

List of documents Initial request Ms Vicky Cann (CEO) 2015/5486- Post-mandate activity Mr Borg

Scope of the request: "...all documents which relate to the authorisation of former Commissioner Tonio Borg's role at the University of Malta. I would like to receive all applications for authorisation, any emails, correspondence and meeting notes which relate to these applications; all opinions from the ad hoc ethical committee; and copies of the Commission's final decision...."

Document	Description and references	Status
Mr Borg		
1 E-mail of Mr Borg to Mr Italianer of 17.09.2015 Ref. Ares(2015)4046218	Letter of Mr Borg to Mr Italianer of 17 September 2015 requesting authorisation for a post-mandate activity – Lecturer in public law at the University of Malta	Partial access -E-mail and postal address of former Commissioner deleted - Exception in Article 4(1) letter b)
2. LS Consultation E-mail of 05.10.2015 and E-mail of 08.10.2015 Ref. Ares (2015)4092142	E-mail of SG of 5 October 2015 to the LS and reply of the LS by e-mail of 8 October 2015	Partial disclosure of cover e-mails (Names and e-mails of Commission's officials deleted - Exception in Article 4(1) letter b)) Full disclosure of draft decisions.
3. Commission decision C(2015)6996 of 9.10. 2015	Activités après cessation de fonction d'un membre de la Commission- Communication de M le Président – OJ 2142 Commission Decision C(2015)6996 of 09.10.2015	Full disclosure
4. PV (2015)2142 of 14 October 2015	Decision of 14 October 2015	Public Document (copy not enclosed)
5. Letter of Mr Italianer to	Letter of Mr Italianer to Mr Borg of 14 October 2015 informing him	Partial disclosure cover letter- E-mail and postal

Mr Borg of 14.10.2015 Ref. Ares(2015)4288069	of the adoption of the Commission decision on the request for authorisation of a post-mandate-activity	address of former Commissioner deleted- Exception in Article 4(1) letter b)) Attachment corresponds to document n° 3 above.
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DOCUMENT 1

Ref. Ares(2015)4046218 - 01/10/2015

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Tonio Borg LL.D.

17th September 2015

The Secretary-General

European Commission

Rue de la Loi 200

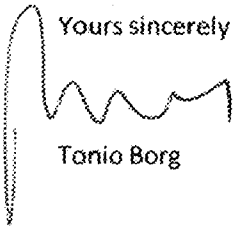
1049 Bruxelles

Dear Secretary-General,

As a former European Commissioner, I would like to inform you that I intend to apply for a full time job as lecturer in public law at the University of Malta. I am currently a part time lecturer at the same University.

The subjects covered by this teaching post are Constitutional and Administrative law; no subjects which fell under my portfolio as European Commissioner for Health are comprised under these subjects.

Yours sincerely



Tonio Borg

Cc

DOCUMENT 2

(SG)

From: EC-NOTIS-SERVICE-NOREPLY@ec.europa.eu
Sent: Monday 5 October 2015 9:41
To: (SG)
Subject: Ares: New Document - sg.dsg2.b.3(2015)4578576/Title: FW: OJ 2142 - Projet de décision de la Commission sur une activité académique de M. Borg

You received a new document:	<u>My Documents</u>
Title	FW: OJ 2142 - Projet de décision de la Commission sur une activité académique de M. Borg
Recipient(s)	ve_sj.cons,
Sent by	(SG.DSG2.B.3)
Save number	sg.dsg2.b.3(2015)4578576
Registration number	Ares(2015)4092142
Document date	02/10/2015
Registration date	05/10/2015
Sensitivity level	Handling restriction
Marking information	Personal
Comment(s)	
Attachment(s)	email.rtf, Outlook original email.msg, Draft Decision Borg Lecturer in Public Law at the University of Malta.doc, E-mail 17.09.2015 M. Borg à AI.pdf

Remark: the hyperlinks work only from the Commission's computer network. If you want to access Ares via the Internet or the scientific network (JRC), use the following link:<https://myremote.ec.europa.eu/app/>
The EEAS staff located in the KO buildings will have to connect to ARES by using the following link:<http://intracomm.ec.testa.eu/Ares>

Please click on 'Preferences' in Notis Web interface <http://www.cc.cec/notis> to set your notification options, including preferred language.

From: (SG)
Sent: Friday 2 October 2015 16:27
To: (SJ)
Cc: (SG); (SG)
Subject: FW: OJ 2142 - Projet de décision de la Commission sur une activité académique de M. Borg
Attachments: Draft Decision Borg Lecturer in Public Law at the University of Malta.doc; E-mail 17.09.2015 M. Borg à AI.pdf

Je te prie de bien vouloir trouver ici un projet de décision relatif à une activité académique à temps plein envisagée par M. Borg.

