

THE PANEL DISCUSSION ON PREVENTION AND  
MANAGEMENT OF CONFLICT OF INTEREST AT THE FORTIETH MEETING OF  
THE COMMITTEE OF EXPERTS OF THE MESICIC

Toolkit for managing conflict of interest in the public service

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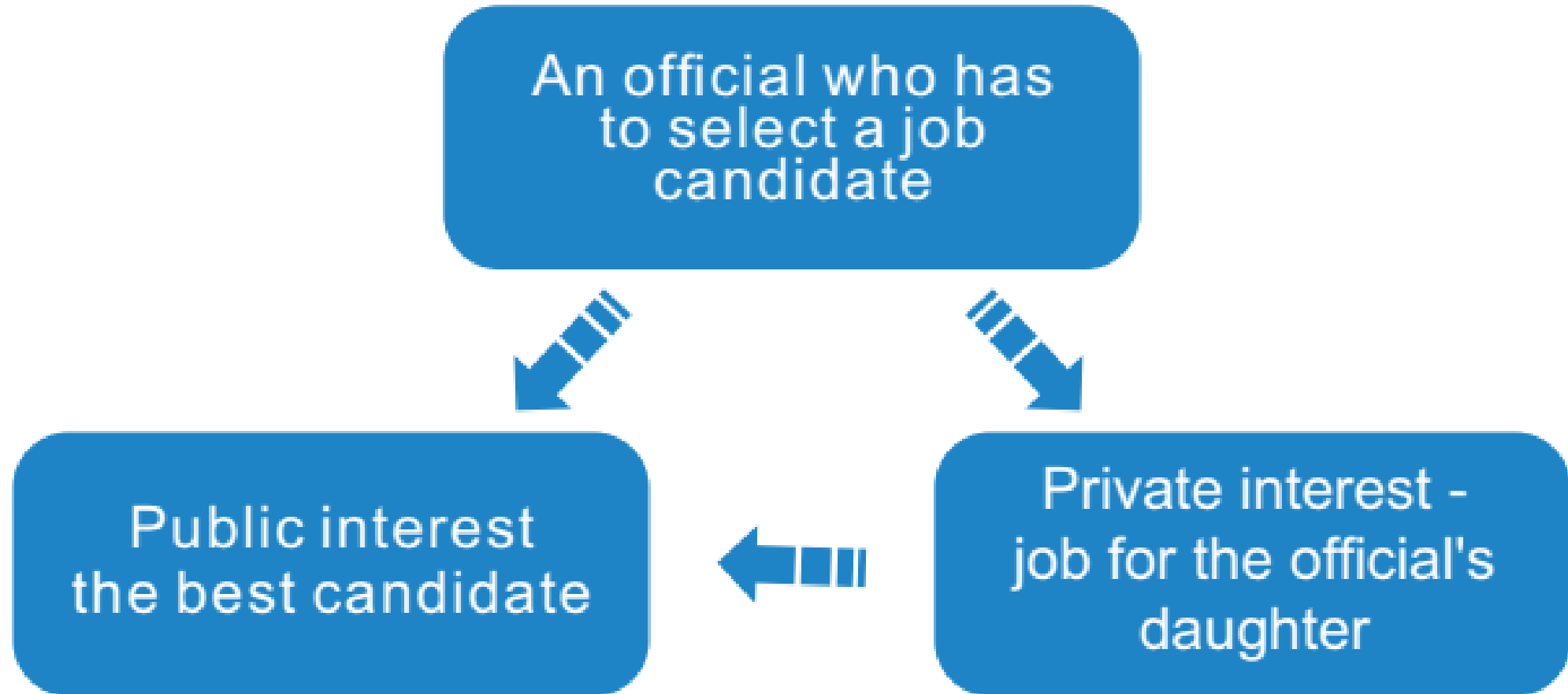
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# STRUCTURE

- Key terms (Col, private interest, related person)
- Recognition of Col (obvious and equivocal situations)
- Resolution of conflict of interest
- Responsibilities of managers and institutions
- Outside activities
- Gifts
- Action against influence on an official's volition
- Other obligations and sanctions

# CONFLICT OF INTEREST: VISUALISATION



# EXAMPLES

## Example of a potential conflict of interest

- The chief architect of a municipality has a wife who manages a major property development company in the city.
- Since the architect's duties include issuing opinions about new development projects, the potential conflict of interest will turn into an actual conflict of interest when he shall opine on a project developed by his wife's company.

