



# **CODE OF ETHICS AND PROFESSIONAL CONDUCT**

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# 1. Introduction

This Code of Ethics (hereafter referred to as the "Code") of the EGTC GO complements and specifies, in accordance to the Legislative Decree 165/2001, article 54, paragraph 5, the Code of Ethics for employees of public Sector in accordance to the Presidential Decree 62/2013, concerning the duties of diligence, loyalty, impartiality and good conduct that civil servants are required to observe.

The adoption of the Code represents one of the main "actions and measures" for the prevention of corruption, as indicated in the National Anti-Corruption Plan, approved by the deliberation 72/2013 of CIVIT (now ANAC). The primary objective that the EGTC GO intends to pursue with the adoption of this Code is to introduce and envision an ethical evaluation in all organizational phases, both in deciding its own behaviour and in evaluating those of others, thus combining the moral sphere to the managerial one, individual responsibilities to public responsibility and the personal sphere to the organizational one.

This document therefore aims to be a rational incentive in order to understand not only what it should be done, but also the "reason" behind it; therefore, the Code must assume the function of a "moral contract" signed by all the Executive and Strategic Bodies of the Authority (Presidency, Assembly, Management, Board of Auditors) as well as by its officials and collaborators, at all levels considered, by consultants external, and by anyone who interacts with the Authority itself.

The EGTC GO works to guarantee relationships based on honesty, transparency, social responsibility, respect for the person, protection of the work, protection of the territory, compliance with the laws and regulations in force, the quality of the services provided.

## 2. Relevant legislation, Range of application and contravention

This code contains the fundamental principles of EGTC GO and it applies, insofar as compatible, not only to the administrators, managers and employees and collaborators or consultants of the EGTC GO, but also to external stakeholders, meaning all the subjects who in any case interact with the activity of the EGTC GO with any type of contract or assignment and for any reason, as well as towards collaborators of supplying goods or services companies which collaborate with EGTC GO.

The EGTC GO commits to give maximum diffusion to the Code and to its eventual modifications or integrations, through the sharing and explanation of the contents to all the staff, to the administrators and to the managers who will have to contribute to the implementation by divulging the principles to the stakeholders.

The violation of the duties contained in this Code is a source of disciplinary responsibility and it is also relevant for the purposes of civil, administrative and accounting liability whenever the same responsibilities are connected with the violation of duties, obligations, laws or regulations in force.

## 3. Values

The EGTC GO undertakes to respect the following general principles:

- a. The separation of roles in the performance of the main activities relating to the individual operating processes
- b. Traceability and constant visibility of choices
- c. The objectification of decision-making processes
- d. Quality control, effectiveness and efficiency of management

The employee carries out his duties by directing his action to maximum economy, efficiency and effectiveness. The management of public resources for the purpose of carrying out administrative activities must follow a cost containment logic, which does not affect the quality of the results.

The employee acts in a position of impartiality, abstaining in the event of a conflict of interest, does not use the information available for office purposes for private purposes, and avoids situations and behaviours that could hinder the correct fulfilment of his duties or harm the interests or to the image of the institution.

### **3.1. Honesty and Transparency**

Honesty represents one of the fundamental principles shared by the EGTC GO in all the activities carried out and all other forms of communication assumed, which together constitute an essential element of organizational management. Relations with stakeholders, at all levels, must be based on criteria and conduct of fairness, consistency, loyalty and mutual respect.

### **3.2. Centrality of the individual**

In line with its ethical vision, the EGTC GO promotes the value of the individual through respect for physical, cultural and moral integrity.

The EGTC GO supports and respects human rights in all areas of its actions and sphere of influence.

The EGTC GO recognizes in the diversity of cultures and talents a fundamental value and a precious resource to be valued, avoiding any form of discrimination.

### **3.3 Job protection**

The EGTC GO commit to prevent all forms of labour exploitation, both direct and indirect, and to recognize merit, work performance and professional potential.

### **3.4 Environmental and occupational safety**

The EGTC GO guarantees to adopt all the measures provided for by the current legislation on environmental and occupational safety and guarantees the training of its staff to promote the culture of safety at work and the respect for the environment. It is explicitly forbidden to create conditions of potential danger for oneself, for others or for the environment and initiatives that may create prejudice in terms of safety or environmental protection are discouraged.

### **3.5 Public administration and local authorities**

The EGTC GO guarantees full collaboration and transparency in relations with public administrations, local, national and European.

### **3.6 Territory**

The EGTC GO is committed to operating with respect for the environment and human health, well aware of its social and ethical responsibilities towards the communities in which it operates and the territory from which it derives resources.

