



European
Commission

OUTSIDE ACTIVITIES

SUMMARY DOCUMENT ON

CHANGES RELATED TO THE
REVISION OF THE
COMMISSION DECISION
ON OUTSIDE ACTIVITIES AND
ASSIGNMENTS

 **legal Affairs**
ETHICAL ORGANISATION

*Human
Resources
and Security*

INTRODUCTION

Under the Staff Regulations ('SR') and the Conditions of Employment of Other Servants of the European Union ('CEOS'), an official or agent wishing to engage in an outside activity shall first obtain the permission of the Appointing Authority.



To give guidance on the application of the Staff Regulations and the CEOS, a Commission Decision on outside activities was adopted in 2004. The Decision was slightly amended in 2013 to take on board the changes brought about by the revision of the Staff Regulations.

The 2018 Decision on outside activities aims at (i) introducing a series of clarifications, (ii) simplifying processes and (iii) taking into account experience gained from the practical application of the current rules as well as changing circumstances.

All the provisions of the Decision **shall start to apply** to all outside activities, assignments and occupational activities after leaving the service, whether new or extended, **that will take place as of 1 September 2018**.

 IN

ACTIVE SERVICE



MAIN CHANGES

Outside activities in active service

NO NEED TO DECLARE activities meeting **all of** the following conditions:

- (a) they are unpaid or do not generate revenues;
- (b) they are neither pursued in a professional capacity nor are performed for a commercial entity;
- (c) they are performed outside the working hours agreed with the line manager of the staff member concerned or are covered by a duly approved leave or recuperation;
- (d) the impartiality and objectivity of the staff member while performing his duties are not compromised, or may not appear to be compromised in the eyes of third parties, because of interests which diverge from those of the institution;
- (e) the outside activity or assignment does not have a negative impact on the reputation and/or on the public trust in the institution;
- (f) the other obligations laid down in the Staff Regulations are complied with.

Examples of what is permissible include charitable, teaching, well-being, sport, cultural or political activities (art.4.3)

PERIOD OF VALIDITY OF THE PERMISSION:



For outside activities while in active service: assessed on case-by-case basis
New request needed only if change in outside activity or in job duties



- **MAXIMUM NET REMUNERATION ALLOWED:**

Activities engaged in by staff in active employment are subject to a maximum net remuneration. This ceiling has not been revised since 2004, so it is now increased from €4,500 to €10,000 (Art.7)



- **COMMERCIAL OR PROFESSIONAL ACTIVITIES:**

These activities are no longer subject to a blanket ban but rather to a case-by-case analysis.



- **STRUCTURAL PART-TIME CONTRACT:**

A staff member who has chosen to work part-time can only engage in unpaid outside activities (Art.9).

As regards staff members to whom only a part-time contract has been offered (structural part-time), the decision formally recognises that they can engage in both unpaid and paid outside activities (without any remuneration ceiling) (Art.10).



- **NEED TO MAINTAIN PROFESSIONAL SKILLS:**

The new Decision formally recognises the necessity for some staff members to engage in outside activities in order to maintain their professional skills and/or upgrade their qualifications, as required by the interests of the service (Art.11).





PERMISSION FOR PAID OUTSIDE ACTIVITIES OR ASSIGNMENTS SHALL BE REFUSED IF:

(a) the activity in question is performed during the working hours agreed with the line manager of the official concerned and is not covered by a duly approved leave or recuperation ; and/or

(b) the activity in question is such as to interfere with the performance of the staff member's duties; and/or

(c) the activity in question is incompatible with the interests of the institution, for example because it:

➔ (i) is detrimental to the reputation of the institution; and/or

➔ (ii) damages public trust in the neutrality and objectivity of the institution; and/or

➔ (iii) gives rise to an actual conflict of interest;

(d) the activity in question, by itself or combined with other authorised outside activities, gives rise to remuneration which exceeds the ceiling referred to in Article 7(1).



The Appointing Authority will assess all activities that do not meet the criteria either for implicit acceptance or for refusal (see above) on a case-by-case base. This will for example include paid teaching activities and paid activities related to sport or wellbeing.

ANY COMMERCIAL OR PROFESSIONAL ACTIVITY SHOULD BE NOTIFIED.



CCP LEAVE ON PERSONAL GROUNDS

OUTSIDE ACTIVITIES DURING LEAVE ON PERSONAL GROUNDS

NO NEED TO DECLARE ACTIVITIES MEETING ALL OF THE FOLLOWING CONDITIONS:

- Unpaid, and neither pursued in a professional or similar capacity nor performed for a commercial entity
- No impact on the reputation of the Commission
- Complies with Staff Regulations
- Notably charitable, teaching, well-being, sport, cultural or political activities

PERIOD OF VALIDITY OF THE PERMISSION

- A **new application** must be submitted:
 - for every extension or renewal of the activity or assignment (at least 2 months before the expiry of the previous permission)
 - for each change in the activity or assignment

WHAT WILL CHANGE FOR ME IF I WANT TO UNDERTAKE AN ACTIVITY WHILE I AM ON LEAVE ON PERSONAL GROUNDS?

For consistency reasons, activities for which permission is deemed granted while in active service are treated in the same way (i.e. no need for notification) when performed after going on leave;



OUT AFTER LEAVING THE SERVICE

OUTSIDE ACTIVITIES AFTER LEAVING THE SERVICE

NO NEED TO DECLARE ACTIVITIES MEETING THE FOLLOWING CONDITIONS

Taking up a post in an **European Union institution or body** (support for inter-institutional mobility)

The activity is part of the limited list of permissible non-remunerated activities carried out in the staff member's personal capacity and does not give rise to lobbying or advocacy vis à vis staff of their former Institution.

PROCEDURE

On the basis of a **specific form** staff members shall:

- ➔ Inform the Commission of their intention to engage in an occupational activity
- ➔ At least 30 days before the envisaged starting date
- ➔ Not start the activity before receiving either explicit or implicit permission

PERIOD OF NOTIFICATION

The first 2 years after leaving the service.

