



ECPRD REQUEST 2468

**“Structures and Procedures with Regard to the Code of Conduct for MPs and  
with Regard to the Integrity of Parliamentary Staff”**

FINAL SUMMARY

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## Background

The following paper summarises the replies of ECPRD questionnaire on codes of conduct for members of parliament (MPs) and integrity of parliamentary staff.

The survey was sent through the ECPRD network to 46 parliaments, three observers and three international parliaments. In total we received replies from 38 parliaments, comprising 32 countries and the European Parliament, including 5 countries where both chambers replied respectively.

Ethical behaviour of elected officials is increasingly related with the need for greater transparency and accountability in the public sector. It seems that perceptions on irresponsiveness as well as corruption and misconduct scandals erodes the trust in political institutions, including parliaments. Due to these developments, regulation of the behaviour of legislators is an important consideration in democratic political culture.

General background of the analysis are two points:

- i.* Political context shapes the process of defining and development standards of behaviour;
- ii.* Tendency to develop principles on behaviour regulated in rules of procedures, constitutions or Code of conduct justified meeting international standards or alignment with comparative parliamentary experience.

ECPRD questionnaire 2468 replies are summarized in a combination of quantitative methods which identify and forecast trends and qualitative analysis on data provided. The Summary goes through all 7 titles in an effort to disclose information on structures and procedures how to proceed with adoption of ethical standards for elected officials.

## 1. LEGAL FRAMEWORK AND PROCEDURAL ARRANGEMENTS

### 1.1 Has your Parliament adopted Code of Conduct for the MP's?

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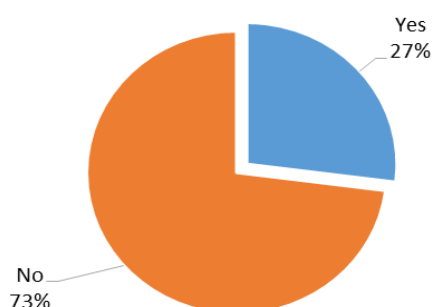


Chart No. 1

From the replies provided, 15 parliaments has reported code of conduct adopted. If compared to data provided in the "Parliamentary Ethics- a Question of Trust"<sup>1</sup>, three more parliaments adopted a code of conduct (Belgium in both chambers and French Assemblée Nationale) since 2011. In addition, comments provided from parliaments that opted for "no", shows tendency to discuss drafts or the need to have one; set up committees or working groups on code of conduct adoption etc.

<sup>1</sup> OPPD, European Parliament, 2011

## 1.2 Is the conduct of the MPs stipulated with other legal acts?

The survey results point to a different set of rules that regulates the behaviour of MPs. Each parliament determines its needs and makes appropriate measures and forms. Out of the scope or in addition to a code of conduct, the most common provisions regulating conduct are contained in the rules of procedures, constitution and other acts. (In most cases thematic laws dealing with anti-corruption, elections, party financing, etc.)

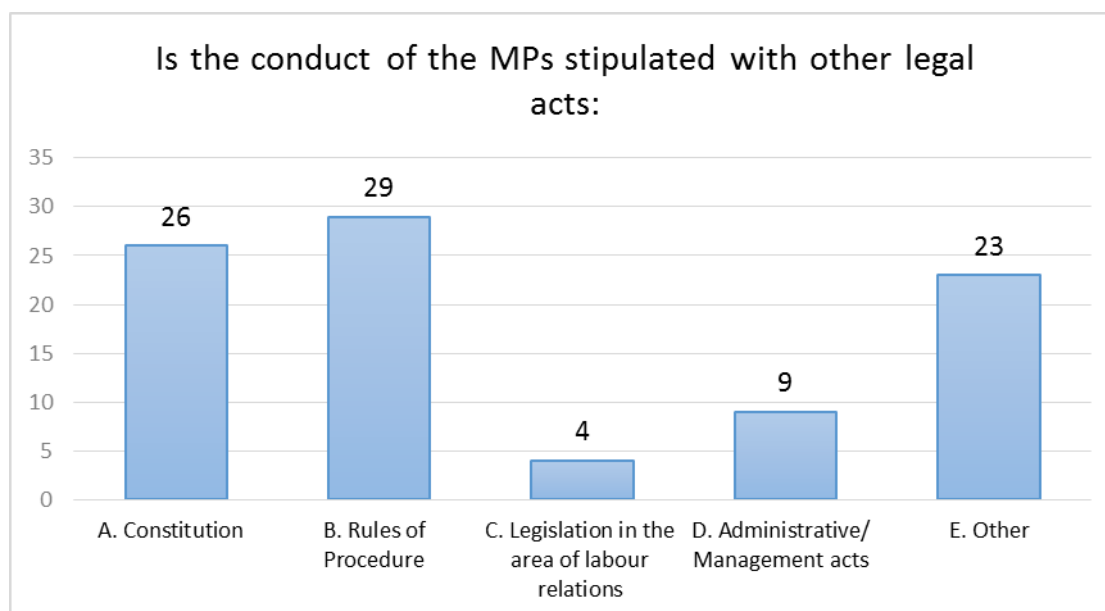


Chart No. 2

## 1.3 Is the Code of Conduct legally binding for the MPs?

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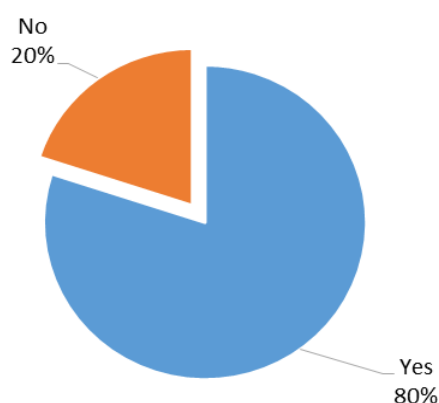


Chart No. 3

A code of conduct is generally understood as standards of behaviour that are enforceable and contain sanction for violation. For the purpose of this survey eight parliaments reported a legally binding Code of Conduct<sup>2</sup>. It should be differentiated that legal obligations are assessed either by the legal force of formal act in which a code of conduct is adopted<sup>3</sup>, and whether there is sanction for misconduct proscribed or not.

<sup>2</sup> Assemblée Nationale and House of Lords (resolution) have reported their codes are not legally binding.

<sup>3</sup> Where Code of conduct is part of the Rules of Procedures constitute same legal force as those rules.

**1.4 Does the Code of conduct also refer to persons who are not MPs-holders of public functions (members of the Government, appointed officials, journalists, citizens etc.)**

Codes of conduct may apply just to MPs (5) or also include their personal staff (5). Wider application should be noted in Norway where government officials when taking part in proceedings have same rights and obligations and Lithuania’s experience where both members of Government and candidates standing for elections are covered.

