

# CPVO policy on prevention and management of conflict of interest

## 1. Introduction

The Common Approach endorsed by the Inter-institutional Working Group on EU decentralized agencies in July 2012 mandated the Commission to “examine, together with the agencies, if there is scope for a harmonized approach” on preventing and managing conflicts of interest for management board members and directors, and to also consider extending such approach to members of scientific committees and boards of appeal in the agencies. A Roadmap on the follow-up to the Common Approach was adopted by the Commission on 19th December 2012, in which the Commission committed itself to elaborate, in cooperation with agencies, Guidelines on the prevention and management of conflicts of interest in EU decentralised agencies (hereinafter referred to as “Commission Guidelines”). Having taken the last final version of 10/12/2013 of the Commission Guidelines into consideration, the CPVO has updated and collated, through the present Policy, its internal rules on prevention and management of conflicts of interest.

The CPVO implements the system for the protection of plant variety rights established by European legislation and implementing, at the EU level, the 1991 Act of the international Convention of the Union for the Protection of new Varieties of Plants (UPOV). The system allows intellectual property rights, valid throughout the Community, to be granted for plant varieties. The decisions of the CPVO are based on technical examinations conducted in Member States by examination offices entrusted by the CPVO Administrative Council, which takes into account the conclusions of the quality audits performed by the CPVO Quality Audit Service (QAS). Internal committees appointed by the President of the CPVO, and composed of CPVO staff members, take decisions in relation to the handling of applications and registrations. The number of Committees is determined by the Administrative Council of the Office. A Board of Appeal, composed of a Chairperson, an alternate chairperson and members, none of whom are CPVO staff members, takes decisions on appeals. It is important that individuals and bodies participating in these decision making processes act in an impartial and objective manner.

Apart from the decision-making process relating to the core business of the CPVO, i.e. granting intellectual property rights for new plant varieties, there are other decisions and procedures in the CPVO in which impartiality and objectivity are very important, such as employment procedures, public procurement, and providing funds for R&D projects.

CPVO staff is subject to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union (hereinafter referred to as “the Staff Regulations”) which contain several provisions addressing situations of conflict of interest. Nevertheless, over the years, procedures, provisions in agreements and declarations of absence of conflict of interest have been introduced in order to remind the persons concerned about the importance of acting independently, in transparency and with integrity. The CPVO provides regularly to its staff training on ethics and integrity.

## 2. Definitions/ principles

A conflict of interest refers to a situation where the impartiality and objectivity of a decision, opinion or recommendation of an Agency is or might be perceived as being compromised by a personal interest held or entrusted in a given individual.

According to the Commission Guidelines, the best way to foster **integrity** and **accountability** is to ensure **transparency** in all situations, in compliance with the data protection legislation and the principle of proportionality (in the adoption of prevention or remedying measures). Declaring an interest does not necessarily entail having an actual or potential conflict of interest.

The Commission Guidelines recall that decision-making procedures should be clear and transparent. Furthermore, to ensure adequate identification and management of situations implying conflict of interest or appearance thereof, the person concerned should draw attention to the possible conflict before giving an opinion or advice, and rules in place should provide for restricted or absence of participation in the decision-making procedure(s) concerned.

The Commission Guidelines provide that, upon request, minority opinions should be included in the minutes and made public, thereby ensuring transparency on divergent views.

### 3. Preventing conflicts of interests

#### Introduction

The prevention of conflicts of interests is undertaken through a series of specific measures, either general or targeting specific groups of persons. These measures are described by function groups.

#### 3.1. CPVO Management

##### Function / composition

The CPVO management is in charge of defining the orientations and priorities of the Office in its functioning, in relation to the working objectives, choice and maintenance of the premises, definition of manpower needs, recruitment of staff and allocation of financial resources. It is composed of the President of the Office, the Vice-President, and the three heads of units.

##### Risk of conflict of interest

The potential risk of conflict of interest lies with members of the management recruiting or procuring from persons or entities from which these members might derive direct or indirect (through family, friends) interest/advantages, or taking management decisions that could favour any of these persons. Regarding the recruitment procedure, additional rules apply (see indent 4).

##### Mitigating measures

This risk is mitigated by having specific measures regarding procurement, by the Staff Regulations, as explained below under indent 3.2, and by having members of the Management Team sign an annual declaration of interests (see **Annex 1**).

#### 3.2. Staff

##### Function

Employees of the CPVO are recruited with a view to performing a wide range of tasks in different areas: technical, programming and legal expertise, quality auditing, treasury management, accountancy, secretarial support etc.

##### Risk of conflict of interest

The risk could be to see staff involved in such procedures favoring companies in which they or their relatives or friends have interests. As to the staff involved in treasury management, an additional risk could be for them to favour banks in which they might have direct or indirect (family, friends) interest/advantages. Other risks to take into consideration relate to the occupational status of outgoing staff members, especially if the new activity is related to the work carried out by the staff member during the last three years of service and could lead to a conflict with the legitimate interests of the institution. This could also be the case of former senior officials.

##### Mitigating measures

Pursuant to Article 1a (2) of Staff Regulations, the CPVO applies their rules to all its categories of staff, in particular Article 11(a) on independence, Article 16 on post-employment situations, etc.



Following advice from the Court of Auditors, procurement requires staff involved to sign declarations of absence of conflict of interest concerning procurement procedures (see **Annex 2**).

The Administrative Council of the CPVO has adopted Rules on working methods of the Office dated 12 April 2000 and updated in 2014 which refer to the Ombudsman Code of good administrative behavior in all relations of CPVO staff with the public, as well as Guidelines on gifts and hospitality.

A Decision on the policy and procedures governing the engagement and use of seconded national experts at the CPVO was also adopted on 23 August 2004 and revised on 2 June 2015, whose Article 6 provides that the "SNE shall be asked in particular to declare any potential conflict between his family circumstances and the proposed duties while on secondment." Seconded national experts have to sign the declaration whose model is appended to the present Policy (see **Annex 3**).

Regarding the specific risks associated with treasury management, banking contracts are concluded after a procurement procedure and contracts are reviewed by the Legal Unit, and the staff members involved also sign a declaration of absence of CoI (see Annex 2).

Regarding the risks of conflict of interest in outgoing staff, the first mitigating measure would consist in obliging the outgoing staff to inform the CPVO on any new professional activity during the next two years after leaving the Office. Further to that the CPVO may, having regard to the interests of the service, either forbid him/her from undertaking the new activity or give its approval subject to any conditions necessary to address the potential conflict of interest.. In the case of former senior officials, the CPVO shall, in principle, prohibit them, during the 12 months after leaving the service, from engaging in lobbying or advocacy vis-à-vis staff of their former institution for their business, clients or employers on matters for which they were responsible during the last three years in service.

