



2020-190

Decision No 2020-190 of 30 June 2020 of the Management Board of the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (“eu-LISA” or “the Agency”)

Subject: Decision on the prevention and management of conflicts of interests of the staff members of eu-LISA

THE MANAGEMENT BOARD OF EU-LISA,

Having regard to the Treaty on the Functioning of the European Union;

Having regard to the Staff Regulations of Officials of the European Union (‘Staff Regulations’) and the Conditions of Employment of Other Servants of the European Union (‘CEOS’), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68¹, and in particular Title II of the Staff Regulations and Articles 11 and 81 of the CEOS²;

Having regard to Regulation (EU) 2018/1726 of the European Parliament and of the Council of 14 November 2018 on the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), and amending Regulation (EC) No 1987/2006 and Council Decision 2007/533/JHA and repealing Regulation (EU) No 1077/2011³, (‘the Agency Regulation’), and in particular Article 19(1)(n) and Article 48 thereof;

Having regard to Decision 2019-198 REV 1 of 28 August 2019 of the Management Board of eu-LISA on the Financial Rules of eu-LISA;

Having regard to Communication of 26 September 2014 from Vice- President ŠEFČOVIČ to the Commission on the guidelines on the implementation of the Article 110(2) of the Staff Regulations with regard to the implementing rules applicable in the agencies⁴, and in particular Point 2.B thereof;

¹ OJ L 56, 4.3.1968, p. 1, as last amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013, OJ L 287, 29.10.2013, p.15.

² Articles 11 to 26a of the Staff Regulations are applicable by analogy to temporary agents and contract agents, pursuant to Articles 11 and 81 of the CEOS, respectively. Any reference in this decision to those Articles of the Staff Regulations shall be understood as applicable by analogy to temporary and contract staff.

³ OJ L 295, 21.11.2018, p. 99.

⁴ C(2014)6543 final.



Protection level PUBLIC

Releasable to eu-LISA

Having regard to the agreement of the European Commission pursuant to Article 110(2) of the Staff Regulations to eu-LISA regarding adoption of the implementing rules on the prevention and management of conflicts of interests of the staff members of eu-LISA of [date] 2020⁵;

After consulting the Staff Committee⁶,

Whereas:

- 1) The Agency is mandated with a sensitive mission of ensuring the operational management as well as preparation and development of IT systems in the Area of Freedom, Security and Justice, including development of technical solutions regarding interoperability between the systems, ensuring security of the information and communication channels and implementing the relevant security measures and data protection requirements regarding those systems. It cooperates on a regular basis with both national authorities and private organisations to fulfil its duties, therefore, public and private interests may be intertwined during such activities.
- 2) The Agency is subject to the public scrutiny within the discharge procedure of the European Parliament, under which the procedures for prevention and management of risks and situations of a conflict of interest should be established and adhered to. Declaring interests is one of the measures applied in order to identify if a risk of a conflict of interest or a potential conflict of interest exists, allowing for the application of the respective mitigating measures.
- 3) The budget of the Agency has been growing significantly in the last years. The Agency implements several high value procurement contracts and executes high value projects in cooperation with the external contractors or external service providers. Moreover, the Agency relies mostly on the work of temporary and contract agents. The degree of internal and external mobility of temporary and contract agents is higher than the internal mobility of officials in the European Institutions. Therefore, a clear picture of the involvement of the staff members and their spouses or close relatives in the activities that may result in the exchange of information between the parties being subject to different contractual arrangements of eu-LISA is necessary for the sound management of such projects.
- 4) Taking into account this specificity of eu-LISA, the Agency intends to increase the awareness of its employees with respect to potential situations of conflict of interests. In addition to a declaration of a potential or actual conflict of interest, in order to strengthen the prevention of situations of conflict of interests, the Agency decides to require the staff members to declare an absence of a conflict of interest in the context of a performed duty or task, and to carry out a self declaration of interest every second year or on annual basis.
- 5) It is understood that all staff members should carry out their duties and conduct themselves solely with the interests of eu-LISA in mind, notably they should carry out the

⁵ C(2020) ...

⁶ The Staff Committee was consulted on 28.08.2019 and provided its opinion on 18.09.2019.

assigned duties objectively, impartially and in keeping with their duty of loyalty to eu-LISA.