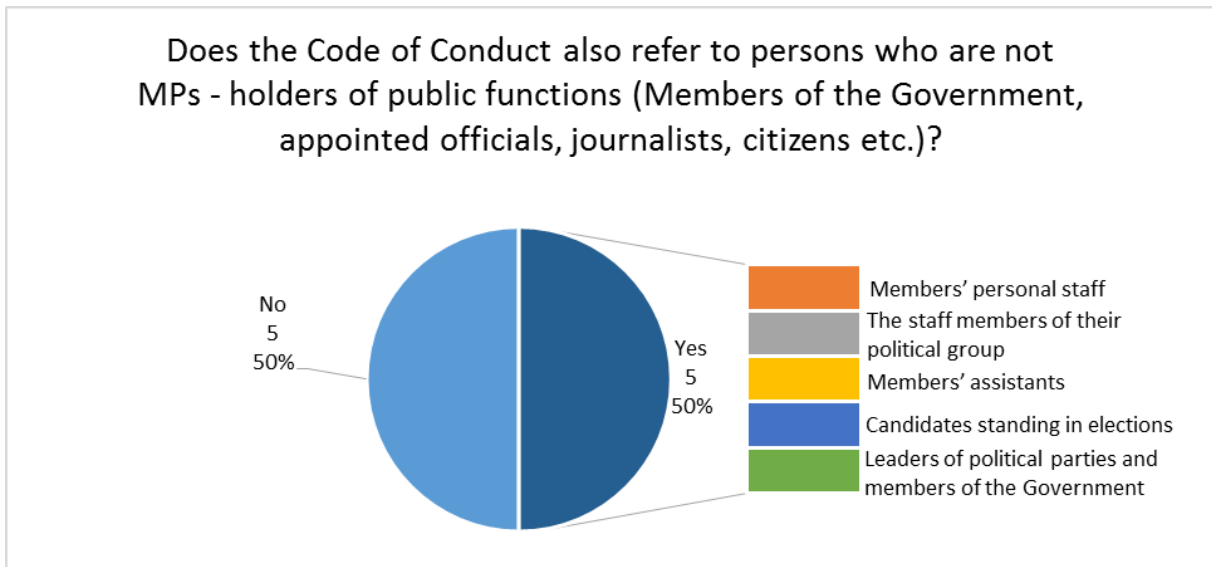


Chart No. 4

**1.5 Which body decides on adoption or amending Code of Conduct?**

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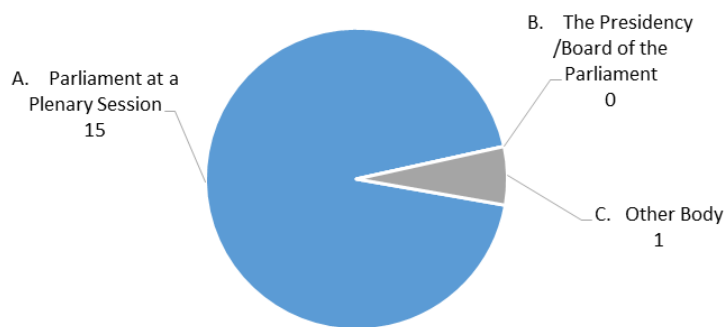


Chart No. 5

It is the plenary session where in most cases code of conduct is decided upon (15). Procedurally, committees can provide recommendations, amendments or opinions. From the comments provided adoption of Code of conduct could take a form of a law or resolution.

## 1.6 Is a certain majority required for the adoption/amending of the Code of Conduct?

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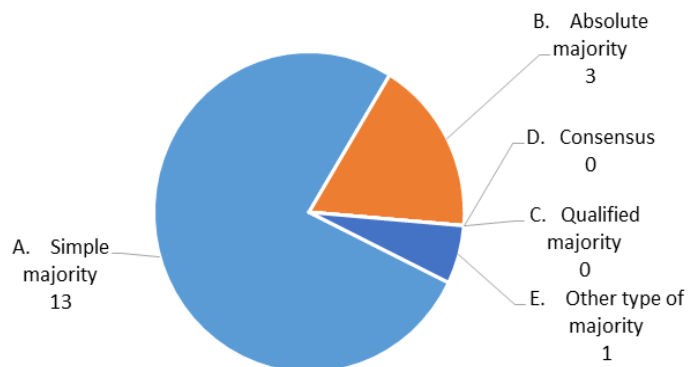


Chart No. 6

Chart No.6 includes countries that have not yet adopted Code of Conduct but have reported to have rules on it. According to the date, in most cases no specific majority is required (13).

OSCE background study makes reference to the need of the broadest possible legitimacy of the code to be secured, adopted by a plenary or individually signed by each MP<sup>4</sup>.

## 2. INTERNAL AND EXTERNAL SUPERVISION

### 2.1 Which body supervise the implementation of Code of Conduct or Rules of Conduct for MPs?

Mechanisms for overseeing and enforcing conduct are important for effectiveness of a code of conduct. In theory, three models<sup>5</sup> differentiate: external supervision (quasi-judicial body), parliament self-regulation and a combination of external investigator with parliamentary committee

From the replies provided (Charts 7a and 7b) three parliaments chose the presidents of parliament to supervise the rules of conduct or at least shared the supervision with standing committees. From the comments provided presidential supervision refers to its procedural

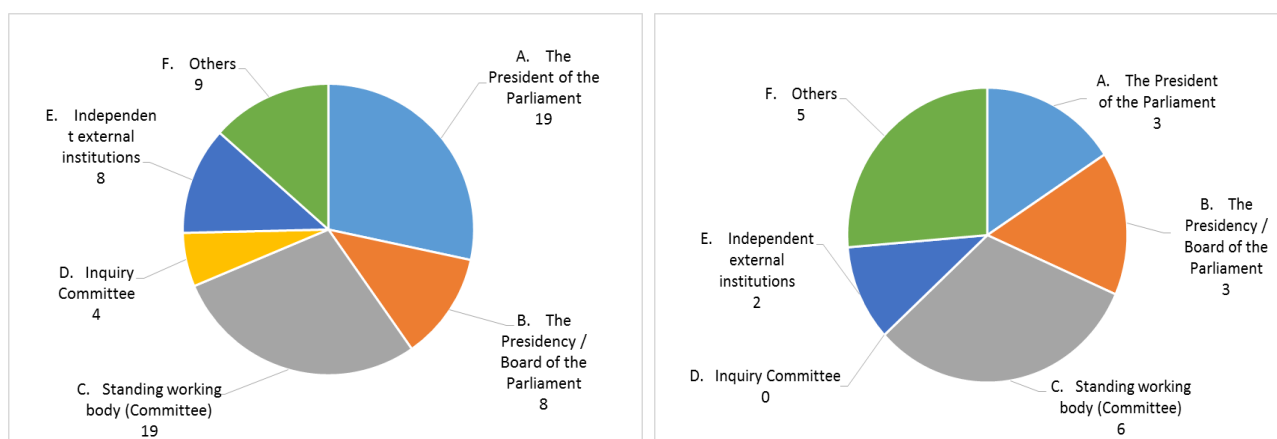


Chart No. 7a and 7b (on left measured by total replies, on right measured by parliaments with Code of Conduct only)

<sup>4</sup> Page 39, "Background study: Professional and Ethical Standards for Parliamentarians", ODIHR, OSCE, 2012

<sup>5</sup> Page 31, "Handbook on Parliamentary Ethics and Conduct, a Guide for Parliamentarians", Global task force on parliamentary ethics,

role during debates, floor taking, etc. If the question is presented with the replies of the countries with code of conduct adopted, reference is made to a joint commissions, an advisory committee and others entities involved in conduct supervision.

## **2.2 Can MPs address to certain Body or internal department for advice on issues related with the Code of Conduct and the Rules of Conduct?**

If any doubts persist about rules of conduct, MPs can address professional parliamentary experts and in most cases internal, regular or special, committees or commissions on ethics, rules of procedures, incompatibility, etc.

From the replies provided from the parliaments with codes of conduct there is a consultation role proscribed of a regulator or advisory committee.

## **2.3 Is there an authorized body or unit for examination of the incompatibility of the MP function with other public functions?**

Incompatibility refers to the accumulation of public functions where this is regulated as unacceptable. In most countries, a Member of Parliament does not also have government or judicial function, due to the principle of separation of power.

This survey question addresses the subject of examining whether what MPs reported is accurate. Most parliaments refers to permanent or special ad hoc committees on incompatibility or mandate and immunity issues. In some cases, like the Polish Sejm, it is the Marshal authorised for examination. External agencies on integrity also perform examination in some countries. Even if there is no systematically applied rule to uphold with, it's up to the MPs to choose their office to remain to.

## **2.4 Does the Parliament keep Registry of received Asset Declarations (If not, which body or institution)?**

Disclosure of assets by declaring them provides information to the media and society about a MPs personal interest and contributes to professionalism of the office.

The survey shows that parliaments have a practice and legal obligation for MPs to submit declarations. Out of the replies two different models can be identified to maintain the register of Asset Declaration: internally in parliaments (departments in the service or committees) and external institutions (state revenue, court of audit or commission on conflict of interest).

