

TRANSPARENCY OF BUSINESS OWNERSHIP STRUCTURES

OLAF's Perspective

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OLAF's Mandate

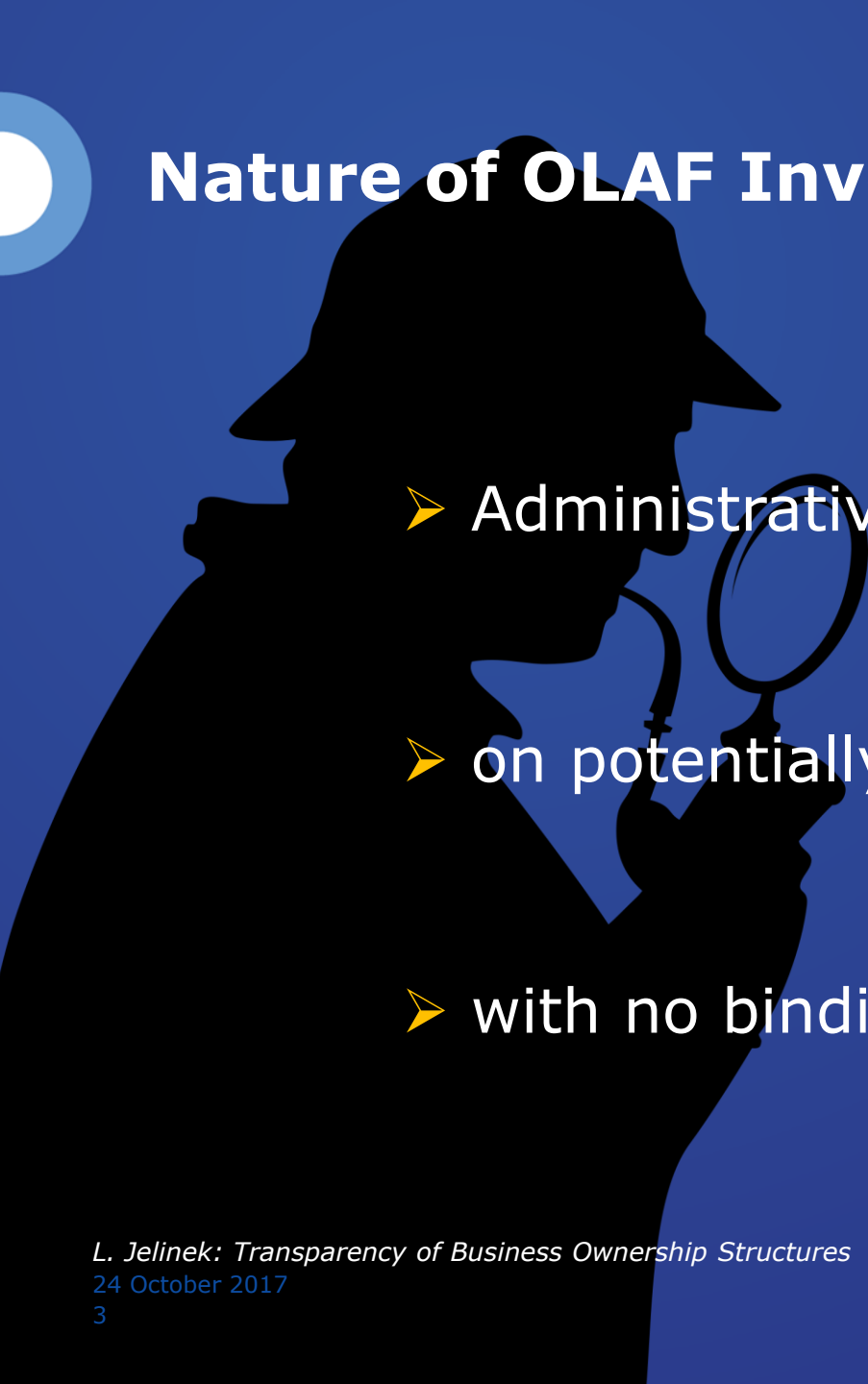
1. INDEPENDENT INVESTIGATIVE BODY

- investigation of fraud, corruption and any other illegal activities affecting the financial interests of the European Union;
- investigation of serious misconduct by the members and staff of EU institutions, bodies, offices and agencies.

2. POLICY – Directorate-General of the European Commission

- support to the European Commission in the development and implementation of fraud prevention and detection policies.

