Article 47 Article 48 Article 49 Article 50 Article 51 Article 52 Article 53 Article 54 Article 55 Article 55	Principles relating to processing of personal data Administrative personal data Processing of operational personal data Time-limits for the storage of operational personal data Distinction between different categories of data subjects Distinction between operational personal data and verification of quality of personal data Specific processing conditions Transmission of operational personal data to institutions, bodies, offices and agencies of the Union Processing of special categories of operational personal data Automated individual decision-making, including profiling	461 470 471 477 479 481 483 485 487
	[SECTION 2] [Rights of the data subject]	
Article 57 Article 58 Article 59 Article 60 Article 61 Article 62	Communication and modalities for exercising the rights of the data subject Information to be made available or given to the data subject Right of access by the data subject Limitations of the right of access Right to rectification or erasure of operational personal data and restriction of data processing Exercise of rights by the data subject and verification by the European Data Protection Supervisor	490 492 495 497 499
	[SECTION 3] [Controller and processor]	
Article 63 Article 64 Article 65 Article 66 Article 67 Article 68 Article 69 Article 70 Article 71 Article 72	Obligations of the EPPO Joint controllers Processor Processing under the authority of the controller or processor Data protection by design and by default Records of categories of processing activities Logging in respect of automated processing Cooperation with the European Data Protection Supervisor Data protection impact assessment Prior consultation of the European Data Protection Supervisor	506 508 510 512 513 514 516 518 519
	[SECTION 4] [Security of personal data]	
Article 73 Article 74	Security of processing of operational personal data	522 523

Article 75 Article 76	Communication of a personal data breach to the data subject	523 524
	[SECTION 5] [Data Protection Officer]	
Article 77 Article 78 Article 79	Designation of the Data Protection Officer Position of the Data Protection Officer Tasks of the data protection officer	527 528 528
	[SECTION 6] [Transfers of personal data to third countries or international organisations]	
Article 80 Article 81 Article 82 Article 83 Article 84	General principles for transfers of operational personal data Transfers on the basis of an adequacy decision Transfers subject to appropriate safeguards Derogations for specific situations Transfers of operational personal data to recipients established in third countries	533 534 534 535 535
	[SECTION 7] [Tasks of the European Data Protection Supervisor]	
Article 85 Article 86 Article 87	Supervision by the European Data Protection Supervisor	544 545
Article 88 Article 89	supervisory authorities Right to lodge a complaint with the European Data Protection Supervisor Right to judicial review against the European Data Protection Supervisor	545 546 546
	CHAPTER IX FINANCIAL AND STAFF PROVISIONS	
	SECTION 1 Financial Provisions	
Article 90 Article 91 Article 92 Article 93 Article 94 Article 95	Financial actors Budget Establishment of the budget Implementation of the budget Presentation of accounts and discharge Financial rules	550 553 559 561 563 565
	SECTION 2 Staff Provisions	
Article 96 Article 97 Article 98	General provisions Temporary agents and contract agents Seconded national experts and other staff	566 576 577
	CHAPTER X PROVISIONS ON THE RELATIONS OF THE EPPO WITH ITS PARTNERS	
Article 99 Article 100 Article 101 Article 102 Article 103 Article 104 Article 105	Common provisions Relations with Eurojust Relations with OLAF Relations with Europol Relations with other institutions, bodies, offices and agencies of the Union Relations with third countries and international organisations Relations with Member States of the European Union which do not participate in enhanced cooperation on the establishment of the EPPO	579 583 595 611 616 621

CHAPTER XI GENERAL PROVISIONS

Legal status and operating conditions
Language arrangements
Confidentiality and professional secrecy
Transparency
OLAF and the Court of Auditors
Rules on the protection of sensitive non-classified and classified information
Administrative inquiries
General regime of liability
Implementing rules and programme documents
Exercise of the delegation
Urgency procedure
Notifications
Review of the rules relating to the protection of natural persons with regard to the
processing of personal data by the EPPO
Review clause
Entry into force
GULATION (EU) 2017/1939 of 12 October 2017 implementing enhanced
the establishment of the European Public Prosecutor's Office ('the EPPO')
CITY 2017/1271 OF THE FURDERN DARIEMENT AND OF THE COUNCIL
EU) 2017/1371 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on the fight against fraud to the Union's financial interests by means of