



Brussels, 9th June 2011
ENTR R/2/AB (2011) 616365

NOTE TO STAFF

Subject: Ethics and Integrity in DG Enterprise – our obligations

As you may know, all staff members are bound to follow certain rules concerning Ethics and Integrity. These rules are laid down in the Staff Regulations, article 11 to 26 *a*, as well as in the Code of Good Administrative Behaviour set up by the Commission, and reflect the need for Commission staff to consistently adhere to a high standard of integrity, in order to ensure the Commission's credibility and independence. These rules also reflect the importance of our mission as civil servants to serve the public interest.

Below you may find a brief reminder of the rules concerning the most current situations: practising an outside activity, receiving gifts, donations or favours, and publishing a speech or article.

Practising an outside activity

The Staff Regulations (Article 12b) state that if you want to undertake any type of work outside your institution, whether paid or unpaid, or to hold any office outside of the EU institutions, you must first obtain permission from your appointing authority in order to ensure your, and thereby the Institution's, independence and integrity. Such an outside activity should not:

- be so time consuming as to impact negatively on your work at the Commission, or constitute a job in itself;
- give rise to any possible appearance of a conflict of interest or be in some other way discreditable, so as to risk bringing the Commission into disrepute.

What is allowed:

- Voluntary work, charity work, or limited teaching activities are generally allowed, provided of course you have obtained the authorisation to do so;

What may not be allowed:

- Outside activities which are pursued in a professional or similar capacity (e.g. architect, lawyer, economist, accountant, computer expert, engineer, interpreter, doctor, translator, consultant etc.);
- Activities for firms and companies, whose objects are commercial, even if the official's relationship with the company or firm in question entails no remuneration or purely nominal remuneration;
- Teaching or other pedagogical work, whether paid or not, for more than 100 hours per academic year, unless your Appointing Authority, after consulting the Director-General Human Resources and Security, deems such work beneficial to the Commission.

Should the activity be remunerated, please note that the maximum net earnings allowed (cumulative of all outside activities) are 4500 Euros per year per staff member (amounts exceeding this limit must be repaid to the Commission). Royalties are not subject to this ceiling, but you will still need to apply for authorisation to receive the payment.

Authorisations to practice an outside activity may be requested via the "Ethics" module in Sysper2. The Appointing Authority is your Director.

Receiving gifts, donations or favours

As stipulated in the Staff Regulations (Article 11), you should not accept gifts, favours or payments from governments or any other source outside the institution without obtaining prior permission from the Appointing Authority. As a general rule of thumb, we would recommend that you decline all such offers that have more than merely symbolic value (such as diaries, calendars, small desk items, etc.).

In any case, if you are offered any gifts, favours or donations with a combined value of more than €50 given by the same source in any given year (this includes meals as well, both in and outside of Brussels) and you want to accept them, you must apply for permission, giving a justification.

If the gift or favour is worth €250 or less, you may be authorised to keep it. If it is worth more than €250, the authority may decide either to keep the gift as the property of the Commission, or put it up for sale, with the proceeds going to charity.

To request the authorisation to keep a gift, you must fill in this form:

http://myintracomm.ec.europa.eu/hr_admin/en/ethics/obligations/conflicts_interest/Documents/form_gift_en.doc

and have it circulated according to this routing sheet at the bottom of this page:

<http://myintracomm.ec.europa.eu/entr/StaffMatters/EthicsConduct/Pages/ExtActPublGift.aspx>

Publishing a speech or article

The Staff Regulations (Article 17a) grant you the right to freedom of expression "with due respect to the principles of loyalty and impartiality".

In practice, if you want to publish or to have published, either on your own or with other parties, a document, such as an article or a book, on anything dealing with your work or EU matters, you must inform your Appointing Authority in advance. You must provide the Appointing Authority with any information, in particular a copy, in electronic form, of the document you intend to publish. This must be accompanied by a summary, in electronic form, in one of the Commission's working languages.

You are also subject to the rules concerning non-disclosure of information and confidentiality.

Authorisations must be requested 30 days in advance, by using this form:

http://myintracomm.ec.europa.eu/hr_admin/en/ethics/obligations/Documents/form_remun_en.doc

which will be then circulated according to the routing sheet at the bottom of this page:

<http://myintracomm.ec.europa.eu/entr/StaffMatters/EthicsConduct/Pages/ExtActPublGift.aspx>

Some further sources of information

For any further information or enquiries, please do not hesitate to contact Mr Andrei BUNIS (Unit R/2), who is our Ethics and Integrity correspondent. You may also wish to visit the following links:

- DG ENTR Ethics page on the Intranet:

<http://myintracomm.ec.europa.eu/entr/StaffMatters/EthicsConduct/Pages/default.aspx>

- A Vade-mecum detailing Ethics rules and some situational examples where these rules apply:

http://myintracomm.ec.europa.eu/entr/StaffMatters/EthicsConduct/Documents/Deontology_and_Integrity/Vademecum%20March%20EN%20final%20.pdf

- The Code of Good Administrative Conduct:

http://eur-lex.europa.eu/LexUriServ/site/en/oj/2000/l_267/l_26720001020en00630066.pdf

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