Staff members sign a declaration of integrity form upon appointment and both a declaration on honor and an occupational declaration, when necessary, upon termination of contract (see Annexes 4, 5 and 6).

### 3.3. Committees

#### Function / composition

Decisions regarding the refusal of applications, the grant of Community plant variety rights, the objection or nullity/cancellation requests, the amendment to variety denominations, and the grant of compulsory licenses on Community plant variety rights are adopted by specific Committees set up in pursuance to Art. 35 of Regulation 2100/94 (the "Basic Regulation"). There is not necessarily a total overlap in the composition of the management team and the decision committees.

#### Risk of conflict of interest

The potential risk of conflict of interest lies with members of the CPVO decision Committees having a personal interest in the granting of a certain protection right, e.g. bonds, equity, participations beyond the threshold of minority control in companies which apply to the CPVO for plant variety rights, which could bias their decisions regarding the granting, annulment or cancellation of titles.

#### Mitigating measures

This risk is mitigated by having the members of the CPVO decision Committees and the President sign annual declarations of interests (see Annex 1) since February 2013. These declarations, held at the Human Resources department, remain valid until a new version has been signed. The declarations of the President and Vice-President of the Office are uploaded on the Intranet of the CPVO.

Applications, withdrawal of applications, decisions regarding the refusal of applications or the grant of Community plant variety rights, proposals of variety denominations, withdrawals or approvals of such proposals, amendments to variety denominations, applications for the grant of compulsory licenses on Community plant variety rights, withdrawals of such applications, rejections or grants of such applications, changes in the person of the applicant or of the holder of protection or of the procedural representative, deeds of pledge, levies of execution and termination of protection are made public in the official gazette of the CPVO so that any person may lodge an appeal. Appeals and decisions on appeals are also published in the official gazette.



### 3.4. Members of the CPVO Board of Appeal

#### Function / composition

The Board of Appeal (BoA) of the CPVO is responsible for deciding on appeals from the decisions of the CPVO regarding the grant, refusal of or objections to applications, requests for annulment and cancellations of plant variety titles, decisions on the suitability or amendment of variety denominations, on compulsory exploitation rights, or relating to the entering or deletion of information in the register or on the setting of fees and on apportionment of costs. The Chairperson and its alternate are appointed by the Council according to the procedure described in article 47 of the Basic Regulation, for a period of 5 years. The members of the Board of Appeal are appointed for 5 years by decision of the Administrative Council on a proposal from the CPVO after interviews following a call for interest. The list of qualified members of the BoA includes technical and legal experts. Thus, the experience of both categories of members was in many instances gained either in the private sector (within breeding companies or private law firms), or within Examination Offices.

#### Risk of conflict of interest

Members of the BoA including its Chairperson and alternate could adopt decisions favouring one of the parties, or the CPVO (which is also a party to proceedings lodged against its decisions).

#### Mitigating measures

The BoA of the CPVO is composed of members who are not subject to the Staff Regulations. However, they are bound by rules on independence and objectivity as laid down in Articles 47(5) and 48 of the Basic Regulation.

Upon application to become members of the CPVO Board of appeal in reply to the CPVO call for expression of interest, candidates are required to sign a general declaration of absence of conflict of interest (see **Annex 7**).

Article 48 of the Basic Regulation further provides that members of the BoA may not take part in any appeal proceedings if they have any personal interest therein, if they have previously been involved as representatives of one of the parties to proceedings or if they have participated in the decision under appeal. The member of the BoA (including its Chairperson) is reminded, upon designation in given appeal proceedings, that he/she should inform in writing the BoA in case of doubt about a potential conflict of interest and the BoA shall decide on the action to be taken, without the participation in such decision of the member of the BoA concerned, replaced by his/her alternate.

In addition, parties to the appeal procedure may also object to the participation of one or more members of the BoA (See Art. 48(3) of the Basic Regulation).

### 3.5. Members of the Administrative Council

#### Function / composition

The Administrative Council monitors the Office's activities, may establish rules on the working methods of the Office, may issue test guidelines for the conduct of trials for new plant varieties, adopts the entrustment requirements for the Examination Offices (EOs), entrusts the EOs, grants compulsory licenses, adopts the annual budget of the Office, and gives a discharge to the President of the Office in respect of the implementation of the budget and staff establishment plan, as per Art. 36 of the Basic Regulation, proposes amendments to the legislation, appoints the members of the BoA, experts of the Quality Audit Service ("QAS") and the Chairperson of the Audit Advisory Board.

The Administrative Council of the CPVO ("Administrative Council" or "AC") consists of a representative of each EU Member States and a representative from the European Commission, and their alternates. The representatives from the Member States have voting rights. Member States appoint the members and their alternates. The Chairperson and his deputy are selected among its members; the duration of their terms of office is three years and their mandate is renewable.

The Administrative Council of the CPVO has adopted rules of procedures to allow non-governmental organizations operating in the sphere of plant variety protection under the Community plant variety protection system to send observers to its meetings.



### Risk of conflict of interest

The members of the Administrative Council represent the EU Member States and in many instances are employed by national agencies granting national plant variety rights or by examination offices also carrying out tests for the CPVO.

The Administrative Council is in particular in charge of making proposals to the Commission on the level of fees to be paid to the Office by breeders.

The AC is also responsible for entrusting the Examination Offices for a given set of species, through a vote. Entrusted Examination Offices are then in charge of carrying out technical trials for new plant varieties on behalf of the CPVO. When voting, members of the AC could be tempted to favor an examination office from their Member State, or to reject the termination of entrustment recommended by the QAS on the basis of documented instances of non-compliance with entrustment requirements.

### Mitigating measures

In order to avoid biased votes, the rules of vote contained in (Art. 8 of) the Rules of procedure of the Administrative Council of the CPVO make it impossible for one AC member to skew the overall vote. There is no veto right for any member or group of members of the AC and decisions are taken by simple or qualified majority, depending on the matter. Each Member State has one vote.

As explained more in detail under indent 3.7 below, the QAS was set up as an independent part of the CPVO for the purpose of giving recommendations on entrustment to the Administrative Council.