- 6) Provisions on conflict of interests are already included in various EU legal instruments, in particular in the Agency Regulation, the Staff Regulations, the CEOS, the EU Financial Regulation⁷ and the Financial Rules of eu-LISA.
- 7) The Agency should adopt internal rules requiring its staff members to avoid any situation liable to give rise to a conflict of interest during their employment or term of office and to report such situations.
- 8) This decision should be adopted without prejudice to the existing rights and obligations related to conflicts of interest provided in other applicable EU legal instruments mentioned in recital 6. By implementing the Staff Regulations and CEOS, this decision aims to complement the existing rules and to serve as a reference for eu-LISA staff members. It ensures a comprehensive and coherent approach on conflicts of interest and the highest standards of administration, professional ethics, integrity and independence.
- 9) This decision should be published on the website of the Agency,

HAS DECIDED AS FOLLOWS:

CHAPTER I- SCOPE, GENERAL OBLIGATIONS AND DEFINITION

Article 1 – Subject matter

The present decision lays down rules for the prevention and management of conflicts of interest of eu-LISA staff members in order to ensure the handling of situations where conflicts of interest may arise in a transparent and consistent manner.

Article 2 - Scope

1. This decision shall apply to the following categories of actors involved in the work and activities of eu-LISA:
 - contract staff,
 - temporary staff, including the Executive Director and the deputy Executive Director,
 - seconded national experts, and
 - paid and unpaid interns,collectively referred as "staff members" for the purpose of this decision unless otherwise

⁷ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012; OJ L 193, 30.7.2018, p. 1.

specified.

Article 3 – Definition and general principles

1. In line with Article 11 of the Staff Regulations⁸ all staff members of eu-LISA shall carry out their duties and conduct themselves solely with the interests of eu-LISA in mind. All staff members shall carry out their duties objectively and impartially and in keeping their duty of loyalty to eu-LISA. All staff members shall abstain from any action adversely affecting the reputation of eu-LISA.
2. According to Article 11a of the Staff Regulations⁹, staff members should not, in the performance of their duties, deal with a matter in which, directly or indirectly, they may have any personal interests such as to impair their independence, as this would compromise or reasonably be perceived to compromise the impartiality and objectivity of a decision, opinion or recommendation of eu-LISA.
3. Relevant personal interest may notably be of financial or non-financial nature and it may also concern a personal or family relationship, any representation of any other interests of third parties or a community of interests with any third parties, any professional or economic affiliation, as well as any other outside activities leading to the situation described under Article 3(1).
4. The appearance of a conflict of interest can constitute a reputational risk to eu-LISA, even if turns out to be unsubstantiated. Therefore, taking due consideration of the principle of proportionality, specific backgrounds, all relevant facts and mitigating circumstances, a risk of perceived conflict of interest should be treated as if it were an actual conflict of interest.
5. It is the responsibility of all staff members to ensure that their conduct is in line with the rules regarding the conflict of interest in both letter and spirit. Each staff member of eu-LISA shall assume an individual responsibility by declaring in good faith his/her interests and information to eu-LISA in compliance with the provisions of this decision and of the Staff Regulations.
6. Article 11a of the Staff Regulations applies to any staff member. Any staff member, who becomes aware of a potential conflict of interest, shall immediately inform in writing the authority authorized to conclude contracts of employment (AACC).
7. Staff members shall promptly disclose all relevant information about a personal interest at the entry to service and when circumstances change following their disclosure or when new situations arise. If at any time in the course of his or her duties, a staff member becomes aware of any potential conflict of interest or any appearance of a conflict of interest, the staff member shall be obliged to inform the AACC.

Article 4 – Specific provisions regarding the Executive Director

⁸ Applicable to the seconded national experts and interns by virtue of this decision.

⁹ See footnote 8.

1. The Executive Director shall act impartially, avoiding any situation liable to give rise to potential conflicts of interest. Taking into account the public character of his/her function when acting under the tasks and roles laid down in the the Agency Regulation, the Executive Director shall perform his or her tasks objectively, impartially and with independence, keeping with the duty of loyalty to eu-LISA.
2. When questions, which are not explicitly covered by these rules arise, adherence to the generally accepted principles of probity shall determine the behaviour of the Executive Director.
3. The Executive Director shall:
 - (a) act independently in the general interest of eu-LISA and in the common interest of the sound management of the Agency and its objectives in accordance with the Agency Regulation, without allowing himself or herself to be influenced by personal interests or relationships;
 - (b) guarantee that under his or her role of the eu-LISA Authorising Officer, eu-LISA operates within the limits of its statutory remit and rules;
 - (c) when communicating on a matter, on which eu-LISA has taken a view, the Executive Director shall represent the views of eu-LISA; when communicating on a matter that falls within the remit of eu-LISA but on which eu-LISA has not taken a view so far, the Executive Director may give his or her own personal view, but should make it clear that it does not necessarily represent the official opinion of eu-LISA. The Executive Director shall refrain from any unauthorised disclosure of information or documents received in the line of duty that have not already been made public or are accessible to the public;
 - (d) not exploit his or her position in order to affect the expected impartiality of eu-LISA staff members, external experts, reviewers, consultants and any third parties participating at any title in the bodies or activities of eu-LISA.
4. Paragraphs 1 to 3 of this Article shall also apply to the Deputy Executive Director.

