



CODE OF CONDUCT FOR HIGH-LEVEL ECB OFFICIALS
IMPLEMENTATION:
OPERATIONAL RULES AND TEMPLATES

December 2018

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TEMPLATE DECLARATION OF ETHICAL CONDUCT
(PURSUANT TO ARTICLES 1.3 AND 1.4 OF THE CODE OF CONDUCT)

Pursuant to Articles 1.3 and 1.4 of the Code of Conduct for high-level ECB Officials (the Code of Conduct), a declaration of ethical conduct shall be signed by members of the General Council who are not members of the Governing Council, accompanying persons to the meetings of the Governing Council or Supervisory Board, as well as by members of the Audit Committee, the Ethics Committee, the Administrative Board of Review and their alternates where applicable. The following text should be used (please delete the non-applicable parts of the text in [brackets]):

I, [Name of signatory], hereby declare that with regard to my [participation in the meeting(s) of the ECB Governing Council OR ECB Supervisory Board] [role as member OR alternate member of the General Council, the Audit Committee, the Ethics Committee, OR the Administrative Board of Review of the ECB], I will observe the highest standards of ethical conduct. I will act honestly, independently, impartially, with discretion and without regard to self-interest, and will conduct myself in a way that maintains and promotes public trust in the ECB.

In particular, I undertake to uphold the following standards of ethical conduct:

1. *Avoidance of conflicts of interest*

I shall avoid any situation which could give rise or may be perceived as giving rise to a conflict of interest, as defined in Article 11 of the Code of Conduct.

I shall disclose to [the President OR Chair of the respective Committee or Board] and the [other members of the] Ethics Committee in writing, without undue delay, any situation that may cause or be perceived as causing a conflict of interest, and shall abstain from taking part in any discussions, deliberations or votes in relation to that situation and shall not receive any related documentation.

2. *Professional secrecy and confidentiality*

I shall treat in strictest confidence and not disclose any confidential information, as defined in Article 4.1 of the Code of Conduct, even after my [participation in the meeting(s) of the ECB Governing Council OR ECB Supervisory Board] or [duties and responsibilities as member OR alternate member of the General Council, the Audit Committee, the Ethics Committee, OR the Administrative Board of Review of the ECB] [has/have] ceased.

3. *Prohibition against use of confidential information (also in relation to private financial transactions)*

I shall not use confidential information for my own benefit or for the benefit of any other person. In particular, I shall not take advantage of confidential information in any private financial transaction or in recommending or advising against such transactions.

(Signature & Date)

GUIDING PRINCIPLES FOR EXTERNAL COMMUNICATION FOR HIGH-LEVEL OFFICIALS OF THE EUROPEAN CENTRAL BANK (PURSUANT TO ARTICLE 8 OF THE CODE OF CONDUCT)

Preamble

The members of the Governing Council, the Executive Board and the Supervisory Board (hereinafter the 'members of high-level European Central Bank (ECB) bodies') are subject to and act in accordance with the existing rules, as defined in particular in the Statute of the European System of Central Banks and of the ECB and in the Code of Conduct of high-level ECB Officials.

The members of high-level ECB bodies attach great importance to clear, effective and timely communication of the ECB's strategy and policy decisions as well as issues related to their implementation. The communication policy of the ECB is an essential part of its accountability and good governance obligations as an independent monetary and supervisory authority. Regular contacts and interaction with members of the public, private sector, academia, interest groups, representative associations and civil society provide relevant input and information that help to understand the dynamics of the economy, the financial markets and the banking sector, and the broader societal context.

This two-way communication is based on open, transparent and regular dialogues and debates between the members of high-level bodies and the public as well as specialised audiences.

Guiding principles

Guided by the values of integrity and transparency, members of high-level ECB bodies and alternates hereby confirm their adherence to the following principles when interacting with private sector, academia, interest groups, representative associations and civil society representatives:²³

First, the members of high-level ECB bodies and alternates will safeguard confidential information in accordance with their obligations and apply utmost prudence in selecting speaking engagements at external events to avoid any appearance that potentially market-sensitive information may not be available to the widest possible public audience at the same time. To that end, they shall:

- accept speaking engagements at events where their remarks are potentially market-sensitive only if these remarks are published on their respective institution's website, in principle at the start of the speech, or if the event can be monitored and followed directly by the general public (e.g. via a live webcast), or if the event is attended by media representatives who could report in real time. Speaking engagements on general or academic topics, where no market-sensitive information is disclosed, are not affected by this stipulation;
- refrain from offering in a non-public setting, to any institution, company or person who could derive profit from such information, personal views about the state of the economy or the financial sector relevant to the future stance of monetary policy or supervisory matters²⁴ that have not already been expressed publicly; and

²³ These guiding principles do not apply to dialogues with public authorities.