## **2.5 Does the Parliament keep a Registry on received reports of gifts (If not, which body or institution)?**

In most of the replies provided parliaments allow acceptance of gifts and keep a registry of gifts in accordance with protocol. A small number of countries ban accepting gifts at all, while in some cases MPs should report gifts over a particular value.

## 2.6 Does the Parliament keep a Registry of lobbyists? (If not, which body or institution)?

Recognising the importance of lobbying and its regulation, the survey tries to summarise current practice of registration. Most of the countries and parliaments that replied do not keep registry of lobbyists. Out of the countries that have had regulated lobbying at all, it is usually a relevant ministry or commission that keep the register. In Macedonia it is the General Secretary of Parliament that keeps the register of lobbyist.

## 2.7 Can citizens initiate procedure for examination of unethical conduct or behaviour by MPs or Members of the Government?

Citizens' engagement in the initiation of an examination procedure for unethical conduct is limited. In those countries where possible, it means opportunity to address the chairman/president or report to the appropriate body that initiate proceedings *ex officio*. If misconduct constitute a criminal offence then an individual complaint/report can initiate examination.

## 2.8 Is there parliamentary body to investigate possible violations of Code of Conduct or any rules of conduct?

For the countries that adopted code of conduct and have proscribed sanctions, parliamentary committees are in charged with investing misconduct complaints. In majority of replies the self-regulation<sup>6</sup> of ones conduct is prevalent. In the EP it is the five member's Advisory committee.

## 2.9 Who can impose measures on MPs in case of confirmed violation of the Code of Conduct or any other rule of conduct?

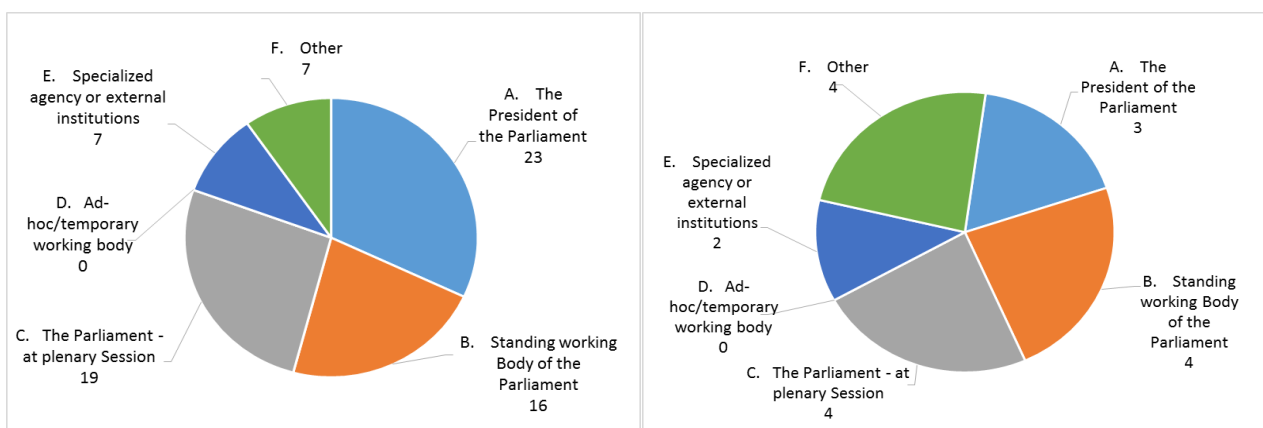


Chart No. 8a and 8b (on left measured by total replies, on right measured by parliaments with Code of Conduct only)

Monitoring mechanisms to implement a code of conduct is usually linked with infraction and proscribed sanction. The question, as formulated, neglects the stages of initiating investigation, (own inquiry or complaint by another MP) and refers only to the governing body that imposes the sanction.

<sup>6</sup> "Except self-regulation, there can be system of external regulators that can act in case of violation of standards by parliamentarians", Page 64, "Background study: Professional and Ethical Standards for Parliamentarians", ODIHR, OSCE, 2012



From the countries that have adopted code of conduct the plenary or president imposes the sanctions, although standing bodies or specialised bodies are the ones that make recommendations and conduct preliminary investigation (Chart 8a and 8b). If an external institution is competent for supervision of the Code, sanction is imposed by the commissioner/committee.

The survey respondents write that the president usually assesses which entity can level sanctions for code fractions. From the comments provided, the type of sanction is determined by the entity that impose it. (Right to speak because of abusive language usage could be taken by President or an incompatibility of function could be determined by a committee for mandate and Immunity committee).

## 2.10 Which measures can the parliament impose for breaching Code of Conduct?

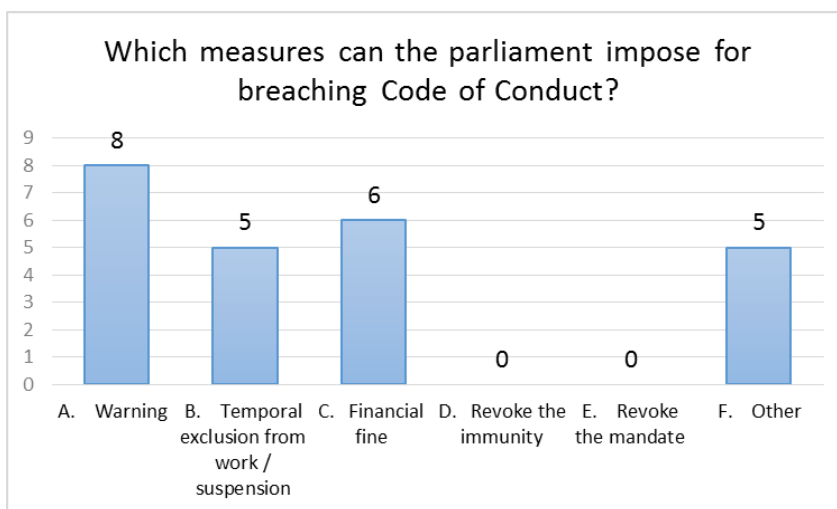


Chart No. 9

Once in place sanctions can contribute to the effectiveness of code of conduct. From the replies provided measures to deter a breach in the code of conduct vary. However, the severity of sanctions exclude possibility to revoke immunity or mandate. If severe misconduct happen it may constitute grounds for proceedings that could lead to immunity or mandate

revoke and impeachment<sup>7</sup>. These are not proceedings which are based upon a code of conduct but rather particular legal infractions. What seems to be an interesting development, according to Chart 9, are “other measures”, which introduce “*media, public disclosure and decision dissemination*” of a breach in combination with a warning and fines.

## 2.11 Was there a case of a sanction against an MP due to violation of Code of Conduct or Rules of conduct?

Out of the countries that have adopted code of conduct sanctions include: financial fines, warnings, and time suspensions. In the UK, breaching the Code of conduct has led to the suspension for two MPs to four and six months respectively. In addition, when there is infringements of rules of conduct most of the parliaments reported application of sanctions.

<sup>7</sup> Fiji Island should be stressed out as example where violation of Code of Conduct could lead to the loss of mandate, page 13, “Legislative ethics and Codes of Conduct”, Rick Stapenhurst and Ricardo Pelizzo, World Bank Institute, 2004

### 3. REPORTING MECHANISMS

#### 3.1 Are MPs obliged to report conflict of interest in exercising the MP's function?

#### 3.2 Do MPs submit an Asset Declaration or other kind of application related to their property, permanent and additional incomes?