CHAPTER II –MANAGEMENT OF CONFLICT OF INTEREST

Article 5 - Obligation to make declarations of interest and declarations of absence of conflict of interest

1. In order to assess a risk of a potential conflict of interest and to manage any potential or appearing conflict of interest, all staff members shall submit :
 - (a) Declaration of interest (DoI) - enabling the Agency to assess the declared interests in view of the fulfilled role (function) and duties performed for eu-LISA;
 - (b) Declaration of an absence of a conflict of interest (ACoI) - enabling the Agency to assess if a particular task assigned to the staff member may be performed by him or her;



- (c) Declaration of a conflict of interest (CoI) - enabling the Agency to analyse the situations when it becomes clear that there is a situation of conflict of interests and to decide on the mitigating measures.
2. The assessment of the declarations of interest (DoI) shall be conducted by the Line Manager, whilst the assessment of situations of conflict of interest (CoI) shall be dealt with by the AACC. The assessment of the declarations of an absence of a conflict of interest (ACoI) shall be conducted by the AACC or by the staff previously authorized by the AACC. For the purpose of this decision, the declarations listed in Article 5(1) are collectively referred hereinafter as “declarations”, unless otherwise specified.
 3. For the purpose of this decision, “Line Manager” shall mean any Head of unit, department, or function, the Deputy Executive Director and the Executive Director of eu-LISA, who appraises performance of at least one (1) staff member. The role of Line Manager for the Executive Director is ensured by the Chairperson of the Management Board and the assessment shall be completed with the use of a respective template.

Article 6 – Submission of declarations of interest and declarations of absence of conflict of interest

1. Prior to taking up duties at eu-LISA, the AACC shall examine whether the candidate has any personal interest such as to impair his or her independence. To that end, the candidates shall submit the declaration of conflict of interest (CoI) using the relevant form.
2. When returning from unpaid leave, the AACC shall examine whether the staff member has any personal interest such as to impair his or her independence. To that end, the staff member, shall submit the declaration on the absence of a conflict of interest (ACoI) using the relevant form.
3. Every second year within one month from the date of launching the exercise by the Human Resources Unit (“the HRU”), or whenever their situation changes in respect of the interests declared, the staff members shall fill or update their declaration of interest (DoI) and submit it to their Line Manager.
4. The Declaration of interest shall concern in particular the financial interests, current and past activities, spouse’s/partner/dependent family members’ current activities and any other relevant interests falling within the remit of the Agency. The detailed requirements shall be established in the relevant form.
5. By derogation from paragraph 3, the staff members who have been appointed as an initiating agent or a verifier, or received delegation from the authorising officer in the operational and financial circuits of eu-LISA, shall declare their interest on an annual basis and ensure that the information provided is up to date throughout the year. Every year they shall complete a declaration of interest (DoI) within one month from the date of launching the exercise by the HRU.



6. Members of the Selection Committee shall make and sign a specific written declaration of absence of conflict of interest (ACoI) to pursue their work as members of the Selection Committee. The HRU coordinates this activity and manages potential conflict of interests in accordance with Articles 7, 14 and 15.
7. Members of the Procurement Opening Boards and Evaluation Committees, before receiving access to the tender files, shall make and sign a specific written declaration of absence of conflict of interest (ACoI) to pursue their work as members of such boards and committees. The Finance and Procurement Unit (“the FPU”) coordinates this activity and manages potential conflict of interests in accordance with point Articles 7, 14 and 15.
8. Internal auditors of the Internal Audit Capability (“the IAC”), before carrying out an assurance audit, shall make and sign a specific written declaration of absence of conflict of interest (ACoI). They shall communicate the signed declaration to the Executive Director and the auditee(s).