Nature of OLAF Investigation

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- Administrative investigations
 - on potentially criminal activities
 - with no binding decision power

OLAF's Investigation Tools

- Interviews with witnesses and persons concerned (voluntary)
- Collecting of evidence in the framework of operational meetings with EU institutions and bodies and national authorities
- Search for documents and information in any format to be used as evidence in public databases and EU operated systems
- On-the-spot checks on the premises of economic operators located in the EU and in non-EU countries
- Inspections of the offices of EU institutions and bodies
- IT forensic operations and analysis

Phases of OLAF Investigation

selection

- Information from informants
- Exchange of information with EU institutions and bodies and national authorities
- Search in public databases and EU operated systems

investigation

- **FULL INVESTIGATIVE POWERS**

monitoring

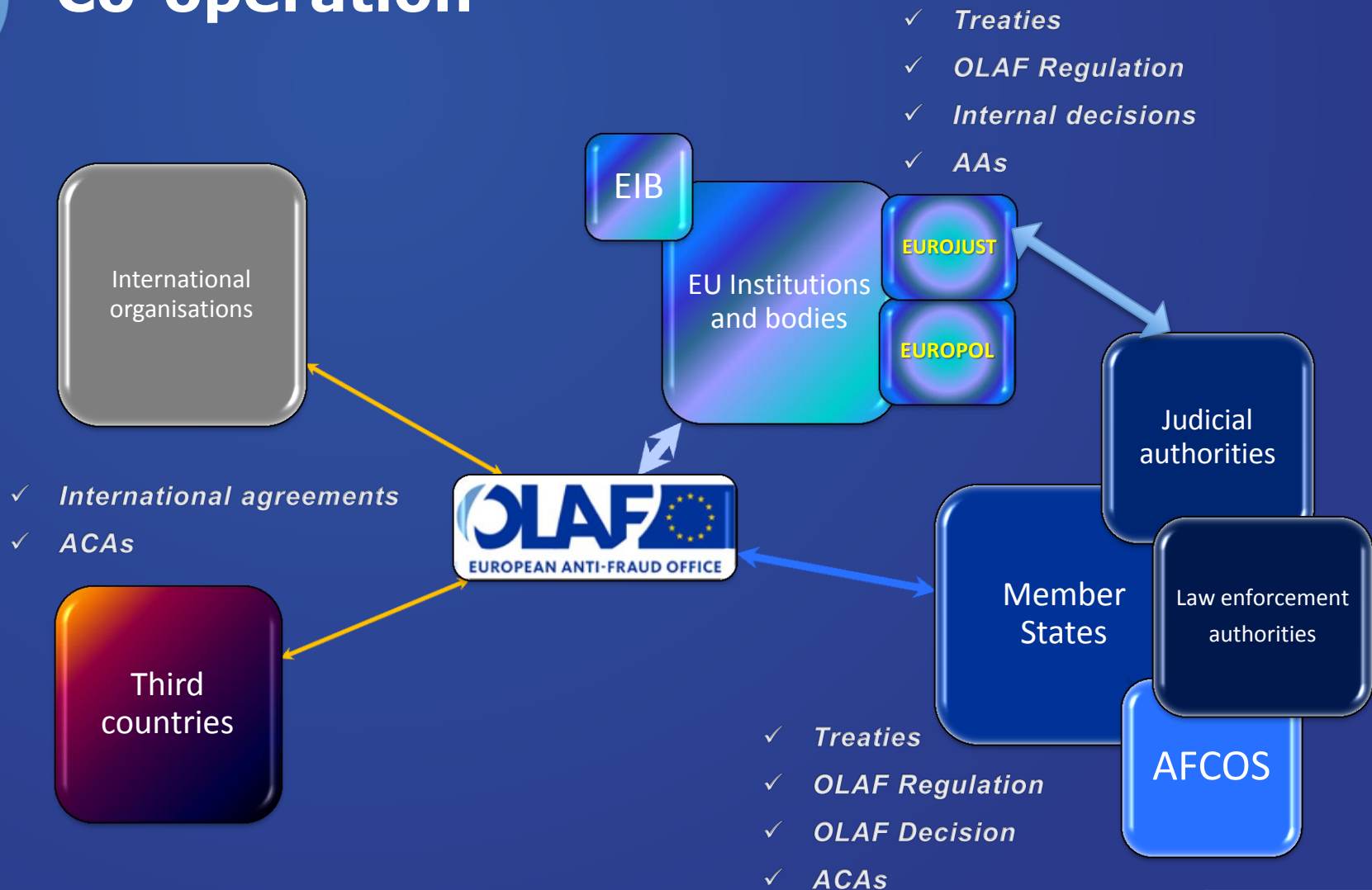
coordination

- Exchange of information
- Assisting in on-the-spot checks or joint investigation teams
- Forensic and operational analysis – as assigned expert (national law)
- **NO OLAF INVESTIGATIVE ACTS**

Relevance of Information

- Conflict of interests
- Fraud
- Non-eligibility for EU funds
- Corruption
- Fraud prevention – EDES

Co-operation



Co-operation

- Article 4(3) TEU:

*"...the Union and the Member States shall, in full mutual respect, **assist each other** in carrying out task which flow from the Treaties."*

- Article 325(1) TFEU:

*"The Union **and** the Member States shall counter fraud and any other illegal activities affecting the financial interests of the Union..."*

- Article 8(2) of Regulation 883/2013:

*...**in so far as their national law allows**, the competent authorities of the Member States shall, ..., transmit to the Office any document or information they hold ..."*

Analysis of Business Ownership Structures

- OLAF Unit C.3 – Operational Analysis & Digital Forensics
- Own analytical tool for business ownership structures – searching in about 600 various databases
- Use of commercial databases
- Case-by-case access to Arachne

Questions, comments, ideas ...



THANK YOU
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