#### 3.3 Are MPs obliged to report financial interest and property of their family members?

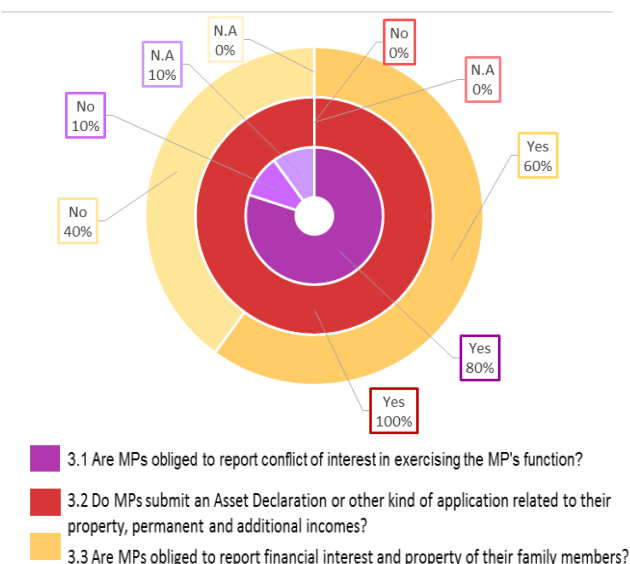


Chart No. 10

Incompatibility of function reports are submitted in a short time frame following parliamentary elections. It should be noted that except for the obligation to report when taking the post, any conflict of interest that has arisen or might arise needs to be reported to the appropriate committee in parliament. In some of the parliaments reporting conflicts of interest must occur before an issue is debated. Members are expected to recuse themselves, or refrain from voting if any personal interest is involved. (Cyprus)

MPs are obliged to report on their assets and income to the register of interest, commission or president of parliament. The reporting procedures typically define the

timeframe of submission and require the reporting of the minimum value of assets.

Obligation to report on their assets is combined with the obligation to report assets entrusted to family members (first degree household members or non-marital community members; combination of predecessors and ancestors). The practice should dissuade corrupt practices and in this case report the transfer of assets to family members.

#### 3.4 Are MPs obliged to report received gifts or similar benefits?

#### 3.5 Are Asset Declarations accessible to the public?

#### 3.6 Are MPs obliged to report contacts with lobbyists?

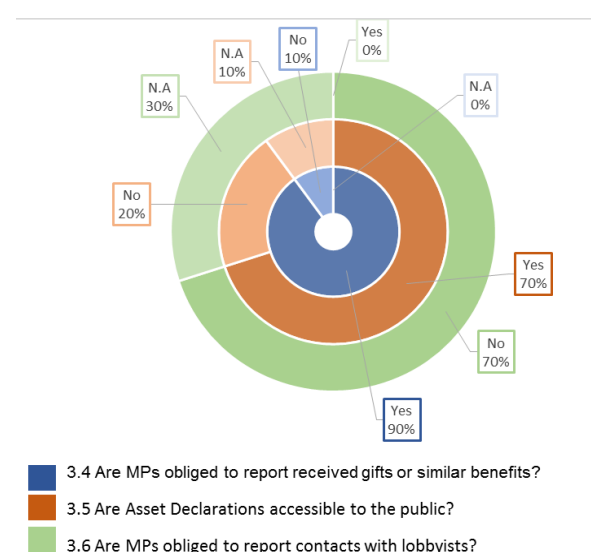


Chart No. 11

Gifts and benefits should be declared in most parliaments according to the survey respondents. In some parliaments a minimum value threshold for gifts, including travel, is set and MPs are obliged to report. Reports should be submitted to the relevant commission or registry.

Asset declaration in vast majority of parliaments is public by way of publishing in an official or personal MPs websites. In some cases asset declaration is combined with data on income as well (In Slovenia it is made public 24 months after the mandate is terminated).

Parliaments regulate lobbyists and defining relations with lobbyists differently. According

to the replies, MPs usually are not obliged to report contact with lobbyists. However, Slovenia has developed a practice to report contacts with lobbyists and contact should be reported to the President of Parliament.

#### 4. DIGNITY AND INTEGRITY IN PRACTICE

##### 4.1 Are MPs expected to behave in decent and appropriate manner in the Parliament (restraining from violent activities, personal insult or provocation)?

Generally, the public expects elected officeholders to conduct themselves in a proper manner. The vast majority of the survey respondents wrote that MPs have a responsibility to behave in decent and appropriate manner.

##### 4.2 Have sanctions being taken against any MP in your Parliament for indecent or inappropriate behaviour?

57% of survey respondents wrote that some type of sanction had been levied against a MP. It is usually related with the ability to take the floor during plenary debates, the adoption of a resolution declaring certain behaviour was in violation of norms (Polish Sejm) and up to the loss of a mandate due to unexcused absences (Austria).

##### 4.3 Are MPs allowed to:

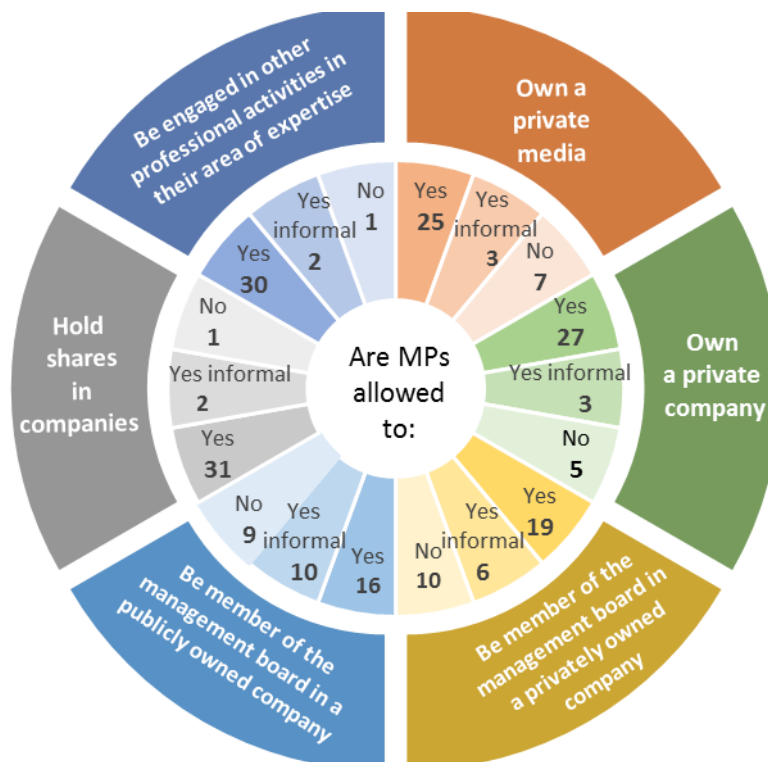


Chart No. 12

From the replies provided and represented on Chart 12, there is no legal prohibition to own a private media, although it is required to be reported as a special interest in the European Parliament. When having assets in state owned companies minimum value of shares should be determined (ex. Spain 10 %).

Members of parliament are not deprived from the right to own a private company. From the parliaments that have restrictions for MPs in own companies, it is owning state property that is restricted, as well as supervisory or executive function in the company. The European Parliament for example does not prohibit but require to declare it in a conflict of interest statement.

Experiences seems to vary according to the data submitted, from countries where MPs can engage themselves into the management boards of public companies to countries that prohibit it (Montenegro and Macedonia). The main distinction as data shows is distinction to own a company versus own it, but not to be part of the management, executive or supervisory structure.

The replies to the questionnaire provides information that in most cases MPs can hold shares, although maximum ownership threshold is applied in some countries (Serbia up to 3% and Poland up to 10 %). These assets are required to be reported in a conflict of interest statement, and if share ownership is increased it may be requested that management rights are transferred (Serbia).

From the survey, a vast majority of members of parliaments can work in other jobs while executing their mandate and there is no obligation to suspend its professional activities. In some countries, MPs should not be professionally engaged during their mandate (Macedonia).

Obligations not to be in conflict of interest, to report and register for transparency and to only receive the statutory agreed remuneration must be respected when engaging in outside professional activities.

## 5. FUTURE DEVELOPMENTS

### 5.1 Does your Parliament plan to adopt a Code of Conduct or amending current one?

Planning the parliament agenda is not always predictable. Preparation to reform parliamentary ethical standards is also related with political circumstances.

