

# Germany: Legislative Draft for Implementation of PIF Directive Tabled



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## News

**Thomas Wahl**

On 11 October 2018, the Federal Ministry of Justice and Consumer Protection tabled a **ministerial draft** for the implementation of the PIF Directive into German law. For the PIF Directive, see *eucri*m 2/2017, p. 63 and the article by *Juszczak/Sason* in *eucri*m 2/2017, pp. 80-87. The PIF-Directive is also closely connected with the European Public Prosecutor's Office, which will prosecute offences framed in the PIF Directive in the future (see *eucri*m 3/2017, pp. 102-104).

The ministerial draft states that German law already broadly complies with the requirements of the Directive. The necessary adaptations ought to be made by a new law "for strengthening the protection of the financial interests of the EU" (*EU-Finanzschutzstärkungsgesetz - EUFinSchStG*).

The new law will regulate the offences of misapplication of funds or assets from the Union budget or budgets managed by the Union and those of illegal diminution of the resources of the Union budget/budgets managed by the Union. Furthermore, clarifications are to be made regarding the offences of taking and giving bribes in relation to the financial interests of the European Union. Further amendments in the context of corruption offences and adaptations to subsidy fraud will be implemented in the German Criminal Code.

The ministerial draft will next be discussed by the government, where further changes – generally not fundamental ones – can be made. After the government officially agrees to the bill, it will be put forward to the parliament, and the legislative track starts.

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