Article 7 - Dealing with situations of conflicts of interest

1. If, at any time, in the course of his or her duties, a staff member becomes aware that his or her actions may bring his or her own interests into conflict with those of the Agency, he or she shall refrain from such actions and shall refer the matter to the AACC.
2. The AACC shall assess whether there is a conflict of interests or not and shall communicate the result in writing to the staff member concerned. If the AACC confirms the existence of a conflict of interest, the staff member, amongst other options, may be required to cease activities affected until the conflict of interest no longer applies. In that case, the AACC shall ensure that the person concerned ceases all activities in the matter. The AACC shall take any further appropriate action.

Article 8 - Obligation of confidentiality

1. Staff members shall refrain from any unauthorised disclosure of information received in the line of duty, unless that information has already been made public or is accessible to the public.
2. All staff members shall continue to be bound by this obligation after leaving eu-LISA.

Article 9 - Obligations related to honours, decorations, favours and gifts

1. Staff members shall not accept, directly or indirectly, without the prior permission of the AACC, any honour, decoration, favour, gift or payment of any kind whatsoever from any source outside eu-LISA.

Criteria to be considered in this context are, in particular, if the acceptance of the gift or hospitality is counter to the interest of the service or presents a real or perceived conflict of interest for the staff member concerned, or if such acceptance would be in accordance with diplomatic and courtesy usage.

Gifts and hospitality motivated solely by a family relationship or personal friendship, or



in a context not related in any way to the staff member's duties do not, in principle, fall under these provisions. However, even here situations may arise, when acceptance can be perceived as compromising the staff member's independence.

2. A gift is understood to mean:
 - a sum of money or any physical object, or
 - the possibility to participate for free in events which are either open to the public or private in nature, only accessible in return for payment and represent a certain value (such as complimentary tickets for sports events, concerts, theatre, conferences, etc.), or
 - any other advantage with a pecuniary value such as transport costs.
3. Hospitality offers are considered to be one particular type of favour. Hospitality is defined as an offer of food, drink, accommodation and/or entertainment from any source outside eu-LISA.
4. Acceptance of gifts or hospitality may exceptionally be authorised (within the limits indicated in paragraphs 5 and 7, when it is clear that this will not compromise or reasonably be perceived to compromise the staff member's objectivity and independence and will not damage eu-LISA's public image.
5. Subject to the general principles set out herein, the following shall apply:
 - (a) Prior permission by the AACC is presumed to be granted for accepting a gift worth up to €50;
 - (b) Explicit prior permission by the AACC is required for accepting a gift worth between 50 and 150 €, by submitting a declaration using the relevant form;
 - (c) The AACC shall refuse to authorize the acceptance of gifts with an estimated value higher than €150 or any sum of money.
6. If the AACC refuses to authorise the acceptance or if a gift is unwanted, it can be returned to the source, if this is feasible. Alternatively, the gift can be donated by eu-LISA to an appropriate charitable organisation.

As a courtesy, the staff member should inform the sender of the gift that the gift cannot be accepted and will be transmitted to charity, unless this would be diplomatically inappropriate.
7. As a general rule, the staff member should not accept any hospitality and should make use of sound judgement in order to assess, in the given circumstances, if acceptance could be envisaged.

Subject to the general principles set out herein, the following shall apply:

(1) Prior permission by the AACC is presumed to be granted for:

- hospitality in the form of lunches or dinners strictly linked to the function of the staff member and as such not prejudicial to the interests and public image of eu-LISA, and in which the staff member participates in agreement with his or her hierarchy and in the interest of the service;
- occasional offers of simple meals, refreshments, snacks.

(2) Explicit prior permission by the AACC is required in cases not covered by the previous heading, by submitting a declaration, using the relevant form.

8. As for the hospitality offered during missions, the mission order shall as a rule cover all predictable offers of hospitality, based on the mission programme – notably meals, accommodation and transport. These shall not be considered as hospitality offers if the programme of the mission and the participation of the staff member has been authorised – as they form part of the performance of his or her duties in the interest of eu-LISA. The acceptance of these offers shall then be declared in the mission expense statement.

Particular prudence is necessary in sensitive situations. For instance, staff members participating in inspections and similar missions should whenever possible inform their immediate superior or team leader on an *ad hoc* basis, and in accordance with any other specific provisions, when hospitality is offered in the course of such missions. If this is impossible, they should exercise their individual judgement and act according to the principles set out in these guidelines. Any hospitality thus accepted should be declared in the mission expense statement.

9. Accumulation of gifts and hospitality for which prior permission of the AACC is presumed may be seen to compromise the staff's objectivity and independence, or may damage eu-LISA's public image. Therefore, it requires the prior permission by the AACC.