## Example of an apparent conflict of interest

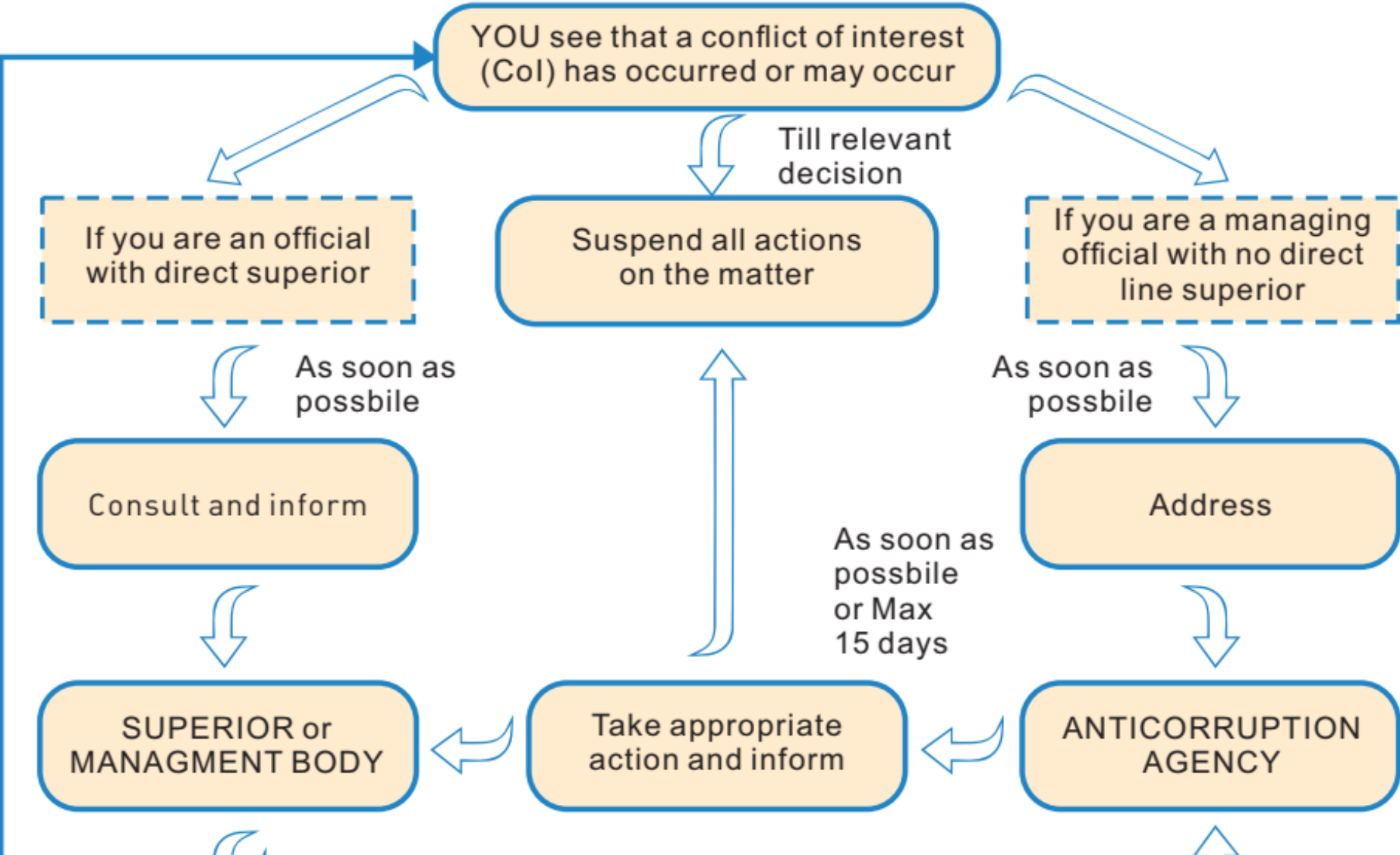
- A person sold all his/her shares in a company, became an official and half a year later has to examine an application submitted by the company.

# TEST QUESTIONS

## TEST QUESTIONS REGARDING A CONFLICT OF INTEREST

- Do you think that an average person with fair understanding of the work of public institutions would doubt your ability to review the matters of the involved persons with impartiality and objectivity?
- Could you or a person related to you gain a benefit that could cast doubt on your impartiality in this case?
- Could you or a person related to you suffer a loss?
- Do you feel that you are somehow dependent on someone who is involved in the case?
- Do you feel that a person related to you is dependent on someone involved in the case?
- Do you have a strong emotional bond or animosity with someone who is involved in the case?

# RESOLVING A COI: ALGORITHM



# GIFTS: SUMMARY OF RULES

YES

- Protocol gifts.
- Casual gifts - value no more than EUR 25.

NO

Gifts, which influence or may influence the exercise of official duties.  
Compensation for your determination in decision making.  
Casual gifts with total value within a year above EUR 500.  
More than one casual gift from the same person within a year.  
Money, securities, precious metals of any value.  
Gifts from public enterprises and from suppliers or clients of these enterprises (see conditions in the law).  
Gifts from private legal persons who are awarded public contracts, funds, etc. if you were involved and influenced the provision of the right (see conditions in the law).



## Appendix 1: Form for informing about a conflict of interest that has occurred or may occur

*Logo of the institution*  
*Name of the institution*  
*Address of the institution*

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### INFORMATION ABOUT A CONFLICT OF INTEREST

Official Mr/Ms: \_\_\_\_\_

Official position: \_\_\_\_\_

Employer/institution: \_\_\_\_\_

Pursuant to Article 8 of the Law No. 06/L-011 on Prevention of Conflict of Interest in Discharge of a Public Function, I hereby inform that a conflict between my official duty and my private interest has occurred/may occur (underline as relevant).

Description of my official duties that are/might be influenced:

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# BENEFITS OF A TOOLKIT

- Learning starts with preparation
- Communication of rules in an accessible manner
- Facilitation of compliance
- Minimum requirements and exemplary conduct
- Auxiliary materials – forms

# LIMITS OF A TOOLKIT

- No substitute to knowing the law
- Cannot fix problems in law
- Cannot provide authoritative answers instead of responsible institutions
- Only effective if continuously used (in training, etc.)
- Becomes obsolete unless updated