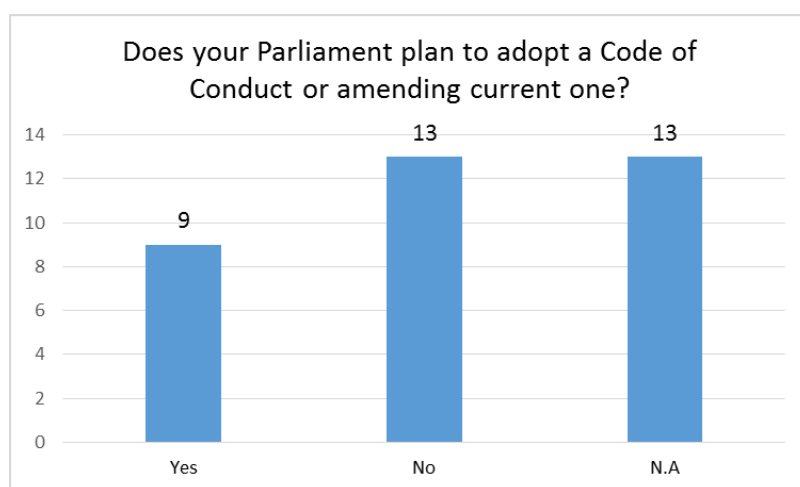


Chart No.13

In theory adopting code of conduct relates with achieving 4 objectives: to prevent corruption, enhance accountability, to professionalise politics and to meet and comply with international standards<sup>8</sup>. Could one identify trends in development a Code of conduct for MPs practices in parliaments?

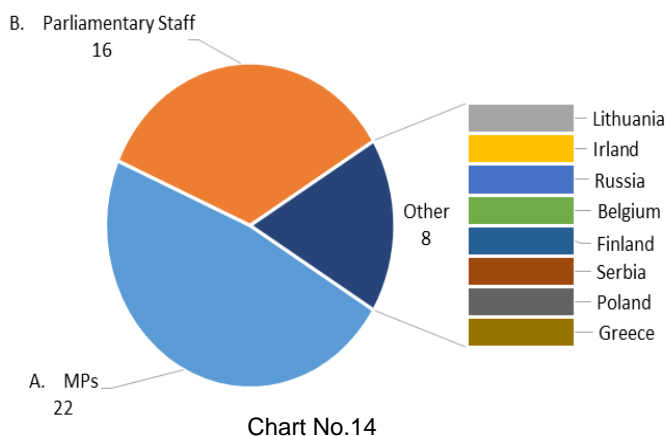
<sup>8</sup> Page 18, "Background study: Professional and Ethical Standards for Parliamentarians", ODIHR, OSCE, 2012

Replies and comments to the questionnaire disclose intentions to amend or design a code of conduct related to recent GRECO recommendations (UK, Slovenia); established working groups/political agreement to draft Code of Conduct (Romania, Finland, Serbia and Macedonia); and the establishment of a special committee in Dutch Senate.

## 5.2 Does the process of drafting Code of Conduct include:

Once the political will paves the way to reform ethical standards (incident of corruption, public trust decline or political crises) and general agreement has been set, the process of drafting the code should take form, procedure defined and actors should be identified.

The survey investigate the composition of working groups/ committees that usually draft code of conduct. From the replies provided there is general practice that MPs are involved in either special or regular committee, representing each party.



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Parliamentary staff experts are also included in a supportive role to the drafting process and to the working group/committee. From the parliaments that opted for "others" the drafting process includes various practices to include external experts; to conduct public hearing (Hellenic parliament); local government (Lithuania); and political parties consulted (Ireland) etc.

## 5.3 Is there a practice in the parliament for introduction and presentation of the Code of Conduct or the rules of conduct to the MPs (seminars, informal consultations, distributing guidelines, etc.)?

It is important that MPs are aware of their commitments for behaviour as regulated in a code of conduct or the rules of conduct.

According to the provided replies, it is generally the role of the parliamentary services to inform MPs through information sessions. Where codes of conduct must be individually signed (Bosnia and Herzegovina), it is expected that MPs are familiar with its content and obligation; therefore, information is also disseminated.

In most cases it is in the constitutive session introduction package for newly elected MPs where booklets and information papers are provided. In addition, specific trainings on incompatibility are also organised (Slovakia).

## 6. LEGAL FRAMEWORK AND INSTITUTIONAL ARRANGEMENTS OF PARLIAMENTARY STAFF

### 6.1 Do you have Code of Conduct for parliamentary staff? If not, is the conduct of parliamentary staff regulated by other acts?

The survey differentiates among parliaments that regulate behaviour of staff with a code of conduct and parliaments that have generally applicable rules of conduct. The parliaments that replied that no code of conduct was adopted, reported there are conduct principles stipulated in the employment contract; ethical guidelines; law on civil servants or annexes to the law; internal regulation of parliaments etc. This leads to a concrete finding that administrative and accounting regulations are common practice.

Do you have Code of Conduct for parliamentary staff?  
If not, is the conduct of parliamentary staff regulated by other acts?



Chart No.15

Fifteen parliaments wrote they have a staff code of conduct. These parliaments opted to operate with system of “morality” for parliamentary staff compared to what already is perceived as traditional arrangements with disciplinary sanctions. Could this arrangement for parliamentary personnel be identified as future trend? From the comments provided several countries established working groups (Finland, Turkey) and the French “deontologist” in 2013 proposed that an ethical code should be adopted. Dutch Senate adopted a code of conduct for staff in 2013.

### 6.2 Who is entitled for adopting or amending the Code of Conduct for the parliamentary staff?

The process of drafting, approval and formal adoption of code of conduct should be determined and which stakeholders are involved.

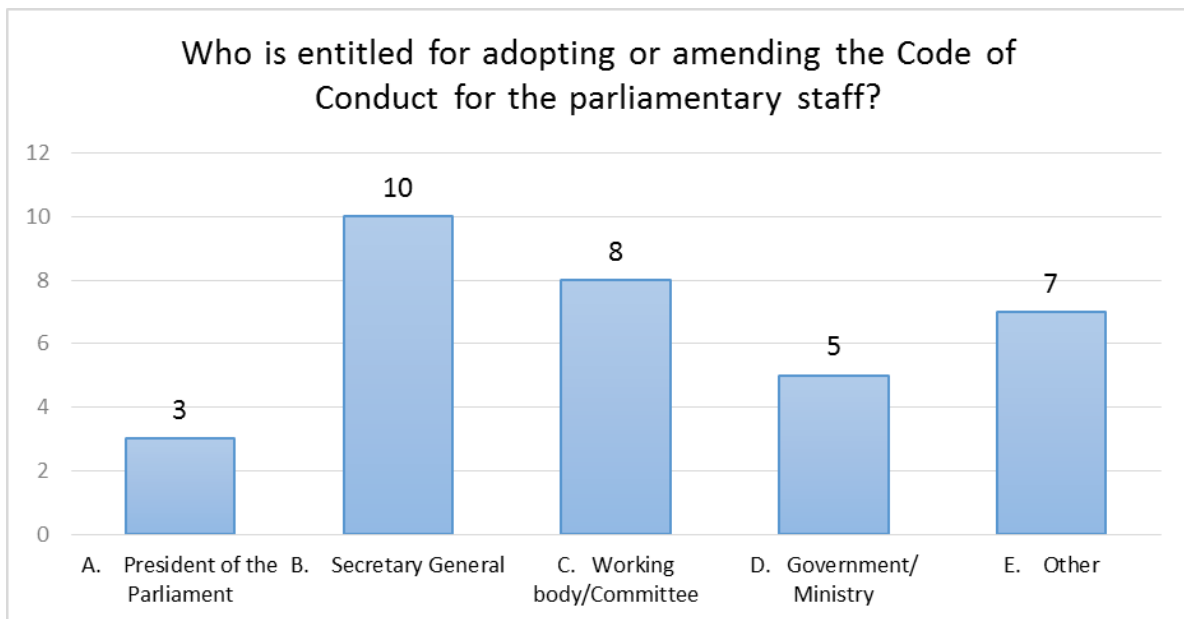


Chart No.16

Out of the replies provided to the questionnaire, it is the Secretary General that is tasked in most cases to adopt the code of conduct for parliamentary staff. Stages in drafting and approval somewhere includes the staff itself and working body/committee. The drafting and approval process in some countries includes the staff itself and a working body/committee, while in some countries the MPs in plenary determine parliamentary staff codes of conducts (Cyprus).