Article 10 - Obligations related to outside activities

The Commission Decision on outside activities and assignments and on occupational activities after leaving the Service shall apply by analogy¹⁰.

Article 11 - Obligations related to publications and speeches

1. Staff member who intends to publish or cause to be published, whether alone or with others, any matter dealing with the work of the Union, shall inform the AACC in advance. The AAC shall inform the staff member of its decision within 30 working days of receipt of the information. If no decision is notified within the specified period, the AACC shall deemed to have had no objections.

For this purpose, staff member shall submit a declaration using the relevant form, as the case may be, and provide the AACC with any information, in particular a copy, in

¹⁰ Decision of the Management Board of eu-LISA No 2018-179 Rev1 of 6 December 2018 on the application by analogy of the Commission decision C(2018)4048 final of 29.06.2018. C(2018)4048 of 29.06.2018.

electronic form, of the final version of the document he or she intends to publish. This shall be accompanied by a summary of the document to be published, in electronic form, in eu-LISA's working language.

2. In accordance with Article 17a(1) of the Staff Regulations¹¹, a staff member has the right to freedom of expression with due respect to the principles of loyalty and impartiality and shall refrain from any unauthorised disclosure of information, received in the line of duty, to the public.

Outside the service and provided the Union activities are not involved, freedom of expression prevails as a fundamental right and enables staff members to contribute to scientific, literary or artistic publications and the like speeches. In such cases staff members are acting solely in a private capacity.

Article 12 - Obligations related to election or appointment for public office

1. Pursuant to Article 15(1) of the Staff Regulations, contract agents and temporary agents who intend to stand for public office shall notify the Appointing Authority by submitting a declaration using the relevant form.
2. Pursuant to Article 15(2) of Staff Regulations, contract agents and temporary agents who are elected or appointed to public office must immediately inform the Appointing Authority by submitting a declaration in the relevant form.

Article 13 - Obligation to declare the professional activities of the spouse or partner

1. Pursuant to Article 13 of Staff Regulations, staff members shall have the obligation to inform the AACC if their spouse/partner is in gainful employment, i.e. doing paid work. In this respect, unmarried, legally recognised partners are regarded in the same way as spouses pursuant to Article 1(2)(c) of Annex VII to Staff Regulations.
2. The staff members shall submit a declaration using the relevant form. If there is any change in the spouse's situation, the staff member is obliged to submit a new declaration.

Article 14 - Procedures to manage a conflict of interest

1. The following entities are in charge of activities for the management of conflict of interest at eu-LISA:
 - (1) The Line Manager undertakes to:
 - Ensure that the staff members complete accurately and submit their DoI within one month from the date of launching the exercise by the HRU;
 - Assess the compatibility of interests declared against duties of the staff members concerned. The Line Manager may ask and the staff member concerned shall provide any clarifications deemed necessary to concluding the evaluation;

¹¹ See footnote 8.

- Send completed DoIs and assessment conclusions to the HRU in compliance with the deadline set by the HRU when launching the exercise;

(2) The AACC undertakes to:

- Ensure that, in case of a staff member declaring an interest that has been evaluated by his or her Line Manager as constituting a risk of a conflict of interest, the appropriate measures are applied. Amongst other options, the person concerned may be required to cease all activities in the matter, for which the risk was identified;
- Take any further appropriate action in case of identified risk.

(3) The Head of the HRU undertakes to:

- Remind the staff members of eu-LISA of their obligations deriving from the present decision;
- Facilitate the assessment of DoIs by Line Managers and, where necessary, by the AACC;
- Provide requested statistical reports on the status and changes of these declarations¹².
- Collect, keep, and safeguard all DoIs completed by staff members, together with Line Managers' LM assessments in a dedicated folder.

(4) The Head of the Finance and Procurement Unit (FPU) undertakes to:

- Remind the members of the Procurement Opening Boards and Evaluation Committees of eu-LISA of their obligations to declare their interests and update their declarations prior to starting any work of such panels in line with the relevant forms;
- Collect, keep, and safeguard the aforementioned declarations as items of the related procurement file;
- Assess the declaration of absence of conflict of interest completed in line with the relevant forms.

***Article 15 - Ex-post treatment of situations of non-compliance
with the obligations under the present decision***

1. In accordance with Article 86(1) of the Staff Regulations¹³, any failure by temporary and contract staff of eu-LISA to comply with his or her obligations under the rules of conflict of interests, whether intentionally or through negligence on his or her part, shall make him or her liable to disciplinary measures, in accordance with the provisions of the Staff Regulations and the CEOS.
2. Failure by temporary and contract staff to fill in the declaration of interest (DoI) in a

¹² The statistical data shall contain information on the number of DoIs submitted, DoIs submitted on time, number of DoIs evaluated, number of actions taken, etc.

