# EP Rules of Procedure: code of conduct for Members in respect of financial interests and conflicts of interest (amend.)

2011/2174(REG) - 01/12/2011 - Text adopted by Parliament, single reading

The European Parliament decided, by 619 votes to 2 with 6 abstentions, to make some amendments to the Rules of Procedure relating to a Code of Conduct for Members of the European Parliament with respect to financial interests and conflicts of interest.

Parliament decided that the following amendments will enter into force on 1 January 2012:

**Code of conduct**: the amended regulation states that Parliament lays down rules governing the transparency of its Members' financial interests in the form of a Code of Conduct with respect to financial interests and conflicts of interest.

**Key principles**: in the exercise of their functions, Members shall:

- be guided by and observe the following general principles of conduct: disinterest, integrity, openness, diligence, honesty, accountability and respect for Parliament's reputation;
- act solely in the public interest and refrain from obtaining or seeking to obtain any direct or indirect financial benefit or other reward.

**Main duties of Members**: in exercising their duties, Members of the European Parliament shall:

- not enter into any agreement to act or vote in the interest of any other legal or natural person that would compromise their voting freedom;
- not solicit, accept or receive any direct or indirect financial benefit or other reward in exchange for influencing, or voting on, legislation, motions for a resolution, written declarations or questions tabled in Parliament or any of its committees;
- consciously seek to avoid any situation which might imply bribery or corruption.

**Conflicts of interest:** it is specified that a conflict of interest exists where a Member of the European Parliament has a personal interest that could improperly influence the performance of his or her duties as a Member. A conflict of interest does not exist where a Member benefits only as a member of the general public or of a broad class of persons.

Any Member who finds that he or she has a conflict of interest shall immediately take the necessary steps to address it, in accordance with the principles and provisions of this Code of Conduct. If the Member is unable to resolve the conflict of interest, he or she shall report this to the President in writing.

Members shall disclose, before speaking or voting in Plenary or in one of Parliament's bodies, or if proposed as a rapporteur, any actual or potential conflict of interest in relation to the matter under consideration.

**Declaration by Members**: Members of the European Parliament shall be personally responsible for submitting a declaration of financial interests to the President by the end of the first part-session after elections to the European Parliament.

The declaration of financial interests shall contain, among other things, the following information, which shall be provided in a precise manner:

- the Member's occupation(s) during the three-year period before he or she took up office with the Parliament, and his or her membership during that period of any boards or committees of companies, non-governmental organisations, associations or other bodies established in law;
- any regular remunerated activity which the Member undertakes alongside the exercise of his or her office, whether as an employee or as a self-employed person;
- any occasional remunerated outside activity (including writing, lecturing or the provision of expert advice), if the total remuneration exceeds EUR 5 000 in a calendar year;
- any support, whether financial or in terms of staff or material, additional to that provided by Parliament and granted to them in connection with their political activities by third parties, whose identity shall be disclosed.

Members shall notify the President of any changes that have on influence on their declaration within 30 days of each change occurring.

Members may not be elected as office-holders of Parliament or of one of its bodies, be appointed as a rapporteur or participate in an official delegation, if they have not submitted their declaration of financial interests.

**Gifts or similar benefits**: Members of the European Parliament shall refrain from accepting, in the performance of their duties, any gifts or similar benefits, other than those with an approximate value of less than EUR 150 given in accordance with courtesy usage or those given to them in accordance with courtesy usage when they are representing Parliament in an official capacity.

Any gifts presented to Members, when they are representing Parliament in an official capacity shall be handed over to the President of the Parliament.

The reimbursement of travel, accommodation and subsistence expenses of Members, or the direct payment of such expenses by third parties are not considered as gifts when they participate in an event pursuant to an official invitation.

**Sanctions:** where a rapporteur breaches the provisions of the Code of Conduct for Members of the European Parliament with respect to financial interests and conflicts of interest, the committee that appointed him or her may, on the initiative of the President and on a proposal by the Conference of Presidents, terminate the holding of that office.

**Activities of former Members**: former Members of the European Parliament who engage in professional lobbying or representational activities directly linked to the European Union decision-making process may not, throughout the period in which they engage in those activities, benefit from the facilities granted to former Members under the rules laid down by the Bureau to that effect.

**Advisory Committee on the Conduct of Members:** the Advisory Committee - composed of five members, appointed by the President at the beginning of his or her term-of-office from amongst the members of the bureaux and the coordinators of the Committee on Constitutional Affairs and the Committee on Legal Affairs – shall be established.

Upon request by a Member, the Advisory Committee shall give him or her, in confidence, guidance on the interpretation and implementation of the provisions of the Code of Conduct. At the request of the President, the Advisory Committee shall also assess alleged cases of breach of this Code of Conduct and advise the President on possible action to be taken.

The Advisory Committee cannot be established before the end of January 2012. Members will have 90 days following the entry into force of the Code of Conduct to submit the declaration of financial interests referred to in that Code. Declarations submitted on the basis of the provisions of the Rules of Procedure in force on the date this decision is adopted will remain valid until the expiry of the aforementioned deadline.