²⁴ This shall not apply to supervisory dialogues, i.e. dialogues with supervised entities on supervisory matters with respect to the institution supervised.

- strive to ensure, in selecting their speaking engagements, that the acceptance of such invitations is not perceived as giving the organiser a prestige advantage over a competitor or allowing them to benefit commercially from apparently exclusive contacts with the members of high-level ECB bodies and alternates.

Second, when considering invitations to speak at non-public events or to accept bilateral meetings, e.g. with bankers, industry representatives, or with special interest and advocacy groups, the members of high-level ECB bodies and alternates will ensure that no market-sensitive information is divulged.

As an additional safeguard and as a general rule, a staff member of the respective institution or entity should accompany the member of the high-level ECB body or alternate to non-public events where future monetary policy or supervisory/regulatory matters are to be discussed, and to bilateral meetings, unless it is against the interest of the institution or entity, thereby protecting the 'need to listen' of members of high-level ECB bodies or alternates.

Third, to enhance transparency and accountability, the members of high-level ECB bodies shall, as a general rule, include information on their meetings with external parties in their published meeting calendars, to the extent such information relates to their role as members of high-level ECB bodies.

Fourth, the members of the Governing Council and of the Executive Board, and their alternates, re-affirm their adherence to the quiet period principle, whereby speeches and public remarks, given in the seven days prior to each scheduled monetary policy meeting of the Governing Council, should not be such as to influence expectations about forthcoming monetary policy decisions. Similarly, the members of the Governing Council and of the Executive Board will not meet with nor talk to the media, market participants or other outside interests on monetary policy matters during that period and should immediately notify both the communications and compliance functions of their institution if they inadvertently do so.

TEMPLATE DECLARATION OF INTERESTS
(PURSUANT TO ARTICLE 10 OF THE CODE OF CONDUCT)

Name:

Authority:

Role:

Start of tenure:

End of tenure:

I. PREVIOUS OCCUPATIONAL ACTIVITY

(Please indicate any occupational activity held during the three-year period before you took up the role of member)

<i>Occupational Activity</i>	<i>Timeframe</i>

II. PRIVATE ACTIVITIES

(Please enclose information about any private activity which you are currently undertaking)

<i>Activity</i>	<i>Timeframe</i>	<i>Remuneration</i>

III. OFFICIAL MANDATES (ex-officio)*(Please enclose information about your official mandates)*

Activity	Timeframe

IV. FINANCIAL INTERESTS

Please tick the box if you have

any assets that are subject to discretionary asset management
☐

If you have any remaining financial interests please complete the box:

	<i>Name and ISIN²⁵</i>
<i>Any financial interests holdings in companies/firms listed on a stock exchange</i>	
<i>Any interest in companies/firms not listed on a stock exchange</i>	<i>Name, type of business and location</i>

²⁵ Amount of money not needed.

Please tick the box if you have any deposits above €100,000 (per bank) with an entity subject to the supervision of the SSM

☐

V. GAINFUL OCCUPATIONAL ACTIVITY OF SPOUSE/PARTNER

(Please insert the gainful occupational activity of your spouse/partner that may raise conflict of interest concerns (Article 12 of the Code of Conduct))

<i>Gainful occupational activity</i>	<i>Timeframe</i>

I hereby declare that the information given above is correct.

(Date)

(Signature)

EXCERPT FROM THE ECB ETHICS FRAMEWORK ON PRIVATE FINANCIAL TRANSACTIONS (PURSUANT TO ARTICLE 16.3 OF THE CODE OF CONDUCT)

Extract from Official Journal (2015/C 204/04) pages 11-13

0.4.2. Categories of private financial transactions

Without prejudice to the general obligations laid down in Articles 0.4.1 and 0.4.3, members of staff shall comply with the rules applicable to the following categories:

- (a) exempt private financial transactions;
- (b) prohibited private financial transactions;
- (c) private financial transactions subject to prior authorisation;
- (d) private financial transactions subject to *ex post* reporting.