¹³ Applicable by analogy to temporary and contract agents pursuant to Articles 50a and 119 of the CEOS, respectively.

complete, correct, and timely manner may be considered as a breach of trust towards eu-LISA. Because of that failure, appropriate actions may be taken by a decision of the AACC such as:

- opening of an administrative inquiry, which may lead to a disciplinary procedure against the staff member concerned,
 - informing the European Anti-fraud Office¹⁴ (OLAF),
 - cancelling the contract or act affected by the conflict of interests.
3. Seconded national experts shall comply with the relevant obligations imposed by the present decision on conflict of interests. Failure to observe the obligations provided herein entitles eu-LISA to terminate the collaboration, subject to respecting the procedural safeguards of the seconded national expert concerned notably including the right to be informed in advance of the reasons underlying the Agency's intention to terminate the collaboration and giving him or her the opportunity to be heard.
4. If the concerned person was involved in a decision-making procedure without having declared an interest, the AA or the respective body or group may undertake remedial actions, in particular to review or cancel the decision if seriously affected by the conflict of interest, without prejudice to the acquired rights of the third parties to the joint undertaking. This implies carrying out an ex post review of the person's activities and contributions to eu-LISA's output.

CHAPTER III – GENERAL AND FINAL PROVISIONS

Article 16 - Register

1. All the declarations made by staff members shall be clearly recorded by eu-LISA in an internal Register. This will enable eu-LISA to demonstrate, if necessary, that a specific conflict of interest has been appropriately identified and managed.
2. The register referred to in Article 16(1) shall be maintained in compliance with the applicable provisions of Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC¹⁵ (“the Data Protection Regulation”).

Article 17 – Transparency and Data Protection

1. eu-LISA shall publish on its intranet this decision and the relevant forms as well as any relevant procedures or documents for the prevention of conflict of interest in a clear and

¹⁴ Pursuant to Articles 22a (1) and Article 86 (2) of the Staff Regulations.

¹⁵ OJ L 295, 21.11.2018, p. 39.

easily identifiable manner.

2. The declarations of interest submitted by the Executive Director and the Deputy Executive Director shall be available for public scrutiny with due respect to the Data Protection Regulation and applicable EU rules on access to documents¹⁶. Where deemed relevant, the concerned person's CV (or a summary of his/her professional experience) could also be made available.
3. The DoIs, the ACoIs and the CoIs may be completed on paper or electronically.
4. The relevant forms shall include a privacy statement regarding processing of personal data and the respective rights of the staff members in line with the Data Protection Regulation.
5. The recipients of the declarations are the persons and bodies identified in these rules. Declarations may be transferred to bodies in charge of a monitoring or inspection task in conformity with Union Law, including the European Court of Auditors, the Internal Audit Service, OLAF, the European Ombudsman and the European Data Protection Supervisor.
6. The conservation period of declarations per category of data subjects is five (5) years from the date of submission of the relevant declarations unless specified otherwise in the rules governing the respective process¹⁷, that can be extended for a specific period as long as duly justified.

Article 18 - Final provisions

1. This decision repeals the Decision of the Executive Director of 3 April 2019 on Amended Rules on the Prevention and Management of Conflict of Interest Concerning eu-LISA Staff Members¹⁸.
2. The Executive Director of eu-LISA may adopt explanatory guidelines to facilitate the implementation of the present decision.
3. Any permission granted by the AACC or by the related body or group of eu-LISA pursuant to a declaration submitted by staff members shall be limited to the specific situation described in the declaration and cannot be extended to any other similar situations.
4. Any change of the initial situation described in the declaration and approved by the AACC or the respective body or group shall be considered as a new situation and shall be brought to the attention of the AACC.
5. This decision shall take effect on the date of its adoption by the Management Board and shall be published on the website of eu-LISA.

¹⁶ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents. OJ L 145, 31.5.2001, p. 43.

¹⁷ For example, rules on recruitment, on procurement, etc.

¹⁸ Reference Ares(2019)2385857 - 04/04/2019.



eu-LISA **LIMITED BASIC**

Protection level **PUBLIC**

Releasable to eu-LISA

Done in Tallinn, on2020.

For the Management Board of eu-LISA

Zsolt Szolnoki
Chairman