### 6.3 What is the scope of Code of Conduct for parliamentary staff?

Assuming that a code of conduct applies to all parliamentary staff it is important to assess its scope. Options provided in the questionnaire are general and do not implicate the level of disposition but rather what should be encompassed in a code of conduct.

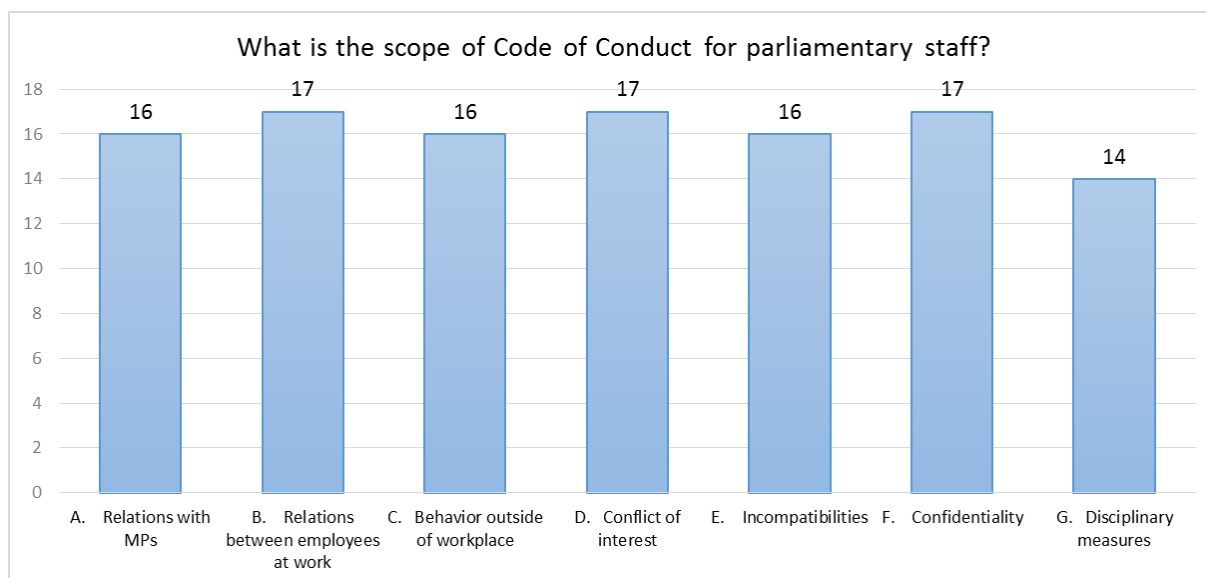


Chart No.17

Relations with MPs is a principle to adhere to the legal and legitimate will of elected politician-member of parliament and as such are perceived as subject of Code of conduct. Relations between employees aiming at creation of positive and professional working environment is also stipulated in the replies including regulation of private life behaviour in a way that reputation of the institution is respected and improper and negative appreciation is limited. Assessing the peaks on the chart it seems that points “A” to “G” are the scope of areas that should be part of a Code of conduct, for parliaments planning to adopt one.

### 6.4 How is the Secretary General appointed, dismissed and what is his/her status?

Dominant practice in the appointment of a secretary general as a high-level official responsible for parliamentary service is a vote in the plenary session. It is in some cases the president’s appointment, or again it is the president/committee that nominates a candidate for plenary vote. Tradition differs in terms of appointment, the Secretary General could be appointed from the senior staff managers within the existing service (France) or by council approval where president, vice-presidents and party group leaders consent is required. As the manager of the parliamentary services, the Secretary General should strengthen and support a strong value system in the employees of the parliament.

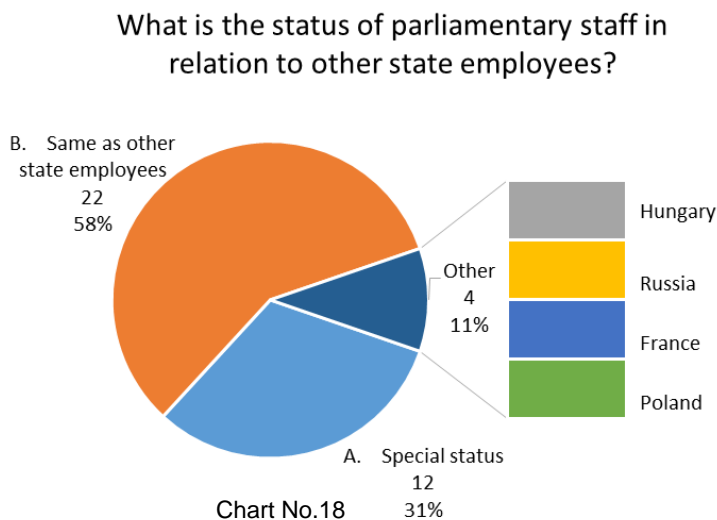
## 7. INTEGRITY OF PARLIAMENTARY STAFF

### 7.1 What is the status of parliamentary staff in relation to other state employees?

The position of parliamentary staff within the state administrations of each country varies. Status relative to other state employees may constitute practice where there is the same status and rules applicable to all public servants. Compared to this, twelve parliaments

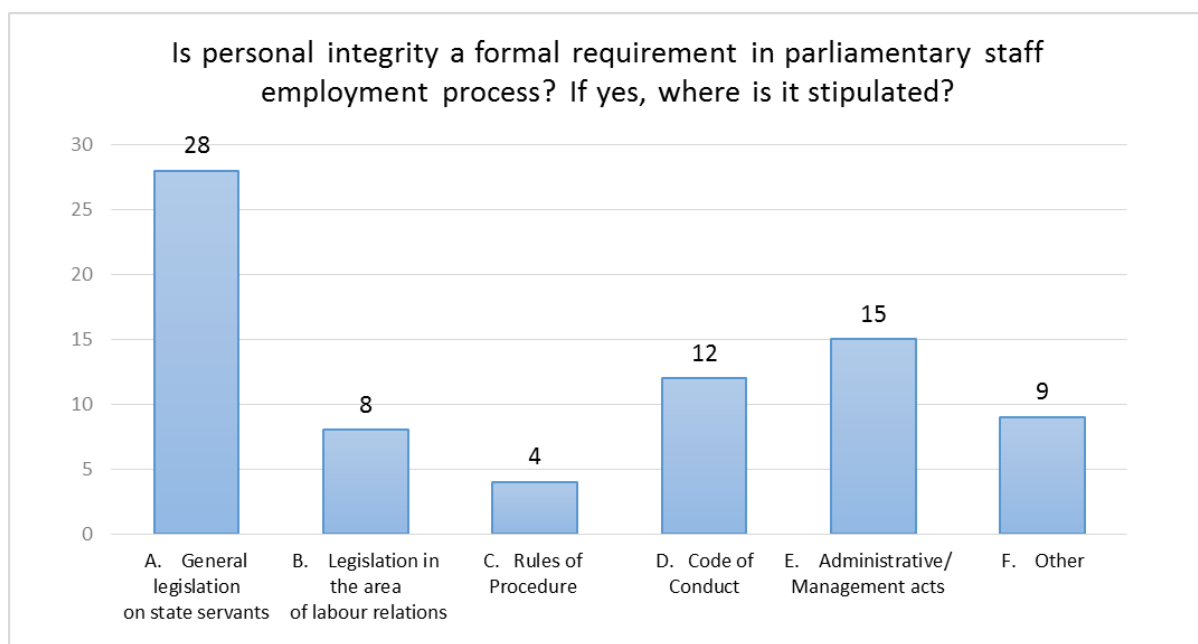


reported on parliamentary personnel having special status. In theory special status is related to types of regulation that applies and parliament’s role in adoption of these rules.



