



# EUROPEAN COMMISSION

Directorate-General for Trade  
Directorate A – Resources and economics analysis

The Director

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## NOTE FOR THE ATTENTION ALL DG TRADE STAFF

**Subject: Key principles to remember concerning gifts**

### Introduction:

During the recently held bilateral meetings between the Director General and Directors to review AMP performance and administrative issues it was noted that there is quite a difference in the number of gifts declared by the different Directorates. Whilst this may of course simply reflect operational realities, it could also be indicative of a lack of a common approach. I therefore considered it useful to summarise the rules in relation to gifts and their registration in the gifts register.

### 1. Why were the gifts registers created?

The gifts registers in DG TRADE have been created in order to comply with one of the recommendations following the IAS audit on *Ethics in the Commission* (as part of which DG TRADE was selected for detailed review). Their aim is to ensure transparency about gifts received and provide an audit trail which demonstrates that:

- The recipient has been transparent towards his/her hierarchy about having been given *something* which has a value of €50 or greater.
- The relevant line management concurs with the recipient's assessment that acceptance of the 'gift' in question does not create any (apparent) conflict of interest.

The registers also permit identification at the horizontal level of any *regular donors* thereby serving as a tool to alert management to any concentrations or other potentially worrying trends.

For the purposes of clarity I would like to stress that the creation of the gift registers should, under no circumstances, be seen as indicative of a lack of confidence in the integrity of DG TRADE staff, nor is its purpose to discourage colleagues from accepting reasonable<sup>1</sup> gifts.

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<sup>1</sup> By *reasonable* is meant: No excessive or luxuriant gift which would be unusual in value or in nature in view of the working relationship with the donor.

## 2. What is the basic principle?

Gifts with a value equal to, or above, €50 must be declared via the Application for authorisation to accept a gift or favour form and recorded in the gifts register.

## 3. Low value gifts

Gifts with a value less than €50 do not have to be included in the gifts register and it is not necessary to request permission to keep them. However, the following should be noted:

- You **can** include information about gifts with a value less than €50 if you wish to do so for the purposes of being completely transparent (in which case it will be necessary to complete the Application for authorisation to accept a gift or favour form).
- Once the cumulative value of gifts from the same source within a 12 month period amounts to €50 or more, then these gifts **must** be recorded in the gifts register (after having completed an Application for authorisation to accept a gift of favour form).

As noted above there is no obligation to formally declare gifts with a value less than €50. However, in Directorate D they have decided that it actually makes life easier to systematically record all gifts received so that there is no danger of forgetting about the €50 threshold. Directorate D is happy to share this example of best practice with the rest of the DG and in this respect you will find in annex a copy of the relevant template.

## 4. High value gifts

Staff are not permitted to keep gifts with a value equal to or greater than €250. However, receipt of these gifts must be recorded in the gifts register and the gift itself submitted to the Ethics Compliance Officer (ECO) for disposal for charitable purposes or for inclusion in the inventory of DG TRADE's fixtures and fittings. For more detailed information reference should be made to the specific Guidance on high value gifts or other gifts which you do not wish to keep which can be found on our ethics intranet page.

## 5. Gifts and missions

In the context of a mission where it is foreseen that the mission organiser covers any of the costs having an impact on the daily allowance (type of mission in MiPs: ORG Mission) it is **no longer** necessary to complete an Application for authorisation to accept a gift or favour form as the relevant process of assessing any potential risk of a conflict of interest and the authorisation from the hierarchy to accept the "gift" has taken place before the mission order is finalised (i.e.: when the director (or equivalent) authorises the mission).

When a "gift" is offered spontaneously during the course of a meeting/negotiation it will be necessary to provide details of this when preparing your mission report. As always you should try to ensure transparency as far as possible by discussing in advance with your hierarchy the appropriateness of accepting the "gift" and leaving an audit trail demonstrating that this discussion has taken place. However, it is recognised that this may not always be feasible when you are "in the field" – For instance, you may not be able to contact your hierarchy at short notice or you may be concerned that refusing the

invitation/gift may cause offence; in which case you should inform your hierarchy as soon as practically possible.

In the event that the value of the gifts in question exceeds €50 the following steps should be taken:

- The mission report should contain an explanation setting out why the gift in question does not raise any conflict of interest issues;
- The mission report should be initialled by your line management to show their agreement with your assessment;
- A pdf copy of the relevant mission report should be sent to the ECO. It should be noted that correct application of this part of the procedure removes the need to declare receipt of the gift in the gifts register.

The ECO will carry out a horizontal review of the 3 different information sources once every three months. The results of this review per Directorate will be provided to the relevant Director. The above procedure will take immediate effect and its effectiveness evaluated after 6 months. Should you have any questions in relation to the above, please do not hesitate to contact our ECO (Caroline de Graef, tel: 68518).



Jens SCHAPS

Enc: Annual Overview of Gifts, Favours and Donations per Unit within TRADE/D

**Annual Overview of Gifts, Favours and Donations per Unit within TRADE/D**

*Attention: this should also include all gifts, favours (e.g. lunches/dinners) and donations received while on mission*

**Beneficiary: (name)**

Date	Offered by	Short description	Estimated cost

**Beneficiary: (name)**

Date	Offered by	Short description	Estimated cost

**Beneficiary: (name)**

Date	Offered by	Short description	Estimated cost

**Beneficiary: (name)**

Date	Offered by	Short description	Estimated cost

**Beneficiary: (name)**

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