0.4.2.1. Exempt private financial transactions

Without prejudice to the general obligations laid down in Articles 0.4.1 and 0.4.3, members of staff may make the following private financial transactions without being subject to any restrictions or notification obligations:

- (a) purchase or sale of units in a collective investment scheme in respect of which the member of staff has no influence on the investment policy, except schemes whose main purpose is to invest in assets falling under Articles 0.4.2.2(b) and 0.4.2.3(b) and (c), as well as funds transfers and foreign exchange transactions directly connected with such purchase or sale;
- (b) purchase or redemption of insurance policies or annuities;
- (c) purchase or sale of foreign exchange for the occasional acquisition of non-financial investments or assets, for private travel purposes, or to cover current or future personal expenses in a currency other than that in which the salary of the member of staff is paid;
- (d) expenditures, including purchase or sale of non-financial investments or assets including real estate;
- (e) arrangement of mortgages;
- (f) transfer of funds from a member of staff's current or savings account held in any currency to another current or savings account owned by them or a third party;
- (g) other private financial transactions which are neither prohibited nor subject to prior authorisation and the value of which does not exceed EUR 10 000 within any given calendar month. Members of staff shall not split up private financial transactions in order to circumvent this threshold.

0.4.2.2. Prohibited private financial transactions

Members of staff shall not make any of the following private financial transactions:

- (a) transactions relating to or with either a private legal entity or individuals with whom the member of staff has an on-going professional relationship on behalf of the ECB;
- (b) transactions concerning (i) individual marketable bonds and shares issued by financial corporations (except central banks) established or having a branch in the Union; (ii) derivative instruments related to such bonds and shares; (iii) combined instruments if one of the components falls under (i) or (ii); and (iv)

units in collective investment schemes whose main purpose is to invest in such bonds, shares or instruments.

0.4.2.3. *Private financial transactions subject to prior authorisation*

Members of staff shall request the authorisation of the Compliance and Governance Office before making the following financial transactions:

- (a) short-term trading, i.e. the sale or purchase of assets with the same International Securities Identification Number (ISIN) which have been purchased or sold within the previous month. No authorisation is required if the subsequent sale is made in execution of a stop-loss order which the member of staff has given to their broker;
- (b) transactions exceeding EUR 10 000 within any given calendar month in (i) government securities issued by euro area Member States; (ii) derivative instruments related to such government securities; (iii) combined instruments if one of the components falls under (i) or (ii); and (iv) units in collective investment schemes whose main purpose is to invest in such securities or instruments;
- (c) transactions exceeding EUR 10 000 within any given calendar month in (i) gold and gold-related derivative instruments (including gold-indexed securities); (ii) shares, bonds or related derivative instruments issued by companies whose principal business is mining or producing gold; (iii) combined instruments if one of the components falls under (i) or (ii); and (iv) units in collective investment schemes whose main purpose is to invest in such securities and instruments;
- (d) foreign exchange transactions other than those listed in Article 0.4.2.1(c) and exceeding EUR 10 000 within any given calendar month.

0.4.2.4. *Private financial transactions subject to ex post reporting*

Members of staff shall report to the Compliance and Governance Office any private financial transaction exceeding EUR 10 000 within any given calendar month which does not fall under one of the previous three categories within 30 calendar days after its execution. The Compliance and Governance Office shall define the information to be reported, the reporting format and the procedure.

The obligation to report shall apply in particular to:

- (a) loans other than mortgages (including switching from a fixed to a floating arrangement, or vice-versa, or extending an existing loan). Members of staff shall indicate whether the loan is used for the acquisition of financial instruments;
- (b) interest rate-related derivatives and derivatives based on indices;
- (c) purchases or sales of shares of corporations other than the ones set out in Article 0.4.2.2(b) and bonds issued by such corporations.

0.4.2.5. *Existing assets resulting from prohibited transactions*

Members of staff may keep assets resulting from transactions within the meaning of Article 0.4.2.2:

- (a) which they hold at the moment when they become subject to the restrictions laid down in Article 0.4;
- (b) which they acquire at a later point in time without action by them, in particular by way of inheritance, gift, change in their family status, or as a result of a change in the capital structure or a change of control of the entity in which the member of staff holds the assets or rights;
- (c) which they acquired at a time when the transaction was not yet prohibited.