One could also stipulate the importance of political neutrality, when “status” is concerned, especially in relation with the role of the executive. French practice for instance limits staff mobility from the legislative to the executive branch of Government. Parliaments that opted for “other”, reported practices of individual employment contracts; different legislation applied (public law, labour law).

**7.2 Is personal integrity a formal requirement in parliamentary staff employment process?  
If yes, where is it stipulated?**



Personal integrity is formal requirement. Replies on the questionnaire gives variety of instruments where this is stipulated (rules on conduct, formal employment contracts, code of conduct). Rules related to integrity range from prohibiting the employment of convicted persons; applicants involved in incidents of bribery; or banning employees previously expelled from service to be hired again (Serbia and Turkey).



### 7.3 How is integrity of candidates assessed in parliamentary staff employment process?

Assessing the integrity of staff when hiring may possess challenge in selection of best candidate for a job position.

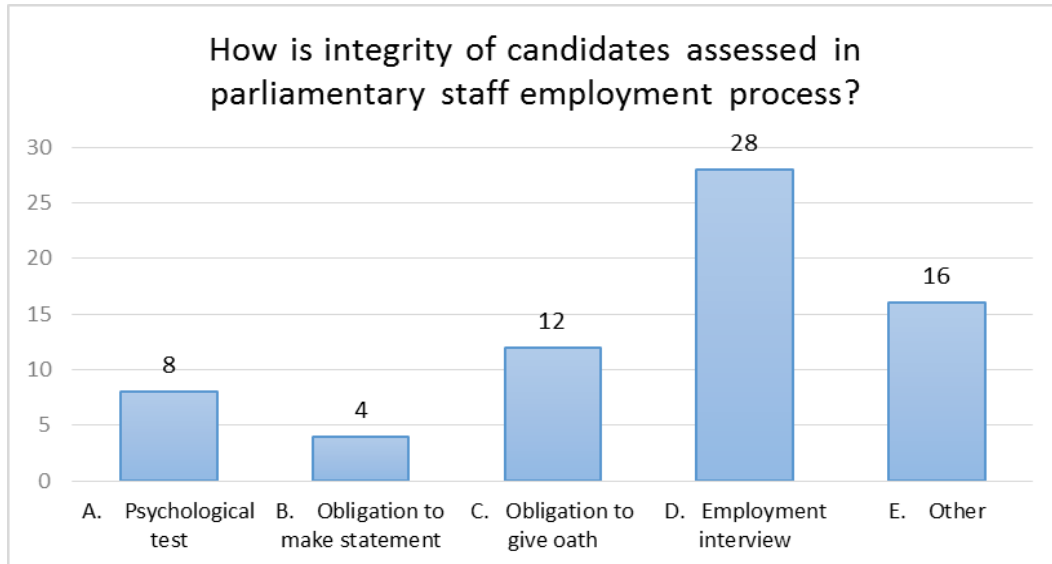


Chart No.20

Psychological test are applied in some parliaments, specifically for senior staff positions or for first time employees. Giving an oath or statement is practiced and it refers obeying to personal morality. The German Bundesrat considers an additional evaluation of integrity through cumulative assessing of career, employment interview and his/her actual behaviour. Most of the replies show that integrity evaluation in employment processes are evaluated with a criminal background check by judicial or police statement.

Comments provided do not make reference how political impartiality is assessed at this stage.

### 7.4 Are MPs involved in recruitment, evaluation or promotion of the parliamentary staff?

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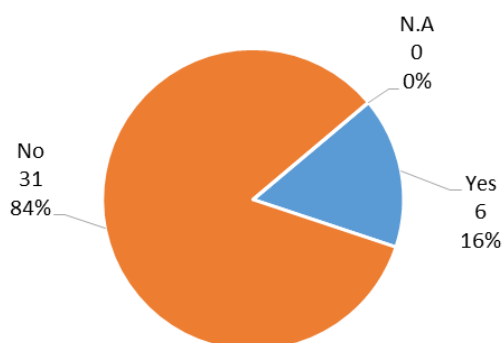


Chart No.21

According to the data in most parliaments MPs are not involved into recruitment, evaluation or promotion process in the parliamentary service. Some recruitment decisions are approved by a Board (Estonian, Riigikogu) or in some cases, for leading parliamentary positions (Denmark). It is more frequent that they recruit their own assistants. From parliaments which reported practice of MPs involvement, it is either a special commission composed both of MPs and staff or where a final decision is made by a Board (Board of Senate, Belgium).

### 7.5 Is there a Quality Management System applied in the work of the Parliamentary staff?

Employing institutional quality management procedures and policies can contribute significantly to the overall performance of the organisation.

Where quality systems are not used, parliaments reportedly evaluate performance at specific intervals of time usually during an annual employee performance review, where overall goals, achievement and results, as well as personal conduct in some cases.

### 7.6 Who is competent for investigation of unethical conduct or behaviour by parliamentary staff?

From the parliaments that reported they have adopted a staff code of conduct, the president of parliament's role in investigation is limited. It is rather the General Secretary as the head of administration that is responsible in most cases to investigate unethical conduct.

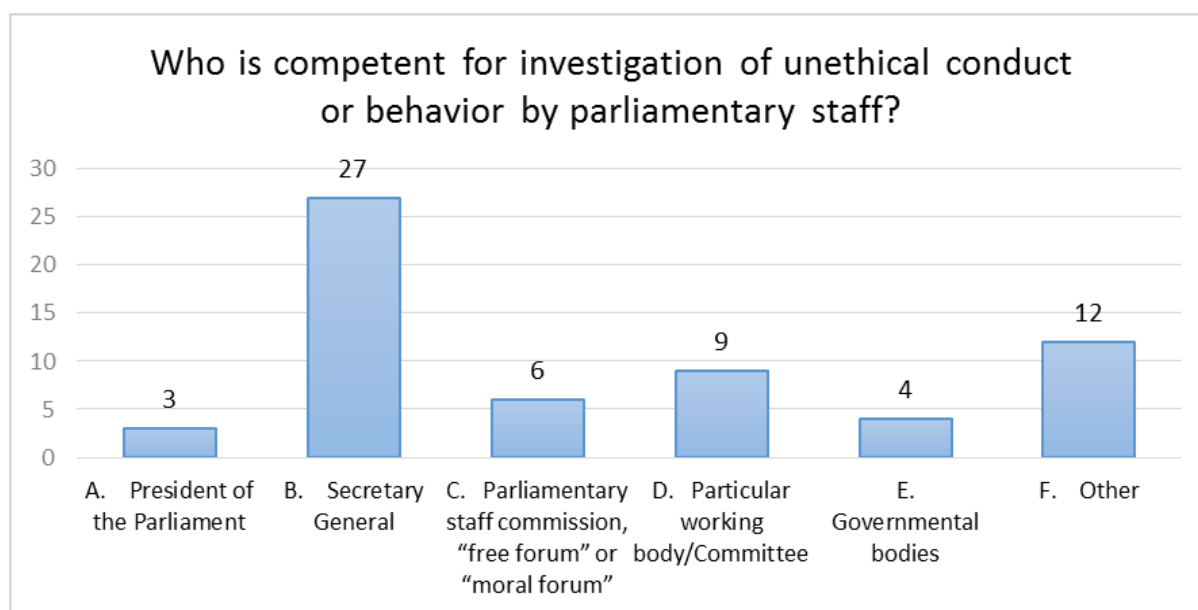


Chart No.22

When breaching rules of conduct, the General Secretary is responsible for disciplinary proceedings and accountability, through the nomination of a commission. Turkey has created an "Ethics Commission" which consists of five heads of departments; they are responsible to establish and develop ethical culture and to provide advice regarding ethical principles and practices.

