



Rules of Procedure of the European Parliament

9th parliamentary term - January 2021

140k 667k

- ▶ CONTENTS
- ▶ NOTE TO THE READER
- ▶ COMPENDIUM OF THE MAIN LEGAL ACTS RELATED TO THE RULES OF PROCEDURE

▶ ANNEX I : CODE OF CONDUCT FOR MEMBERS OF THE EUROPEAN PARLIAMENT WITH RESPECT TO FINANCIAL INTERESTS AND CONFLICTS OF INTEREST

Article 1 : Guiding principles

In exercising their duties, Members of the European Parliament:

- are 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.

Article 2 : 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, 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,
- not solicit, accept or receive any direct or indirect benefit or other reward, whether in cash or in kind, in exchange for specific behaviour in the scope of the Member's parliamentary work, and shall consciously seek to avoid any situation which might imply bribery, corruption, or undue influence,
- not engage in paid professional lobbying directly linked to the Union decision-making process.

Article 3 : Conflicts of interest

- 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. In cases of ambiguity, the Member may seek advice in confidence from the Advisory Committee on the Conduct of Members, established under Article 7.
- Without prejudice to paragraph 2, 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, where such conflict is not evident from the information declared pursuant to Article 4. Such disclosure shall be made in writing or orally to the chair during the parliamentary proceedings in question.

Article 4 : Declaration by Members

- 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 by the end of the month following each change occurring.
- The declaration of financial interests shall contain the following information, which shall be provided in a precise manner:
 - the Member's occupation or occupations 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 salary which the Member receives for the exercise of a mandate in another parliament,
 - 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,
 - 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,
 - any occasional remunerated outside activity (including writing, lecturing or the provision of expert advice), if the total remuneration of all the Member's occasional outside activities exceeds EUR 5 000 in a calendar year,
 - 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,
 - 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,
 - any other financial interests which might influence the performance of the Member's duties.

For any item to be declared in accordance with the first subparagraph, Members shall, where appropriate, indicate whether it is remunerated or not; for items (a), (c), (d), (e) and (f), Members shall also indicate one of the following income categories:

- Unremunerated;
- EUR 1 to EUR 499 a month;
- EUR 500 to EUR 1 000 a month;
- EUR 1 001 to EUR 5 000 a month;
- EUR 5 001 to EUR 10 000 a month;
- above EUR 10 000 a month, with an indication of the nearest EUR 10 000 amount.

Any income that Members receive in respect of each item declared in accordance with the first subparagraph, but not on a regular basis, shall be calculated on an annual basis, divided by twelve and placed in one of the categories set out in the second subparagraph.

3. The information provided to the President in accordance with this Article shall be published on Parliament's website in an easily accessible manner.
4. 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 or interinstitutional negotiations, if they have not submitted their declaration of financial interests.
5. If the President receives information, which leads him or her to believe that the declaration of financial interests of a Member is substantially incorrect or out of date, the President may consult the advisory committee provided for in Article 7. Where appropriate, the President shall request the Member to correct his or her declaration within 10 days. The Bureau may adopt a decision applying paragraph 4 to Members who do not comply with the President's correction request.
6. Rapporteurs may voluntarily list in the explanatory statement to their report outside interests who have been consulted on matters pertaining to the subject of the report⁽¹⁾.

Article 5 : Gifts or similar benefits

1. 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.
2. Any gifts presented to Members in accordance with paragraph 1 when they are representing Parliament in an official capacity shall be handed over to the President and dealt with in accordance with implementing measures to be laid down by the Bureau pursuant to Article 9.
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 scope of this paragraph, and in particular the rules designed to ensure transparency, shall be specified in the implementing measures to be laid down by the Bureau pursuant to Article 9.

Article 6 : 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 should inform the European Parliament thereof and 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⁽²⁾.

Article 7 : 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 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, appoint reserve members for the Advisory Committee, one for each political group not represented in the Advisory Committee.

In the event of an alleged breach of this Code of Conduct by a member of a political group not represented in the Advisory Committee, the relevant reserve member shall serve as a sixth full member of the Advisory Committee for the purposes of investigation of that alleged breach.

4. 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, the Advisory Committee shall also assess alleged breaches of this Code of Conduct and advise the President on possible action to be taken.

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

6. The Advisory Committee shall publish an annual report of its work.

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 shall, except in manifestly vexatious cases, refer the matter to the Advisory Committee.

2. The Advisory Committee shall examine the circumstances of the alleged breach, and may hear the Member concerned. Based on its findings, it shall make a recommendation to the President concerning a possible decision.

In case of an alleged breach of the Code of Conduct by a permanent member or by a reserve member of the Advisory Committee, the member or reserve member concerned shall refrain from taking part in the proceedings of the Advisory Committee on that alleged breach.

3. If, taking into account that recommendation, and having invited the Member concerned to submit written observations, the President concludes that the Member concerned has breached the Code of Conduct, he or she shall adopt a reasoned decision laying down a penalty. The President shall notify that Member of the reasoned decision.

The penalty may consist of one or more of the measures listed in Rule 176(4) to (6) of the Rules of Procedure.

4. The internal appeal procedures defined in Rule 177 of the Rules of Procedure shall be available to the Member concerned.

Article 9 : Implementation

The Bureau shall lay down implementing measures for this Code of Conduct, including a monitoring procedure, and shall, when necessary, update the amounts referred to in Articles 4 and 5.

The Bureau may bring forward proposals for revision of this Code of Conduct.

⁽¹⁾ See Bureau Decision of 12 September 2016 on the implementation of the Inter-Institutional Agreement on the Transparency Register.

⁽²⁾ Bureau Decision of 12 April 1999 on facilities granted to former Members of the European Parliament.