Merci de bien vouloir donner l'accord ou les observations du SJ.

Cette consultation sera également envoyée via ARES.

Nous voudrions soumettre cette décision à la réunion de la 2142^{ème} réunion de la Commission (14 octobre)

L'avis du SJ serait dès lors apprécié avant le mercredi 7 octobre c.o.b.

Merci d'avance de ta collaboration.



European Commission
Secretariat General

MEMORANDUM FROM THE PRESIDENT TO THE COMMISSION

According to Article 245(2) of the Treaty on the Functioning of the European Union, the Members of the Commission give a solemn undertaking that, both during and after their term of office, they will respect the obligations arising therefrom and, in particular, their duty to behave with integrity and discretion as regards the acceptance, after they have ceased to hold office, of certain appointments or benefits.

Further to this Treaty provision, the Code of Conduct for Commissioners (C (2011) 2904 final) establishes a specific procedure for the assessment of planned occupations which former Commissioners intend to take up during the eighteen months after they have ceased to hold office. The Commission shall examine the nature of the planned occupation and, if the activity is related to the content of the Commissioner's portfolio, it shall seek the opinion of the Ad hoc Ethical Committee.

With his letter of 17 September 2015 to the Secretary General of the Commission, former Commissioner Tonio Borg informed the Commission about his intention to apply for a full time job as lecturer in public law (Constitutional and Administrative Law) at the University of Malta. Mr Borg underlined that no subjects which fell under his portfolio as former Commissioner in charge of Health are comprised under the subject of his envisaged teaching activity.

The Services of the Commission considered the academic nature of Mr Borg's envisaged activity, which does not present any risk of incompatibility with, either his former function as Member of the Commission, or with the interests of the Institution.

The Commission is invited to decide that former Commissioner Tonio Borg's envisaged activity as lecturer in Public Law at the University of Malta is compatible with Article 245(2) of the TFEU.

(SG)

From: I (SJ)
Sent: Thursday 8 October 2015 15:14
To: (SG)
Cc: (SG); (SG); (SJ)
Subject: RE: OJ 2142 - Projet de décision de la Commission sur une activité académique de M. Borg

Le Service juridique peut marquer son accord sur ce projet de décision.

Bien à toi,



COMMISSION EUROPÉENNE

SECRÉTARIAT GÉNÉRAL

Bruxelles, le 9 octobre 2015

C(2015) 6996

COMMISSION INTERNE

OJ 2142

**ACTIVITES APRES CESSATION DE FONCTION
D'UN MEMBRE DE LA COMMISSION**

Communication de M. le **PRESIDENT**

Cette question est inscrite à l'ordre du jour de la 2142^{ème} réunion de la Commission le 14 octobre 2015.

Destinataires : Membres de la Commission

MEMORANDUM FROM THE PRESIDENT TO THE COMMISSION

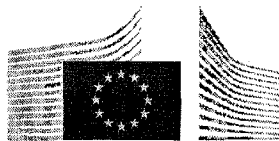
According to Article 245(2) of the Treaty on the Functioning of the European Union, the Members of the Commission give a solemn undertaking that, both during and after their term of office, they will respect the obligations arising therefrom and, in particular, their duty to behave with integrity and discretion as regards the acceptance, after they have ceased to hold office, of certain appointments or benefits.

Further to this Treaty provision, the Code of Conduct for Commissioners (C (2011) 2904 final) establishes a specific procedure for the assessment of planned occupations which former Commissioners intend to take up during the eighteen months after they have ceased to hold office. The Commission shall examine the nature of the planned occupation and, if the activity is related to the content of the Commissioner's portfolio, it shall seek the opinion of the Ad hoc Ethical Committee.

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EUROPEAN COMMISSION
SECRETARIAT-GENERAL

The Secretary General

Brussels,
SG/B3 Ares(2015)

Mr Tonio Borg

Also by e-mail to:

Dear Mr Borg,

I am pleased to inform you that the Commission decided, during its 2142nd meeting of 14 October 2015, that your envisaged post Commission-office activity as lecturer in public law at the University of Malta is compatible with Article 245(2) of the TFEU.

Please find enclosed Commission Decision C(2015) 6996.

Yours sincerely,

Alexander Italianer

Encl: Commission Decision C(2015) 6996

Cc: Mr Selmayr (Head of President Juncker's Private Office)



COMMISSION EUROPÉENNE

SECRETARIAT GÉNÉRAL

Bruxelles, le 9 octobre 2015

C(2015) 6996

COMMISSION INTERNE

OJ 2142

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D'UN MEMBRE DE LA COMMISSION

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