Furthermore, the approval of the budget pursuant to Art. 109 of the Basic Regulation or an entrustment decision are adopted by show of hands in order to guarantee transparency, in the presence of breeders' organizations participating as observers. This forces members of the AC to justify a vote against a recommendation of the CPVO QAS and thereby reduces the risk for arbitrary decisions.

Moreover, for those among AC members who are experts from Examination Offices, they shall not be designated as experts assisting the Quality Audit Officer in the conduct of audits of Examination Offices. The policy in the AC is that members do not take part in voting concerning the entrustment of the Examination Office with which they are employed or which is located in the Member State appointing the AC member.

Risk of conflict of interests is also mitigated by having members, alternate members (including Commission representatives) of the Administrative Council sign a declaration of interests, on becoming members or alternate members of the Administrative Council (see Annex 8). Such Declaration shall be signed every year of appointment and updated in the course of the year in case of changes.

Observers to the Administrative Council are not required to submit a declaration of interest.

All AC members or alternates shall declare their interests to the Chairperson of the AC and the President of the CPVO, disclosing all relevant information.

The Chairperson of the AC shall declare his/her interests to the Deputy Chairperson of the AC and the President of the CPVO.

Where a potential or apparent conflict of interests arises, it must be managed and solved before the person concerned takes part in any meeting or decision making process.

The AC is responsible for adopting any formal decision as to the consequences of a potential or apparent conflict of interest.

### Declarations of Interest, general principles:

The individuals concerned shall assume an individual responsibility by declaring their current and past interests or absence of interests in good faith, considering that declaring an interest does not necessarily mean having an actual or potential conflict of interest, nor does it automatically disqualify a person from participating in the activities of the AC.

The persons concerned are responsible for the completeness and the accuracy of their declaration of interest, this includes updating said declaration should their situation change.

When AC members or alternates considers that a specific interest should be declared, they must use the Declaration of interests form, presented in annex 8.



The following information on all interests that are or could be perceived as related to the domain of activity of the Office shall be taken into consideration:

- Past activities: posts and professional activities held over the past 2 years (nature of the post and the name of the employer, foundation, institution, company or other organisation shall also be indicated);
- Current activities: posts and professional activities held (nature of the post and the name of the employer, foundation, institution, company or other organisation shall also be indicated);
- Any direct financial interests (managerial stakes in companies, including ownerships of patents or any other relevant intellectual property rights);
- Spouse's/legally recognised partner's/dependent family members' current professional activity and financial interests that might entail a risk of conflict of interests.

### **3.6. Outsourcing of scientific activities –technical examinations establishing distinctness, uniformity, stability**

Function – Activity presenting a risk of conflict of interest

Technical examinations of new varieties of plants are outsourced to EOs almost all of them operating in Member States. The role of the EOs is to conduct the technical examination of new applied-for varieties on the basis of the DUS criteria (Articles 7, 8, 9 of the Basic Regulation), pursuant to CPVO Technical Protocols and in their absence UPOV Technical Guidelines or National Technical Protocols. Based on any of these protocols the EO drafts the DUS report and the official variety description of the candidate variety. Some EOs among those entrusted with the conduct of the technical examination have departments or are part of wider organisations with activities that could conflict with the work carried out on behalf of the CPVO. In particular, Examination Offices could carry out research and breeding activities and apply for plant variety rights themselves. Some Examination Offices may also, as per Article 56(3) of Regulation (EC) 2100/94, avail themselves of the services of other "technically qualified bodies".

In addition, some Examination Offices use also the so-called walking reference collections. These "walking reference collections" are experts who are not involved in the decision taking but whose knowledge is used by Examination Offices in order to validate or expand existing information on varieties of common knowledge, especially regarding the novelty and distinctness criteria for protection of new plant varieties. Some of these experts could have conflicts of interests as they generally come from the industry.

Risk of conflict of interest

The main risks are: not making an impartial assessment of the DUS criteria due to a direct or indirect personal interest, the risk of breach of confidential information (e.g. breeding scheme) and the misuse of plant material submitted for DUS purposes.

Mitigating measures

All Examination Offices entrusted to carry out technical examinations on behalf of the CPVO must sign a designation agreement with the CPVO. The designation agreement by which, pursuant to Art. 55 of the Basic Regulation and Art.15(1) Regulation (EC) N° 874/2009, the entrustment of an Examination Office by the Administrative Council of the CPVO is effected provides, under its Art. 8 rules to be followed to avoid conflicts of interests and to declare situations which could lead to a potential conflict of interests. A form for making such declaration and describing the situation, the risks of conflict and the remedies is provided in an annex to the designation agreement (see **Annex 9**). Additionally, a provision of the designation agreement (Art. 7) deals with confidentiality. In case an Examination Office resorts to the services of other "technically qualified bodies", it shall obtain the prior agreement of the CPVO and the species concerned must be listed in Annex 2 to the Designation Agreement. The Examination Office is liable for all actions carried out by such technically qualified body.

The risk associated with the external experts consulted as so-called "walking reference collections" is mitigated in the following manner:

- By limiting the scope of their intervention, which consists in giving a non-binding advice,
- By coding the plant material,



- By striving for transparency such as publishing details on the involvement of external experts as per CPVO Framework procedure for walking reference collections.

In addition the CPVO has adopted the CPVO policy on the status of plant material used for DUS testing purposes, concerning the way this material shall be handled by Examination Offices.

### 3.7. Quality Audit Services

Function / composition

QAS conducts assessments of EOs against quality requirements specified in Entrustment Requirements for CPVO Examination Offices (adopted by the AC) and related documents such as technical protocols, designation agreements and other guidance documents. The assessment process involves expertise from external sources participating in on-site visits and through an Audit Advisory Board (see below). The Audit Advisory Board was set up since the inception of the Quality Audit programme in 2010. The QAS prepares audits recommendations to the AC which might lead to the entrustment or non-entrustment of the EO.

The audit team is composed of the Head of the QAS (CPVO staff member) and external experts (number depending on the scope of the audit in terms of species or test sites). The external experts involved in the assessment of the EOs are appointed by the Administrative Council for a defined period.

The Audit Advisory Board is composed of a chairperson and 4 members, 2 staff members representing CPVO (outside QAS), CIOFORA (1 member) and ESA (1 member) and provides advice to the AC in its evaluation of the audit process in case of complaints by EOs. The Audit Advisory Board is appointed by the AC for a period of three years. Its chairperson shall not be a member of the AC, employee of the CPVO or affiliated with breeders and should preferably have experience in conformity assessment or auditing. Individuals appointed as members do not have alternates or proxies.

