

Transparency International's recommendations for a reform of the European Parliament Code of Conduct

Our detailed recommendations with tracked-changes to the current Code of Conduct can be found below.

ANNEX I Code of Conduct for Members of the European Parliament with respect to financial interests and conflicts of interest

Article 2 Main duties of Members In exercising their duties, Members of the European Parliament shall:

(a) 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, as enshrined in Article 6 of the Act of 20 September 1976 concerning the election of the members of the European Parliament by direct universal suffrage and Article 2 of the Statute for Members of the European Parliament,

(b) 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-~~or~~, corruption, or undue influence.

(c) Members shall not receive any kind of remuneration or any promise for future payment for any activity that can reasonably be seen to be intended to influence or enable others to influence EU policy or decision-making. Any paid-for activities for organisations that are registered on the EU Transparency Register shall be published on a separate list on the Parliament's website. Members shall also not serve for compensation on a board of an association, corporation or any other entity. Members shall also not receive any payment or anything of value for an appearance, speech, or article, excluding any actual and necessary travel expenses.

(d) While former members receive the transitional allowance upon leaving office, former Members may not seek official action from current Members or employees of the European Parliament or try to influence its law- or decision-making. In other words, Members may not become lobbyists or support the lobbying of others until they no longer receive the transitional allowance.

Article 4 Declaration by Members

1. For reasons of transparency, 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 (or within 30 days of taking up office with the 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 that have an influence on 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 a precise and detailed manner:

(a) 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,

(b) any salary which the Member receives for the exercise of a mandate in another parliament,

(c) 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, including information on areas of activity and major clients if applicable.

(d) 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 the membership or activity in question is remunerated or unremunerated,

(e) 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, including information on who paid for these activities if applicable,~~

(f) 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,

(g) any support, whether financial or in terms of staff or material, additional to that provided by Parliament and granted to the Member in connection with his or her political activities by third parties, whose identity shall be disclosed,

(h) 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 in accordance with the first subparagraph shall be declared as an exact amount and detail who paid for it, be placed in one of the following categories:

New:

4. Rapporteur and committee chair shall list in the explanatory statement attached to the report any meeting they have had with outside interests pertaining to the subject matter of the report. Shadow rapporteurs and other members can add their meetings to the list on a voluntary basis. As a general rule, members shall refrain from meeting external organisations seeking to influence Parliament who are not on the Transparency Register.

Article 3 Conflicts of interest

The information provided to the President in line with this Article shall be published on Parliament's website in an easily accessible and searchable manner. The information should be translated at least into English and also be made available in a machine-readable format.

Article 5 Gifts or similar benefits

3. The provisions of paragraphs 1 and 2 shall not apply to the reimbursement of travel, accommodation and subsistence expenses of Members, or to the direct payment of such expenses by third parties, when Members attend, pursuant to an invitation and in the performance of their duties, at any events organised by third parties.

The information provided to the President in line with this Article shall be published on Parliament's website in an easily accessible and searchable manner. The information should be translated at least into English and also be made available in a machine-readable format.

Article 7 ~~Advisory~~ Committee on the Conduct of Members

1. An ~~Advisory~~ Committee on the Conduct of Members ('the Advisory Ethics Committee') is hereby established.

2. ~~The~~ ~~Advisory~~ Committee shall be composed of five members, appointed by the President after consulting the bureaux and the coordinators of the Committee on Constitutional Affairs and the Committee on Legal Affairs, and comprising:

~~–~~ At least one member who has held high judicial office

~~–~~ At least one member who is a qualified auditor

~~–~~ At least one member who is a former MEP

~~–~~ At least one member with an outside perspective from preventing corruption in companies or from a civil society organisation working on parliamentary ethics and who are not sitting MEPs.

~~2. Deleted~~

3. Upon request by a Member, the ~~Advisory~~ Committee shall give him or her, in confidence and within 30 calendar days, guidance on the interpretation and implementation of the provisions of this Code of Conduct. The Member in question shall be entitled to rely on such guidance.

At the request of the President, a committee chair or upon its own initiative, the ~~Advisory~~ Committee shall also assess alleged breaches of this Code of Conduct and advise the President on possible action to be taken ~~sanction members where appropriate.~~

Article 8 Procedure in the event of possible breaches of the Code of Conduct

- ~~1.~~ Where there is reason to think that a Member of the European Parliament may have breached this Code of Conduct, ~~the President may refer the matter to the Advisory Committee.~~
- ~~2-1.~~ ~~The Advisory Committee shall examine the circumstances of the alleged breach, and may hear the Member concerned. On the basis of the conclusions of its findings, it shall make a recommendation to the President on a possible decision. For its investigation the Committee and its secretariat can request the tax declaration of the member in question.~~
- ~~3-2.~~ If, ~~taking into account that recommendation,~~ the ~~Committee President~~ concludes that the Member concerned has breached the Code of Conduct, ~~he-it~~ shall, after hearing the Member, adopt a reasoned decision laying down a penalty, which ~~he-it~~ shall notify to the Member.

The penalty may consist of one or more of the measures listed in Rule ~~153-166~~(3) of the Rules of Procedure.

- ~~4-3.~~ The internal appeal procedures defined in Rule ~~154-167~~ of the Rules of Procedure shall be open to the Member concerned.
- ~~5-4.~~ After the expiry of the time-limits laid down in Rule ~~154-167~~ of the Rules of the Procedure, any breach of the code of conduct and any penalty imposed on a Member shall be announced by the President in plenary and prominently published on Parliament's website for the remainder of the parliamentary term.

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