## **4. Rules of professional conduct**

The Management and employees of the EGTC GO are required to collaborate with each other so that the management facts are represented correctly and promptly on the basis of truthful, accurate, complete and verifiable information. Each procedure must be properly authorized, verified, legitimized, coherent and congruous. It is the task of each employee to ensure that the supporting documentation is easily traceable and ordered according to logical criteria. The EGTC GO recognizes the utmost importance to internal control intended as a process, aimed at facilitating the achievement of the Entity's objectives, safeguarding and optimizing the allocation of resources, ensuring compliance and compliance with laws and regulations, and preparing reliable, true and correct financial statements and financial data. All staff must feel responsible for the protection of the Entity's assets (whether they are tangible or intangible) and for their correct use. It is forbidden to misuse or damage the organization's assets and resources and to allow others to do so.

### **4.1 Gift, Reimbursement and other utilities**

The employee does not ask for or solicit gifts or other utilities for himself or others. The employee does not accept, for himself or for others, gifts or other utilities, except for those of modest value used occasionally in the

context of normal courtesy relationships and in the context of customs. By modest value we mean a value not higher, as a guideline, to 40 euros. The maximum amount of economic value that can be reached during the year for gifts of moderate value is equal to 100 euros per employee.

The ban on accepting gifts or other utilities, except for those of modest value, also applies to one's subordinates. It is also forbidden to offer gifts or other utilities to one's own superordinate, except for those of moderate value.

The employee does not ask, for himself or for others, gifts or other utilities, even of modest value, by way of consideration for performing or for having performed an act of his office, by subjects who can benefit from decisions or related activities office.

Gifts and other utilities possibly received outside the cases permitted by this article, by the same employee to whom they are received, are immediately made available to the institution for the return or to be donated for institutional purposes.

The employee cannot accept collaboration assignments from private subjects, unless these are formally authorized. In any case, the employee does not accept collaborative assignments from private subjects who have, or had in the previous two years, a significant economic interest in decisions or activities related to the office of belonging.

## **4.2 Participation in associations and organisations**

In compliance with the regulations governing the right of association, the employee promptly informs the manager of the office of membership of his membership or membership of associations or organizations, regardless of their confidential nature or not, whose areas of interest may interfere with the performance office activity. This provision does not apply to membership of political parties or trade unions.

## **4.3 Duty of Abstention. Communication of financial interests and conflict of interests.**

The employee refrains from participating in the adoption of decisions or activities that may involve their own interests, that of their relatives, related within the second degree, of the spouse or of cohabitants, or of people with whom it has relationships of habitual frequentation, or , of subjects or organizations with which he or his spouse has pending litigation or significant credit or debt relationships, or of subjects or organizations of which he is a guardian, curator, attorney or agent. In these cases, and in any other case in which there are serious reasons of convenience, the employee refrains from making decisions or taking part in activities, communicating the reasons in writing to the manager of the home office, who decides whether to take the practice or, motivating the decision, let the reporting agent continue the work. Without prejudice to the transparency obligations provided for by laws or regulations, the employee, upon assignment to the office, informs the manager of the office in writing of all relations, direct or indirect, of collaboration with private subjects in any way paid that he has or has had in the past three years, specifying:

- a) whether in the first person, or his relatives or relatives within the second degree, the spouse or cohabiting partner still have financial relationships with the person with whom he had the afore mentioned collaborative relationships;
- b) if these relationships have occurred or exist with subjects who have interests in activities or decisions inherent to the office, limited to the practices entrusted to him;

## **4.4 Corruption prevention**

The employee complies with the provisions of the Law 190/2012 by reporting to the Organization any situation of offense that he became aware of, without prejudice to the obligation of reporting to the judicial authority. Employees who report the occurrence of an offense are protected under current legislation.

## **4.5 Transparency and traceability**

The employee ensures the fulfilment of the transparency obligations envisaged by the Decree 33/2013, with

subsequent amendments and integrations, providing his maximum collaboration in the processing, retrieval and transmission of the data for which there is an obligation to be published on the institutional website.

#### **4.6 Behaviour in private relationships**

In private relations, including outside-of-work relations with public officials exercising their functions, the employee does not exploit, nor mention the position he holds in the EGTC GO for the purpose of obtaining a utility they are not entitled to it and does not assume any behaviour that could harm the Authority's image.

It is considered harmful to issue statements to the media, if not previously agreed with the top manager of the Authority, regarding the activities carried out by the EGTC GO, its associates, project partners or clients, the political ideas and strategic development choices.

The collaborators and employees must keep the data and information processed by the Authority confidential.

The Authority commits to process the personal and sensitive data in accordance with the privacy legislation. To this end, the Authority guarantees a high level of security in the selection, choice and use of information systems intended for the processing of personal data and confidential information.

#### **4.7 Behaviour in service**

The employee, unless justified reason, does not delay or adopt behaviours that result in the need for other employees to carry out their activities or take their decisions.

The employee uses his work permit, however named, in compliance with the conditions provided by law, by the CCNL and by the procedures communicated through internal acts. The employee insures the regular and correct daily evidence of their attendance, promptly reporting to the manager any anomaly in this regard.