Risk of conflict of interest

As some of these external experts work for Examination Offices, they could tend to be partial if they are to assess their own employer. They could also take a lenient approach when assessing another Examination Office, knowing that a colleague from another Examination Office will soon assess their Examination Office.

Mitigating measures

To ensure the independence of the opinions emanating from the QAS, that service reports directly to the Administrative Council, which adopts the QAS work programme. The QAS depends on the President of the CPVO only for administrative matters (payroll and career development, missions expenses...) Regarding the audit of the competence of Examination Offices and the entrustment procedure the external experts (appointed by the CPVO Administrative Council) involved in the assessment of the EOs sign upon their appointment a declaration of integrity (see **Annex 10**). They work under the guidance of the Head of the QAS. For each assignment to an assessment mission they receive a written reminder in respect of the declaration of integrity and an oral briefing concerning the confidential nature of the assessment.

Since 2013, the pool of technical experts for EOs assessment does no longer include individuals who are members of the Administrative Council of the CPVO. This ensures that any decision on entrustment of an EO is taken by people who are different from those involved in the assessment of the compliance by EOs with the entrustment requirements.

The Audit Advisory Board is an independent body involved in the entrustment process in case of doubts as to the integrity of an assessment. The members of the Audit Advisory Board are appointed by the CPVO Administrative Council and sign a Confidentiality declaration (see **Annex 11**).

### 3.8. Funding of scientific activities –R&D projects

Description of the activity



Since 2002, the CPVO has started funding or co-funding R&D projects along with some Examination Offices with a view to developing the methodology of technical examination tests for plant varieties, in order to further improve the quality and reduce the duration and costs of testing.

The proposals of R&D projects are sent by their respective coordinators and screened by an expert group, set up on a case by case basis and which shall include experts from the CPVO entrusted Examination Offices for the species in question and the relevant case-holder (CPVO examiner for the species in question). The composition of the expert group is decided by the Vice-President of the CPVO, after consultation of the Head of Technical Unit of CPVO. Possible situations of CoI are taken into consideration.

Projects and comments of the experts group are then assessed by an Advisory Committee, composed of the Vice- President of the CPVO, who has no voting right, the Head of the Technical Unit and the Head of the Administrative Unit of the CPVO, 2 external experts appointed by the Administrative Council and representatives of breeders' organizations. The Advisory Committee (in which experts, in principle not necessarily from an examination office, are a minority) gives its formal opinion to the President on the basis of its own assessment.

An exchange can take place between the Advisory Committee and the coordinators, exclusively for seeking clarifications, and exclusively channeled by the Vice-President of the CPVO.

The Vice-President then prepares a summary of the opinions of the Advisory Committee and the Experts Group (which could in principle be divergent) for the President of the CPVO to adopt a decision.

Risk of conflict of interest

The President, or any of the members of the experts group or of the Advisory Committee, could favour projects of one or several particular Examination Offices.

Mitigating measures

The decision making procedure is transparent. The President must motivate any refusal to grant funds to a R&D project. This decision is sent to the applicant(s).

The formal opinion given to the President is provided by the Advisory Committee, where external experts are in minority and do not necessarily belong to a CPVO Examination Office.

The CPVO reports to the Administrative Council on R&D projects, for the sake of transparency and in order to limit the risks that the CPVO allocates funds in a manner contrary to rules of prevention of conflicts of interest.

#### **4. Screening of candidates (staff, experts, Administrative Council)**

Regarding external experts and members of the Administrative Council, please refer to indents 3.5 to 3.8.

Regarding the screening of staff members, the CPVO has adopted a rigorous employment procedure, whereby the experience of candidates is disclosed. However, being a breeder might not prevent a candidate from being recruited, provided the breeding activity is discontinued. A Guide for selection boards for vacancy notices published by the Community Plant Variety Office was adopted in December 2012.

Risk of conflict of interest

A potential conflict of interest could arise where a member of the Selection Board considers that his/her judgement is impaired by reason of his/her relationship (personal or professional) with a candidate, or where the Board impartiality could be called into question by reason of a member's relationship with a candidate.

Mitigating measures

The Selection Board members' sign a declaration of absence of conflict of interest (see **Annex12**) and a declaration that they have read the Guide for selection boards for vacancy notices published by the Community Plant Variety Office and will follow the methodology prescribed therein.





## **5. Gifts, invitations and missions**

Pursuant to Art. 1a of the Staff Regulations, the CPVO applies the rules and in particular its provisions regarding the policy on gifts.

On 11 March 2015, the CPVO proposed, and the AC agreed, to apply by analogy the Commission Guidelines on Gifts and Hospitality contained in the Communication from Vice-President Sefcovic to the Commission SEC(2012) 167 final, dated 7/3/2012.

The CPVO has in addition adopted a decision of 15 January 2010 implementing the Guide to missions for officials and other servants of the CPVO, regarding the requirements for the booking of travel tickets, accommodation and claims to daily subsistence allowances. The CPVO Guide to missions also applies to members of the Board of Appeal and to experts assisting the Quality Audit Service of the CPVO.

## **6. Breach of trust procedures**

The CPVO considers that appropriate courses of action and remedies are provided by the Basic Regulation regarding members of the Board of Appeal.

A specific procedure is foreseen by Article 47(5) of the Basic Regulation, for the removal of members of the CPVO BoA during their term, by decision of the Court of Justice of the European Union, on application by the Commission after obtaining the opinion of the CPVO AC.

The CPVO also considers that appropriate courses of action and remedies are provided by the model designation agreement concluded with entrusted Examination Offices (see indent 3.6 above and Annex 9 below).

Regarding staff involved in decision-making committees competent pursuant to Art. 35(2) of the Basic Regulation, members of these committees shall not be bound by any instructions.

Under indent 8, the Commission recommends in its Guidelines that, in a situation where a member of a decision-making committee was involved in a decision-making procedure without having declared an existing interest, the Agency may review or cancel that decision if seriously affected by the conflict of interest.

Art. 53 of Regulation 874/2009 provides that patent mistakes in decisions of the Office shall be corrected. Owing to the general principle of parallelism of forms and competences, the committee which adopted the flawed decision has to correct or repeal it.

For members of decision-making committees and other members of staff, the CPVO has adopted 4 different declarations/request of authorization for outside activities as per Art. 12b of the Staff Regulations.