Members of staff may dispose of or exercise any rights attached to those assets subject to prior authorisation by the Compliance and Governance Office.

Members of staff shall seek the Compliance and Governance Office's advice if keeping these assets may create a conflict of interest. In such a case, the Compliance and Governance Office may request the member of staff to dispose of such assets within a reasonable period of time, if such disposal is necessary to avoid a conflict of interests.

0.4.2.6. *Request for authorisation*

Any request for authorisation in accordance with Article 0.4.2.3 or 0.4.2.5 shall be submitted to the Compliance and Governance Office at least five working days prior to the envisaged order date in the format specified by the Compliance and Governance Office. The Compliance and Governance Office shall decide on the request within five working days considering in particular and where relevant: (a) the professional duties of the member of staff and their access to relevant inside information; (b) the speculative/non-speculative nature of the transaction; (c) the amounts involved, if indicated; (d) the reputational risk for the ECB; (e) the timing, in particular the proximity to a meeting of the ECB's decision-making bodies. The Compliance and Governance Office may make an authorisation subject to certain conditions. If the Compliance and Governance Office does not react to a request for authorisation within five working days, the transaction shall be deemed to be authorised.

0.4.2.7. *Discretionary asset management by a third party*

Financial transactions shall be exempted from the restrictions laid down in Articles 0.4.2.2 to 0.4.2.6 to the extent that they are made by a third party to whose discretion the member of staff has entrusted the management of their private financial transactions under a written asset management agreement. This exemption is subject to the authorisation by the Compliance and Governance Office. The authorisation shall be granted if evidence is provided that the terms and conditions ensure that the member of staff cannot directly or indirectly influence any management decision to be taken by the third party. The member of staff shall inform the Compliance and Governance Office about any change to the terms and conditions of the asset management agreement.

**TEMPLATE DECLARATION OF COMPLIANCE
FOR PRIVATE FINANCIAL TRANSACTIONS
(PURSUANT TO ARTICLE 16.5 OF THE CODE OF CONDUCT)**

To the Secretary of the Ethics Committee for the attention of the Chairman of the Ethics Committee,

Pursuant to Article 16.5 of the Code of Conduct for high-level ECB Officials, a Declaration of Compliance shall be signed by members and alternates who are not subject to the reporting and compliance monitoring procedures of the ECB on an annual basis in order to confirm that they have complied with the applicable rules on private financial transactions and that the reporting and compliance monitoring has been conducted in line with their national procedural rules. The following text should be used (please amend the text in [brackets] and fill in accordingly):

I, [Name of signatory], hereby declare that I have complied with the rules on private financial transactions as enclosed in the ECB Ethics Framework and that reporting and compliance monitoring has been conducted in line with the procedural rules of [Name of NCB or NCA] during [previous calendar year].

(Date)

(Signature)

TEMPLATE DECLARATION OF HONOUR
(PURSUANT TO ARTICLE 17.7 OF THE CODE OF CONDUCT)

To the Secretary of the Ethics Committee for the attention of the Chairman of the Ethics Committee,

Pursuant to Article 17.7 of the Code of Conduct for high-level ECB Officials, a Declaration of Honour shall be signed by members and alternates during the two-year or one-year notification period, as applicable, from the end of their term of office confirming their gainful occupational activities and respective remuneration. The following text should be used (please delete the non-applicable parts of the text in [brackets]):

I, [Name of signatory], hereby declare the following as my only gainful occupational activity/ies held during [current calendar year] and the respective remuneration received for this/these gainful occupational activity/ies.

Gainful Occupational Activity	Remuneration
1.	
2.	
3.	

I hereby declare that the information given above is correct and complete.

(Date)

(Signature)

TEMPLATE DECLARATION OF COMPLIANCE WITH CODE OF CONDUCT FOR HIGH-LEVEL ECB OFFICIALS

I, [*Name of signatory*], in my function as [member] or [alternate member] of the [Governing Council] or [Executive Board] or [Supervisory Board] of the European Central Bank herewith commit that I shall comply with the “Code of Conduct for high-level ECB officials” as endorsed by the Governing Council on 5 December 2018, unless impediments arise from any applicable legal or contractual provisions.

(Signature & Date)