

# Methods and techniques for preventing conflict of interests. Best practices in structural funds absorption and protection of financial interests of the European Union

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#### Presentation – Outline

- Introduction
- Methods to prevent conflict of interest
- Good practice examples
- Conclusion



# Republic of Lithuania Law on the adjustment of public and private interests in the civil service

**Conflict of interest** means a situation where a person in the civil service, when discharging his duties or carrying out instructions, is obliged to make a decision or participate in decision-making or carry out instructions relating to his private interests.



**Persons in the civil service** means state politicians, state officials, civil servants, <...> persons who are employed at state and municipal enterprises, budgetary institutions and who have administrative powers vested in them, persons who are employed at public establishments and associations which are financed from the Lithuanian national or municipal budget and funds and who have administrative powers vested in them <...>.

**Private interests** means private economic or non-economic interest of a person in the civil service (or a person close to him) which may affect his decision-making in the discharge of his official duties.



#### Instruments to prevent conflict of interest

- 1. Declaration of private interests (gifts)
- 2. Public disclosure of declarations of private interests
- 3. Controls procedures
- 4. Other measures and periodic system assessment



#### **Declaration of private interests**

A person in the civil service as well as a person eligible to apply for the job in the civil service must declare his private interests by filing a declaration of private interests.

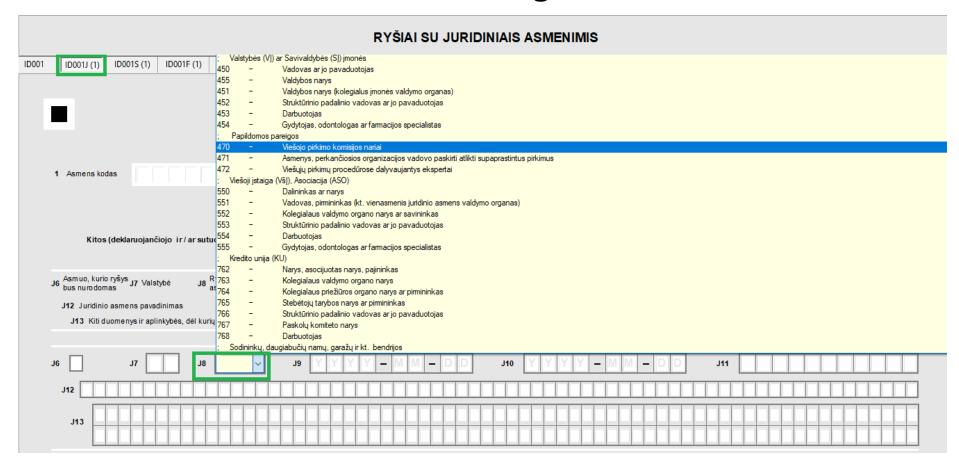


#### **Declaration of private interests**

[D001] [D001] (1) [D00			
PRIVAČIŲ INTERESŲ DEKLARACIJA			
1 Asmens kodas	2 Pildymo data YYYY—MM—DD		
3 Vardas			
4 Pavardé			
Darbovietė (kitos darb 5 Juridinio asm. kodas	bovietės nurodomos ID001J priede)  6 Pareigos		
7 Pavadinimas			
8 Telefonas	9 Elektroninio pašto adresas		
Deklaruojančio asmens sutuoktinis, sugyventinis, partneris*			
10 Asmens kodas	11 Pilietybé V		
12 Vardas			

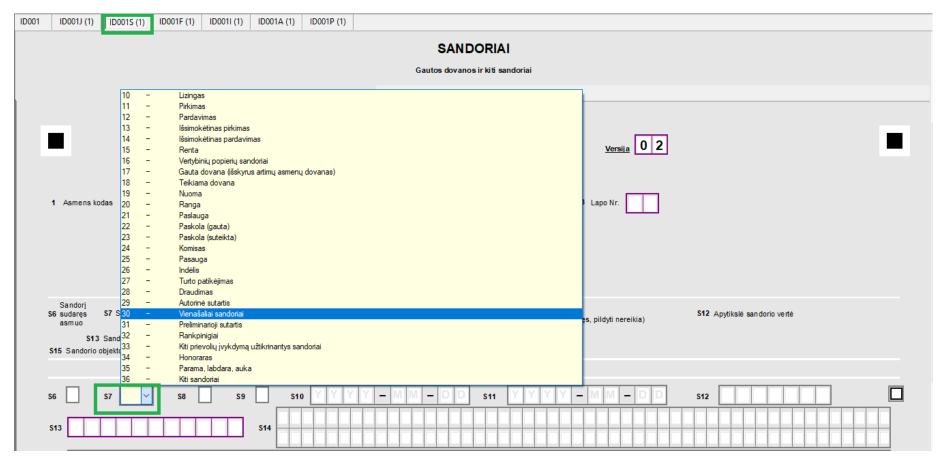


#### Relations with legal entities





#### **Contracts**



Submission of a	Change of the	New circumstances
declaration	information	become known that
		may cause
		a conflict of interest
1 month after the election,	30 calendar days from	Immediately but no later
appointment, or assignme	the day of data change	than 7 calendar days after
nt to a position		the emergence of these
		circumstances



#### **Duty of self-exclusion**

A person in the civil service shall be prohibited from participating in the preparation, consideration or taking of decisions or from otherwise influencing decisions which may give rise to a conflict of interest situation.



## "Cooling" period

#### Limitations when concluding employment contracts

- 1 year
- Have no rights to enter into transactions with the institution in which the person was last employed



#### **Controls procedures**

- The head or representatives authorised by the head of the institution in which the person concerned is employed
- 2. The Chief Official Ethics Commission
- 3. The State Tax Inspectorate
- 4. Law enforcement institutions
- 5. Institutions performing the functions of audit and control
- 6. Society



# Other measures and periodic system assessment

- The conflict of interest policy
- Regular reminders
- Guidance
- Assistance, consultation
- Meetings procedures
- Periodic system assessment



### Good practice examples

- 1. Conflict of interest prevention in ministries.
- 2. Conflict of interest prevention in implementing bodies (agencies).



## Thank you for your attention!