Further, disciplinary measures may apply to all members of staff, such as those listed under indent 8 of the Commission Guidelines (and Art. 9 of Annex IX to the Staff Regulations): (i) letter of reprimand, (ii) revocation of nomination or (iii) duty to resign or request resignation, only in situations of very serious conflict of interest amounting in a breach of the duty of integrity by the member of staff concerned.

## **7. Post-employment policies ('revolving door' policies)**

The CPVO adopted the Commission Decision C(2004)1597 on outside activities by analogy. Pursuant to Art. 1a of the Staff Regulations, the CPVO applies the rules and in particular the provisions regarding the post-employment policy (See Article 16 of the Staff Regulations as well as annexes 5 and 6 of this policy).

## **8. Periodical review**

The CPVO Administrative Council will regularly assess the effectiveness of the existing conflict-of-interest policy, in order to adapt it to possible new risks.



Angers, 21 March 2018

DocuSigned by:  
*Bistra Paulovska*  
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**Bistra PAVLOVSKA**

Chairperson of the Administrative Council

Annexes:

- Annex 1: Template for DoIs for Management Team members or of Committees
- Annex 2: Model declaration of absence of conflict of interests and of confidentiality in calls for tenders
- Annex 3: Declaration of independence and confidentiality - Seconded national experts
- Annex 4: Model declaration of integrity
- Annex 5: Model declaration on honor
- Annex 6: Occupational model declaration
- Annex 7: Model declaration of independence for BoA members
- Annex 8: Template for DoIs for members or alternate members of the Administrative Council
- Annex 9: Annex to the Designation Agreement of entrusted examination offices
- Annex 10: Declaration of integrity for audit experts
- Annex 11: Model declaration of integrity and confidentiality for Audit Advisory Board members
- Annex 12: Model declaration of independence for Selection Board members



ANNEX 1

**Template for declaration of interests for members of the Management Team and/or of Committees**

Name/ First name :

Title :

Hereby declares to have or have had in the past 5 years the following interests:

| Nature of activities  | Period | Name/location of the organization | Subject matter |
|---|--------|-----------------------------------|----------------|
| I. Ownership or other investments, including shares, in breeding companies, exceeding the minority control threshold in applicable national law |        |                                   |                |
| II. Member of a Managing Body or equivalent structure in a breeding company/plant-related research centre                                       |        |                                   |                |
| III. Member of a Scientific Advisory Body, of an agricultural/horticultural research institute  |        |                                   |                |
| IV. Consultancy/ Advocacy for an environment/food/IP-related NGO  |        |                                   |                |
| V. Research funding   |        |                                   |                |
| VI. Intellectual property   |        |                                   |                |
| VII. Other membership or affiliation  |        |                                   |                |
| VIII. Interests of close family members <sup>1</sup>  |        |                                   |                |
| IX. Other   |        |                                   |                |

A conflict of interest arises where the impartiality and objectivity of a decision, opinion or recommendation of the Agency and/or its bodies, is or might in the public perception be compromised by an interest held by, or entrusted to, an individual working for the Agency.

Please note that expertise is by nature based on prior experience and that therefore having an interest does not necessarily mean having a conflict of interest.

<sup>1</sup> The terms of ‘close family members’ shall be construed as meaning spouse, partner, children and direct ascendants.



The signatory is hereby informed of his right, in pursuance to Articles 11 and 12 of Regulation (EC) N° 45/2001 to access and rectify the present declaration by addressing a communication to [HumanResources@cpvo.europa.eu](mailto:HumanResources@cpvo.europa.eu) and to have recourse at any time to the European Data Protection Supervisor.

The undersigned undertakes to provide an update of the present declaration in the shortest delay should any conflict of interest of which he/she is not aware at the time of signing arise.

Date:

Signature :



ANNEX 2

**Model declaration of absence of conflict of interests and of confidentiality in call for tenders**

Title of contract:

Reference: (**Call for tenders** No):

I, the undersigned ....., having been [appointed to the opening board] [appointed to the evaluation committee] [given the responsibility of assessing [exclusion] [and] [selection] criteria] for the abovementioned public contract, declare that I am aware of Article 57 of the Financial Regulation, which states that:

"1. Financial actors and other persons involved in budget implementation and management, including acts preparatory thereto, audit or control shall not take any action which may bring their own interests into conflict with those of the Union.

Where such a risk exists, the person in question shall refrain from such action and shall refer the matter to the authorising officer by delegation who shall confirm in writing whether a conflict of interests exists. The person in question shall also inform his or her hierarchical superior. Where a conflict of interests is found to exist, the person in question shall cease all activities in the matter. The authorising officer by delegation shall personally take any further appropriate action.

2. For the purposes of paragraph 1, a conflict of interests exists where the impartial and objective exercise of the functions of a financial actor or other person, as referred to in paragraph 1, is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other shared interest with a recipient."

I hereby declare that, to my knowledge, I have no conflict of interests with the operators who have [requested to participate in the procurement procedure] [submitted a tender] for this procurement, including persons or members of a consortium, or the subcontractors proposed.

I confirm that if I discover during the [opening] [evaluation] that such a conflict exists, I will declare it immediately as indicated above. If a conflict of interests is found to exist, I shall cease all activities related to the [board] [committee].

I also confirm that I will keep all matters entrusted to me confidential. I will not communicate outside the [board] [committee] any confidential information that is revealed to me or that I have discovered [or any information relating to the views expressed during the evaluation]. I will not make any adverse use of information given to me.

Date:

Signature:

**(Approval may be given via a workflow in ARES in place of a handwritten signature)**



## ANNEX 3

### **Declaration of independence and confidentiality- Seconded national experts**

I hereby declare that I am not linked in any way to a private company or any legal or natural person having professional activities in relation to proceedings before the Community Plant Variety Office.

I also commit to act independently, in the public interest of the European Union, and to make an immediate declaration in respect of any interest, which might be considered prejudicial to my independence.

I undertake to treat in the strictest confidence and not make use of or divulge to third parties any information or documents which are linked to performance of my tasks as a seconded national expert. I understand that I am responsible for maintaining the confidentiality of any documents or electronic files received in this framework.

I am aware that I continue to be bound by this undertaking after the completion of my tasks as a seconded national expert and that the CPVO reserves all rights to pursue legally any breach of confidentiality.

I also declare that I am hereby informed that the present declaration will be kept in my personal file with the Human Resources department of the CPVO during the term of my appointment as a seconded national expert within the CPVO, and of my right, in pursuance to Articles 11 and 12 of Regulation (EC) N° 45/2001, to access and rectify the present declaration by addressing a communication to [HumanResources@cpvo.europa.eu](mailto:HumanResources@cpvo.europa.eu), and to have recourse at any time to the European Data Protection Supervisor.