Hungary also reported having an ethics committee. The committees' role in both cases is not related with investigation, but rather an advisory function. Where all staff working in the public administration have the same status, governmental bodies may also review civil servant complaints of civil servants working in the parliament. For parliaments that reported "other" practices, senior staff and human resource management (HRM) units are engaged.

### 7.7 What kinds of sanctions are foreseen for violation of Code of Conduct or other Rules of Conduct?

Out of the replies provided there is no discrepancy in the range of sanctions that applies in the countries with code of conduct adopted and where general rules of conduct apply. Warnings or reprimand is a widely accepted practice although it doesn't necessary need to be public. Fines usually refer to financial reductions of salary once misconduct is confirmed. Demotion or degradation is practiced as downgrading in the same function group or a classification in a lower function group, (European Parliament). In some cases degradation is related with poor performance as assess in the annual evaluation (Lithuania).

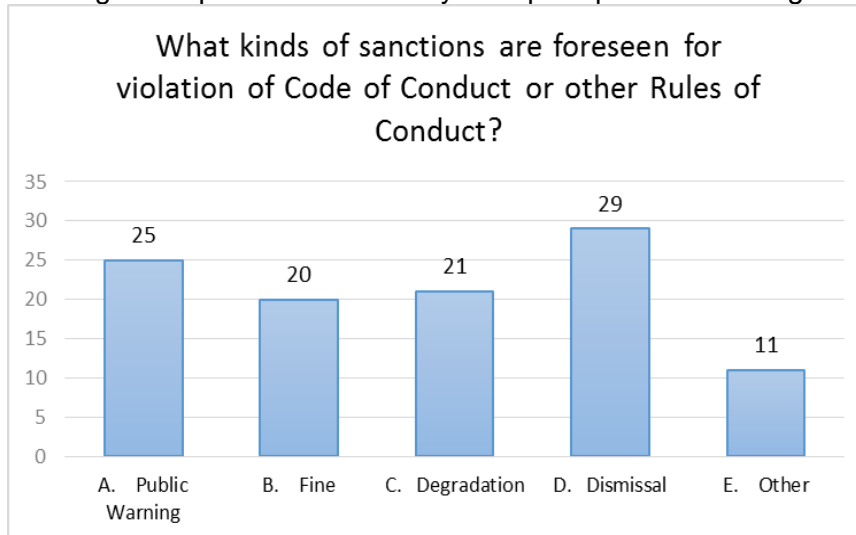


Chart No.23

### 7.8 Can parliamentary staff receive gifts or similar benefits for their professional services?

If yes, are there any rules related to:

In most parliaments, staff accepting gifts or other benefits is regulated. Rules that refer to the gift value stipulate that gifts must be reported through official channels. The value threshold is not to exceed 15 euros per donor (Germany) up to 125 euros (Slovenia).



Chart No.24

The obligation to disclosure gifts, especially ones exceeding regulated value are typically defined in rules. Detailed rules apply in some cases where civil servants must report in the course of three days (Russia). One important element of regulation is a determination of the ownership of the gifts and clear distinction whether it is a state or personal belonging.

**7.9 Does parliamentary staff submits an Asset Declaration or other kind of form (statement, declaration, oath, etc.) related to their property or the property of their family members, permanent and additional incomes?**

**7.10 Is parliamentary staff obliged to submit a conflict of interest statement?**

**7.11 Is parliamentary staff allowed to provide additional professional activities in their area of expertise? (consulting services, lecturing, or perform lobbying activities)**

**7.12 Can Parliamentary staff express views in public and social media on political issues?**

**7.13 Do the Code of Conduct or other Rules of Conduct refer to private life behavior of parliamentary staff?**



Chart No.25

Chart No.25 presents the findings of five questions related to anti-corruption practices. Although not a dominant practice, some parliamentary staff are required to submit asset declarations and report any conflicts of interest. In some cases, an obligation to declare depends on the staff position in the hierarchy. Even if a conflict of interest statement is not submitted, any potential conflict of interest should be disclosed to the Secretary General.

Additional professional activities are not prohibited but are subject of regulation and authorisation. Lecturing or consulting are some of the activities that if allowed should not contradict staff neutrality and do not constitute a conflict of interest.

On using public and social media, although specific prohibition may not be stipulated, it is advisable to avoid compromising the staff position and confidence in the institution. Some respondents wrote that a disclosure of information about parliament’s work may violate confidentiality agreements. As freedom of speech is usually guaranteed, staff may post a disclaimer that they speaking on their own behalf.

**7.14 Are there any limitations to parliamentary staff related to:**

Political impartiality and objectivity is crucial for parliamentary staff to work professionally. From the replies provided, in most cases there are no limitations for the staff to be political party members.

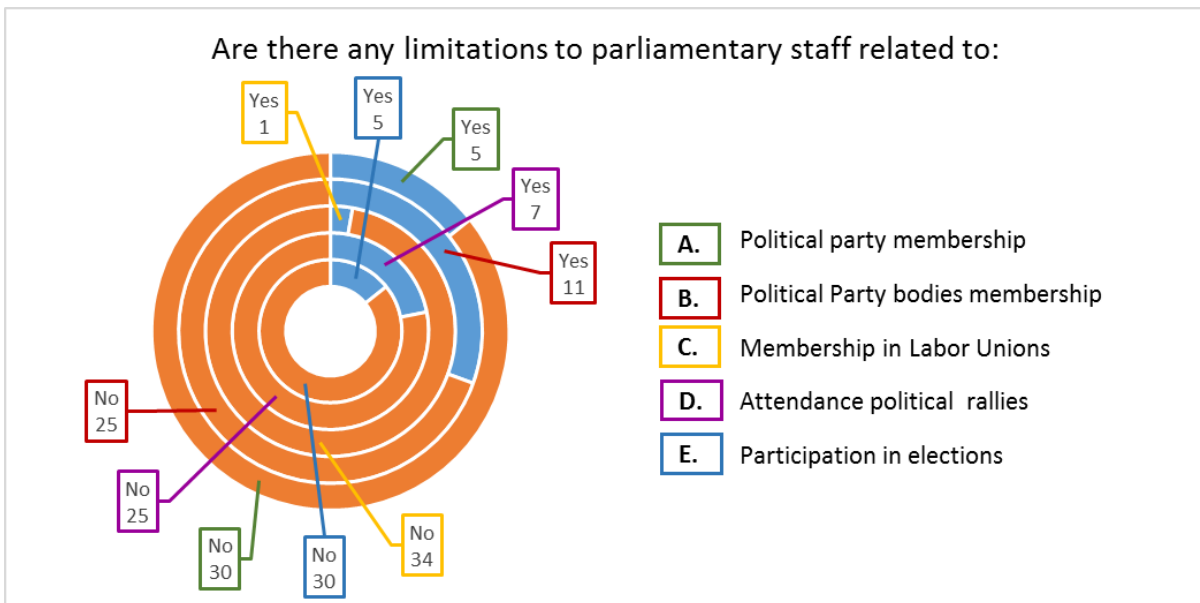


Chart No.26

However, obligations for neutrality remain and staff should not publicly express their political views (Poland). In addition, twenty-five parliaments replied there are no limitations for the staff to engage in political party work. It is the Hungarian Parliament where this is restricted, because attendance at political rallies is often considered public disclosure of political views that could jeopardise the neutrality of parliamentary staff.

However, the practice in most cases shows that limitation refers only to attendance during working hours. Finally, replied to the questionnaire on staff participation in elections refers standing as candidates for public office; no reference has been made to staff participation in elections as election administration officials.

**7.15 Was there a case of a sanction against a parliamentary staff member due to violation of Code of Conduct or Rules of conduct?**

Some replies and comments reported the levying of sanctions or misconduct, while ten respondents reportedly had not imposed sanctions recently.