The employee uses the material and equipment he has available for office reasons, including computers and mobile phones, in compliance with the use for which they were provided. In particular, the employee does not use the computer for personal use (including browsing on Internet sites not functional to office activities), and does not use company telephones for personal calls, except in emergencies adequately reported to the responsible.

When on a mission, the employee adopts an appropriate behaviour, avoiding situations that can harm the public image of the EGTC GO.

#### **4.8 Special provisions for managers**

The manager communicates to the Assembly his shareholdings and other financial interests that may place him to be in conflict of interest with the function he performs. He declares if he has relatives within the second degree, spouse or partner who carry out activities that put them in frequent contact with the office he directs or that are involved in decisions or activities related to the office.

The manager diligently performs his functions on the basis of the assignment act, pursues the assigned goals and adopts adequate organizational behaviour for the performance assignment.

The manager assumes fair and transparent attitudes and adopts exemplary and impartial behaviour in the relations with colleagues, collaborators and recipients of administrative action. The manager also ensures that the resources assigned to his office are used for institutional purposes only and, in no case, for personal needs.

The manager takes care, compatibly with the available resources, of the organizational well-being in the structure he is responsible for, by promoting the establishment of cordial and respectful relationships between collaborators, he takes targeted initiatives for the circulation of information, the training and updating of personnel, the inclusion and the enhancement of gender differences, age and personal conditions.

The manager assigns the tasks on the basis of a fair distribution of the workload, taking into account the skills, attitudes and professionalism of the staff at his disposal. The manager entrusts the tasks based on professionalism.

The manager promptly undertakes the necessary initiatives if he becomes aware of an offense, punctually reporting the offense and proceeding to promptly communicate the compliant to the criminal or judicial authority

or the reporting to the Court of Auditors, based on their respective competences. In the event that he receives a report of an offense by an employee, he takes all legal precautions to ensure that the reporting person is protected and his identity is not detected in the disciplinary proceeding.

## 4.9 Contracts and other acts

In signing of agreements or contracts on behalf of the EGTC GO, as well as in the phase of execution of those, the employee does not resort to third party mediation, nor does he correspond or promise to anyone utility as an intermediary, or to facilitate or for having facilitated the conclusion or execution of the contract, excluding cases where the institution has decided to resort to professional brokerage.

In the event that the administration concludes contracts for procurement, supply, service, financing or insurance, with companies with which the employee has concluded private contracts or received others utilities in the previous two years, he refrains from participating in the adoption of decisions and activities relating to the execution of the contract, drawing up written minutes of this abstention to be kept in the documents office.

## 4.10 Illegal behaviour

Illegal behaviour and abuse of any kind in the workplace, threats or assaults against employees or collaborators or to the assets and properties of the EGTC GO are prohibited. Respect for the personal sphere of others and the Authority's material heritage must be guaranteed.

Disciplinary sanctions envisaged by the CCNL, in addition to any sanctions envisaged by law, will be applied to the employee or collaborator who commits an illegal act in the workplace or during work activity. The EGTC GO prohibits any type of corruption against public officials, being also forbidden to offer money, gifts, or any other service aimed at obtaining an illegal benefit, even if in the interest of the Association.

## 4.11 Relations with Suppliers

The EGTC GO requires its suppliers and external collaborators to respect the applicable ethical principles contained in this document and, considering this document a fundamental aspect for the establishment of a correct relationship, there has to be specific reference to the obligation of compliance with these values for contractors in each contract.

## 4.12 Sanctions

The violation of the cases envisaged by this code of ethics will constitute disciplinary relevant conduct pursuant to the CCNL applied and will be sanctioned with the disciplinary measures provided therein, in relation to the entity of the shortcomings and the circumstances that accompany them.

Notwithstanding the provisions therein, the most serious sanction can be applied in case of simple recidivism committed in the same calendar year.

For the purposes of the acknowledgment referred to in art. 7 law 300/1970, this code will be posted up in its entirety in the headquarters of the EGTC GO.

# 5. Application, diffusion and control of the Code of Ethics and of behaviour.

The recipients of this Code are all the organizational managers and employees, without any exception, and all those who, directly or indirectly, permanently or temporarily, establish relationships or relations with the Authority and work to pursue its goals.

Every person inside the organization, external collaborator, consultant or supplier, is obliged to respect this document and must accept it explicitly.

The Authority commits to promoting and ensuring adequate knowledge of this Code of Ethics by disclosing it to the subjects involved through appropriate and adequate communication activities.

The responsible manager supervises the application of this Code.

All people within the organization have an obligation to know the rules, refrain from conducts that are contrary to them, contact the superior for clarifications or complaints, collaborate with the structures appointed to verify the violations and not subtract to the knowledge of the counterparties the existence of the present document.