Date and signature:



## ANNEX 4

### **Model declaration of integrity**

#### 1. Aim

This document aims to explain the elements that make up the framework of professional behavior which will guide the members of CPVO staff when they are carrying out their duties. The undersigned recognizes the following principles of professional conduct as the basis of this Declaration of Integrity:

#### 2. Scope of application

The document is specifically designed to provide guidance to staff members during the performance of their duties. The staff members shall always act with due consideration for their rights and obligations, in accordance with the spirit of the document.

#### 3. Basic values

Professionalism, loyalty, impartiality, objectivity, effectiveness, professional confidentiality and transparency are fundamental values which should guide the staff members in the exercise of their duties.

Staff members should observe an absolute standard of honesty and integrity in the conduct of the work and the use of resources. Their action should in no circumstances be influenced by outside pressures or by their personal or financial interests. They must avoid any form of unlawful discrimination. Staff members should ensure that their actions do not compromise the independence of the assessments.

These fundamental values apply to all actions by the staff members.

#### 4. Performance of duties

When performing their duties staff members should act in accordance with the basic values described in section 3 above and be guided by those principles which form an integral part of the *acquis communautaire*, in particular equality before the law, respect for reasonable expectations, objectivity and impartiality, listening to all parties concerned and the obligation to justify decisions.

#### 5. Confidentiality

Staff members must exercise the greatest discretion with regard to all facts and information coming to their knowledge in the course of or in connection with the performance of their duties. Any information obtained in such performance should be held confidential, and must not be disclosed to third parties, either orally or in writing. Requests for access to documents shall be dealt with according to the Article 33a of the Basic Regulation, Regulation 1049/2001 and the implementing rules adopted by the Administrative Council.

#### 6. Right to complain

Any failure by a staff member to comply with the principles set out in this document may be the subject of a complaint and will be recorded and processed in accordance with the internal complaint procedure.



ANNEX 5

**Model declaration on honor<sup>2</sup>**

**OFFICIALS/TEMPORARY AGENTS/ CONTRACT STAFF LEAVING THE CPVO SERVICES**

I, the undersigned:

Pension N°:

Contact address:

Telephone:

in accordance with article 19 of the Commission decision of 16 December 2013 relating to external activities and mandates, applicable by analogy to the CPVO, declare to have examined the staff regulations and notably the articles 16, 17 and 19<sup>3</sup> providing for:

*Article 16*

*An official shall, after leaving the service, continue to be bound by the duty to behave with integrity and discretion as regards the acceptance of certain appointments or benefits.*

*Officials intending to engage in an occupational activity, whether gainful or not, within two years of leaving the service shall inform their institution thereof using a specific form. If that activity is related to the work carried out by the official during the last three years of service and could lead to a conflict with the legitimate interests of the institution, the appointing authority may, having regard to the interests of the service, either forbid him from undertaking it or give its approval subject to any conditions it thinks fit. The appointing authority shall, after consulting the Joint Committee, notify its decision within 30 working days of being so informed. If no such notification has been made by the end of that period, this shall be deemed to constitute implicit acceptance.*

*In the case of former senior officials as defined in implementing measures, the appointing authority shall, in principle, prohibit them, during the 12 months after leaving the service, from engaging in lobbying or advocacy vis-à-vis staff of their former institution for their business, clients or employers on matters for which they were responsible during the last three years in service.*

*In compliance with Regulation (EC) No 45/2011 of the European Parliament and of the Council<sup>4</sup>, each institution shall publish annually information on the implementation of the third paragraph, including a list of the cases assessed.*

*Article 17*

*1. An official shall refrain from any unauthorised disclosure of information received in the time of duty, unless that information has already been made public or is accessible to the public.*

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<sup>2</sup> **This document should be completed and sent to the unit PMO4 (it will be filed in the pension file)**

<sup>3</sup> According to Art. 11 of the Conditions of Employment of other servants of the European Union, the provisions of Art. 16, 17 and 19 of the Staff Regulations shall apply by analogy to temporary agents. Said Art. 11 also applies by analogy to contract staff.

<sup>4</sup> Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regards to the processing of personal data by the Community institutions and bodies and on the free movement of such data (OJ L8, 12.1.2001, p.1)





2. An official shall continue to be bound by this obligation after leaving the service.

#### Article 19

*An official shall not, without permission from the appointing authority, disclose on any grounds whatever, in any legal proceedings, information of which he has knowledge by reason of his duties. Permission shall be refused only where the interests of the Union so require and such refusal would not entail criminal consequences as far as the official is concerned. An official shall continue to be bound by this obligation after leaving the service.*

*The provisions of the first paragraph shall not apply to an official or former official giving evidence before the Court of Justice of the European Union or before the Disciplinary Board of an institution on a matter concerning a servant or former servant staff of the European Union.*

**I commit myself to respect the obligations of articles 16, 17 and 19 of the Staff Regulations after my departure from the CPVO, and to inform the responsible service if I could be concerned with the contents of these articles. I commit myself to restore at the time of my departure any document or written notes belonging to the files or the series of non-public documents managed by myself during my activities at the CPVO.**

**I declare also to have taken note that any new professional activity within two years of leaving the CPVO must receive prior authorisation from the appointing authority, and I am obliged, in this respect, to seek approval from the CPVO.**

Date:

Signature (\*):

(\* ) to be preceded by the handwritten text "read and approved"



Please complete in capitals and return to the CPVO:

HR Service  
CPVO/OCV  
3 boulevard Maréchal Foch

CS 10121  
F-49101 ANGERS CEDEX 2

ANNEX 6

**Declaration of intention to engage in an occupational activity after leaving the CPVO**  
**Article 16 of the Staff Regulations**

**The former official or other servant**

Name and first name:

Personnel No      Function Group/grade/step: .....

Position (Director, Head of Unit, etc.): .....

Date of leaving the CPVO:

Address:

Telephone:      Fax:

Email :

Are you receiving or will you receive any pecuniary benefit from the CPVO after leaving? If so, of what sort? <sup>5</sup>

Describe your work during the last three years of service? State the Unit/Service(s).

**New activity**

Name of the body:

Address:

Telephone:      Fax:

Email:

Nature of its activities:

Does this body receive funding from the European Commission or the CPVO?

