

Recommendation from the Bureau Working Group on Codes of Conduct to the Members of the Conference of Presidents and the Bureau:

Code of Conduct for Members of the European Parliament

(to replace Annex I to the Rules of Procedure)

Article 1 - Guiding principles

In the performance of their duties as a Member of the European Parliament, Members shall:

- (a) be guided by and observe the following general principles of conduct: selflessness, integrity, openness, diligence, honesty, accountability and respect for Parliament's reputation;
- (b) act solely in the public interest and shall not obtain or seek to obtain any direct or indirect financial benefit or other reward.
- (c) not enter into any agreement to act or vote in the interest of any other person that would compromise their freedom of vote, as enshrined in Article 6 of the Act concerning the election of the representatives of the European Parliament by direct universal suffrage and Article 2 of the Statute for Members of the European Parliament.
- (d) 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, and shall consciously seek to avoid any situation which might imply bribery.

Article 2 - Conflicts of interest

1. A conflict of interest exists where a Member has a personal interest that could improperly influence the performance of his or her duties as a Member of the European Parliament. 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.

2. 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. In cases of ambiguity, the Member may seek advice from the Advisory Committee on the Conduct of Members, established under Article 8.

3. Without prejudice to paragraph 2, Members shall, before speaking or voting in Plenary or in one of Parliament's bodies, or if proposed as a rapporteur, disclose any actual or potential conflict of interest in relation to the matter under consideration, where it is not evident from the information declared pursuant to Article 3. Such disclosure shall be made in writing or orally to the chair during the parliamentary proceedings in question.

Article 3 - Declaration to be made by Members of the European Parliament

1. For reasons of transparency, Members shall submit a declaration of financial interests to the President by the end of the first part-session after elections to the European Parliament (or within 30 days after joining Parliament in the course of a parliamentary term), in accordance with a form to be adopted by the Bureau pursuant to Article 9. They shall notify the President of any changes in their declaration within 30 days of each change occurring.

2. The declaration of financial interests shall contain the following information, which shall be provided in an identifiable manner:

- (a) the Member's occupation(s) during the three-year period before his or her election to 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;
- (b) any remunerated activity which the Member undertakes alongside the exercise of his or her office, whether as an employee or as a self-employed person;
- (c) membership of any boards or committees of any companies, non-governmental organisations, associations or other bodies established in law, or any other relevant outside activity that the Member undertakes, whether remunerated or unremunerated;
- (d) 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;
- (e) any holding in any company or partnership, where there are potential public policy implications or where that holding gives the Member significant influence over the affairs of the body in question;
- (f) 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;
- (g) any other financial interests which might influence the performance of the Member's duties.

Any regular income Members receive in respect of each item declared shall be placed in one of the following categories:

- 1. EUR 500 to EUR 1000 a month;
- 2. EUR 1001 to EUR 5000 a month;
- 3. EUR 5001 to EUR 10 000 a month;
- 4. more than EUR 10 000 a month.

Any other income Members receive in respect of each item declared shall be calculated on an annual basis, divided by twelve and placed in one of the above categories.

3. The information provided to the President shall be published on Parliament's website in an easily accessible manner.

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

Article 4 - Gifts or similar benefits

1. Members shall refrain from accepting any gifts or similar benefits in the performance of their duties, except those with an obvious 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.

2. Any gifts given to Members, pursuant to paragraph 1, when they are representing Parliament in an official capacity shall be handed over to the President and dealt with in accordance with the implementing measures laid down pursuant to Article 9.

Article 5 - Activities of former Members

Former Members who engage in professional lobbying or representational activities directly linked to the European Union decision-making process may not benefit from the facilities granted to former Members under the rules laid down by the Bureau on 12 April 1999 to that effect.

Article 6 - Advisory Committee on the Conduct of Members

1. An Advisory Committee on the Conduct of Members ("the Advisory Committee") is hereby established.

2. The Advisory Committee shall be 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, taking due account of the Members' experience and of political balance.

Each Member of the Advisory Committee shall serve as chair for six months on a rotating basis.

3. The President shall also, at the beginning of his or her term-of-office, nominate reserve Members for the Advisory Committee, one for each group not represented in the Advisory Committee.

In the event of an alleged breach of the Code of Conduct by a Member of a political group not represented in the Advisory Committee, the relevant reserve Member shall serve as a 6th full Member of the Advisory Committee for the alleged breach under consideration.

4. The Advisory Committee shall give guidance to Members for the interpretation and implementation of the provisions of this Code of Conduct.

On request of the President, the Advisory Committee shall also assess alleged cases of breach of the Code of Conduct and advise him on possible action.

5. The Advisory Committee may, after consulting the President, seek advice from outside experts.

Article 7 - Procedure in the event of possible breaches of the Code of Conduct

1. Where there is reason to think that a Member may have breached this Code of Conduct, the President may refer the matter to the Advisory Committee.

2. The Advisory Committee shall examine the circumstances of the alleged breach, and on the basis of the conclusions of its findings, make a recommendation to the President on a possible decision.

3. If, taking into account the advice of the Advisory Committee, the President concludes that the Member concerned has breached the Code of Conduct, he or she shall, after hearing the Member, adopt a reasoned decision laying down a penalty, which he or she shall notify to the Member.

The penalty may consist of one or more of the following measures:

- (a) a reprimand;
- (b) forfeiture of entitlement to the daily subsistence allowance for a period of between two and ten days;
- (c) without prejudice to the right to vote in plenary, temporary suspension from participation in all or some of the activities of Parliament for a period of between two and ten consecutive days on which Parliament or any of its bodies, committees or delegations meet;
- (d) submission to the Conference of Presidents of a proposal to deprive a Member of a rapporteurship;
- (e) submission to the Conference of Presidents, in accordance with Rule 19 of the Rules of Procedure, of a proposal for the Member's suspension or removal from one or more of the elected offices held by the Member in Parliament.

4. The Member concerned may lodge an appeal with the Bureau within two weeks of notification of the penalty imposed. Rule 154 of the Rules of Procedure shall apply.

5. Any penalty imposed on a Member shall be announced by the President in plenary and published on Parliament's website for the remainder of the parliamentary term, if not annulled by the Bureau.

Article 8 - Implementing measures

The Bureau shall lay down Implementing Measures, including a monitoring procedure, to this Code of Conduct and shall update the amounts referred to in Articles 3 and 4, when necessary.