



4. In his former term of office as Commissioner, Prof. Verheugen was in charge of Enterprise and Industry, which implies covering a broad spectrum of economic activities, of which are excluded the area of services and a number of specific industrial sectors (*i.e.* energy, transport, telecoms).
5. In its web presentation EEC clearly implies that the services offered by the company will be delivered by either or both of its co-founders Dr Petra Erler and/or Prof. Günther Verheugen. The Committee is of the opinion that it is indifferent in this respect that Prof. Verheugen be employed by the company or co-own the company and be potentially remunerated accordingly; the relevant matter being that his services be offered as an economic activity to the operators

The Committee is therefore of the opinion that Prof. Günther Verheugen would engage in an occupation relevant to article 245(2) of the Treaty on the Functioning of the European Union.

6. The content of the services offered is very broad. It formally excludes lobbying activities. Nevertheless it covers briefings, recommendations, support for public relations in European affairs in an unspecified manner, in such a way that it could cover very general services as well as very specific issues which Prof. Verheugen could have come across in his previous function. Considering the broad and indiscriminate description of the services covered, the Committee feels unable to assess in an appropriate manner the scope of services offered, which could unduly overlap with the previous functions as Commissioner. It is of the view that, as described, it is inevitable that such a wide activity could at some point directly intersect with the scope of the Commissioner's former activity, in a manner which could not be dealt with by abstaining on a case-by-case basis.
7. The Ethical Committee is therefore of the opinion that, as presently so indiscriminately described, the considered activity cannot be viewed as in conformity with article 245(2) of the TPEU.