Precise description of the work:

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<sup>5</sup> If you receive an invalidity allowance, a form relating to Art.13 (2), Annex VIII of the staff regulations concerning the details on the activity after leaving the service will be provided to you.



Expected duration of the work:

Expected starting date of the work:

Position in the body:

Will you be an employee in the body? .....

a shareholder in the body?.....

self-employed? .....

Will you receive remuneration or other pecuniary advantages? If so, please specify

Does the body for which you wish to work have direct or indirect commercial, financial or contractual links (including grants) with a European Union institution (in particular the CPVO) or body? If so, please specify:

During your work at the CPVO, did you have any direct or indirect relations with the body for which you wish to work<sup>6</sup>? If so, please specify:

Will your new activity have direct or indirect links with:

- your former service?

- other CPVO services?

If so, please specify:

Other relevant information:

(Place):

(date):

Signature:

You may attach any document you consider will demonstrate that your new activities or duties are compatible with those you exercised at the CPVO.

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<sup>6</sup> State in particular whether you were engaged in preparing financial and/or contractual relations.



## ANNEX 7

### **Model declaration of independence for BoA members**

Name and address

#### Declaration of Independence

I hereby declare that I am not linked in any way to a private company or any person having professional activities involved in proceedings before the Community Plant Variety Office.

I commit to act independently, in the public interest, and to make an immediate declaration in respect of any interest, which might be considered prejudicial to my independence.

I undertake to treat in the strictest confidence and not make use of or divulge to third parties any information or documents which are linked to performance of my tasks as a member of the CPVO Board of Appeal. I understand that I am responsible for maintaining the confidentiality of any documents or electronic files received or prepared in this framework.

I am aware that I continue to be bound by this undertaking after the completion of my tasks as a member of the CPVO Board of Appeal.

I also declare that I am hereby informed that the present declaration will be kept on file by the secretariat of the Board of Appeal during the term of my appointment as a member of the CPVO Board of Appeal and of my right, in pursuance to Articles 11 and 12 of Regulation (EC) N° 45/2001, to access and rectify the present declaration by addressing a communication to [HumanResources@cpvo.europa.eu](mailto:HumanResources@cpvo.europa.eu) and Mrs. Gardener at [gardener@cpvo.europa.eu](mailto:gardener@cpvo.europa.eu), and to have recourse at any time to the European Data Protection Supervisor.

Date and signature:



ANNEX 8

## template for the declaration of interests for members of the administrative council

Name/ First name:

Title:

### Previous activities:

Please give details of any posts held and/or professional activities carried out over the past two years which may have a potential impact such as to impair your independence in your activity as AC member or alternate member.

Please also indicate any shares and/or stocks (with a value in excess of 50 000€, or equivalent) in the capital of companies having an interest in or related to the field of activity of the CPVO, which may have a potential impact such as to impair your independence in your activity as AC member or alternate.

| Nature of Activities  | Period | Name/location of the organisation | Subject matter |
|---|--------|-----------------------------------|----------------|
| I. Ownership or other investments, including shares, in breeding companies, exceeding the minority control threshold in applicable national law |        |                                   |                |
| II. Member of a Managing Body or equivalent structure in a breeding company/plant-related research centre                                       |        |                                   |                |
| III. Member of a Scientific Advisory Body, of an agricultural/horticultural research institute  |        |                                   |                |
| IV. Consultancy/ Advocacy for an environment/food/IP-related NGO  |        |                                   |                |
| V. Employment   |        |                                   |                |
| VI. Research funding, for example fund received from private companies  |        |                                   |                |



|  |  |  |  |
|--|--|--|--|
| for research activities in this domain.            |  |  |  |
| VII. Ownership of Intellectual property            |  |  |  |
| VIII Other membership or affiliation               |  |  |  |
| IX. Interests of close family members <sup>7</sup> |  |  |  |
| X. Other   |  |  |  |

<sup>1</sup> The terms of 'close family members' shall be construed as meaning spouse, partner, children and direct ascendants.

### Current activities:

Please indicate any posts currently held or activities currently being carried out, e.g. in foundations, similar bodies or educational institutions which may have a potential impact such as to impair your independence in your activity as AC member or alternate member.

Please also indicate any shares and/or stocks (with a value in excess of 50 000€, or equivalent) in the capital of companies having an interest in or related to the field of activity of the CPVO, which may have a potential impact such as to impair your independence in your activity as AC member or alternate.

| Nature of Activities  | Period | Name/location of the organisation | Subject matter |
|---|--------|-----------------------------------|----------------|
| I. Ownership or other investments, including shares, in breeding companies, exceeding the minority control threshold in applicable national law |        |                                   |                |
| II. Member of a Managing Body or equivalent structure in a breeding company/plant-related research centre                                       |        |                                   |                |
| III. Member of a Scientific Advisory Body, of an agricultural/horticultural research institute  |        |                                   |                |
| IV. Consultancy/ Advocacy for an environment/food/IP-related NGO  |        |                                   |                |
| V. Employment   |        |                                   |                |



|  |  |  |  |
|--|--|--|--|
| VI. Research funding, for example fund received from private companies for research activities in this domain. |  |  |  |
| VII. Ownership of Intellectual property  |  |  |  |
| VIII Other membership or affiliation   |  |  |  |
| IX. Interests of close family members  |  |  |  |
| X. Other   |  |  |  |

A conflict of interest arises where the impartiality and objectivity of a decision, opinion or recommendation of the Agency and/or its bodies, is or might in the public perception be compromised by an interest held by, or entrusted to, a member or alternate member of the Administrative Council.

Please note that expertise is by nature based on prior experience and that therefore having an interest does not necessarily mean having a conflict of interest.

The signatory is hereby informed of his right, in pursuance to Articles 11 and 12 of Regulation (EC) N° 45/2001 to access and rectify the present declaration by addressing a communication to [HumanResources@cpvo.europa.eu](mailto:HumanResources@cpvo.europa.eu) and to have recourse at any time to the European Data Protection Supervisor.

*The undersigned undertakes to provide an update of the present declaration in the shortest possible delay should any new interest arise of which he/she is not aware at the time of signing.*

**I confirm that:**

- I have an interest with respect to my participation in the Administrative Council of the CPVO**
- I do not have an interest with respect to my membership in the CPVO's Administrative Council.**

**I declare that I have read the CPVO's policy on prevention and management of conflict of interests and that the above declaration is truthful and complete.**

**Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_



ANNEX 9

**Annex to the Designation Agreement of entrusted examination offices**

Form for a declaration in cases where there is a risk of conflict of interest within the meaning of Article 7 of the Agreement. This form shall be used by the Examination Office to declare the incidence of a conflict of interest or any situation bearing the risk of a conflict of interest. It shall also be used in order to obtain confirmation, by the CPVO, whether a specific set of measures to remedy a conflict of interest situation are considered appropriate or if limitations to the scope of entrustment apply.

Please note: For the purpose of this document the term Examination Office includes all staff of the Examination Office. The second part of the form is intended to serve as record for the decision by the CPVO.

**Examination Office**

- The Examination Office is involved in Breeding activities or envisages such involvement

Please provide details such as species concerned, duration, range of activities etc.

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- R&D activities for the purpose of creating new varieties

Please provide details such as species concerned, duration, range of activities etc.

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- Other activities that may influence the objectivity or impartiality of the DUS test, namely

Please provide details such as species concerned, duration, range of activities etc.

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**Conflict of interest**

• The Examination Office believes that there is a conflict of interest for the Examination Office to carry out specific DUS tests. The Examination Office hereby requests not to carry out the requested DUS test.

Please specify current test requests concerned. Please specify any measures taken to address a situation described under 1

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• For the following reasons, the Examination Office does not believe that there is a conflict of interest for the Examination Office to carry out the DUS requested by the Office.

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Date:

Place:

Signature:



**Decisions and follow-up**

Based on the information given by the Examination Office, the Office takes the following decision.

- Before taking a decision the Office needs additional information concerning the following items.

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- There is a risk of conflict of interest. The Examination Office must undertake the following measures in order to mitigate the conflict of interest.

Please note: a confirmation in writing of the effectiveness of measures taken will be required before commencement of the test concerned.

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- There is a risk of conflict of interest. The Examination Office must undertake the following measures in order to mitigate the conflict of interest.

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- There is a conflict of interest for the following reasons

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- The request by the Office to do the DUS test is hereby withdrawn

Reference to current test requests to which the decision applies

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- There is no conflict of interest

---

---

Date:

Place:

Signature:



## ANNEX 10

### **Declaration of integrity for audit experts**

#### 1. Aim

This document aims to explain the elements that make up the framework of professional behaviour which will guide the members of CPVO QAS assessment teams when they are carrying out their duties. The undersigned recognises the following principles of professional conduct as the basis of this Declaration of Integrity:

#### 2. Scope of application

The document is specifically designed to provide guidance to TEs but shall apply principally to all persons involved in the assessment of EOs. The members of assessment teams shall act, with due consideration for their rights and obligations, in accordance with the spirit of the document. The term "team member" is used generically here.

#### 3. Basic values

Loyalty, impartiality, objectivity, effectiveness, professional confidentiality and transparency are fundamental values which should guide the team members in the exercise of their duties.

Team members should observe an absolute standard of honesty and integrity in the conduct of the work and the use of resources. Their action should in no circumstances be influenced by outside pressures or by their personal or financial interests. They must avoid any form of unlawful discrimination. Team members should ensure that their actions do not compromise the independence of the assessments.

These fundamental values apply to all actions by the team members

- in an administrative context (notably in relation to employment of staff and the awarding of contracts for goods and services and the review of assessments conducted by QAS)
- in the context of the assessments.

Team members shall undertake to serve the Community interest by providing effective quality audit service. Quality service presupposes from each team member commitment, ability, courtesy and helpfulness.

#### 4. Requests for information

Team members shall reply personally to requests for information on matters which concern them directly and shall direct the requester to the lead assessor for subjects which do not concern them directly or where the nature of the information requires the lead assessor to be involved.

Any information request to Examination offices in respect to an assessment or relevant follow-up activities shall be made in writing, either through or with cc to the lead assessor.

#### 5. Decision making process

When evaluating observations in order to come to an assessment conclusion team members should act in accordance with the basic values described in section 3 above and be guided by those principles which form an integral part of the *acquis communautaire*, in particular equality before the law, respect for reasonable expectations, objectivity and impartiality, listening to all parties concerned and the obligation to justify decisions.

#### 6. Confidentiality

Team members must exercise the greatest discretion with regard to all facts and information coming to their knowledge in the course of or in connection with the performance of their duties. Any information obtained in the assessment process should be held confidential, and must not be disclosed to third parties, either orally or in writing. Requests for access to documents shall be dealt with according to the Article 33a of the Basic Regulation, Regulation 1049/2001 and the implementing rules adopted by the Administrative Council.

#### 7. Right to complain

Any failure by a team member to comply with the principles set out in this document may be the subject of a complaint and will be recorded and processed in accordance with the internal complaint procedure.



ANNEX 11

**Model declaration of confidentiality- Audit Advisory Board**

I hereby declare that I am aware of my obligations to respect confidentiality.

I undertake to treat in the strictest confidence and not make use of or divulge to third parties any information or documents which are linked to performance of my tasks as a member of AAB.

I understand that I am responsible for maintaining the confidentiality of any documents or electronic files sent and for returning, erasing or destroying all confidential documents or files upon completing my tasks.

I am aware that I continue to be bound by this undertaking after the completion of my tasks as a member of AAB.

I am aware that the CPVO reserves all rights to pursue legally any breach of confidentiality.

Date:

Signature:



ANNEX12

**Model declaration of independence for Selection Board members**

Declaration of absence of conflict of interest and confidentiality

**Title of procedure:** Selection procedure for the .....post at the CPVO

**Reference:** CPVO/.....

I, the undersigned ....., appointed member of selection committee for the above-mentioned procedure, am hereby informed of Article 11a of the Staff Regulations under which:

“An official shall not, in the performance of his duties, deal with a matter in which, directly or indirectly, he has any personal interest such as to impair his independence, and, in particular, family and financial interests, subject to paragraph 2.

Any official to whom it falls, in the performance of his duties, to deal with a matter referred to in paragraph 1 shall immediately inform the Appointing Authority. The Appointing Authority shall take any appropriate measure, and may in particular relieve the official from responsibility in this matter.”

I hereby declare that, to my knowledge, I have no conflict of interest with the candidates that have applied for this selection procedure.

I confirm that, if I discover any conflict of interest during the procedure, I shall declare it immediately and shall resign from this committee.

Furthermore, I confirm that I will maintain professional secrecy. I will not communicate outside the committee any confidential information that is revealed to me or that I discover, or any information regarding views expressed during the procedure. I shall not use the information I am provided with in any prejudicial way.

Date :

Signature:

