

**Articles concerning integrity from the General Civil Service Regulations,
as at 10 March 2006 (Bulletin of Acts and Decrees 2006, 129)**

CHAPTER VIIA Other rights and obligations of civil servants (articles 50-79)

Article 50 General obligations

1. Civil servants are expected to carry out the duties arising from their positions scrupulously and diligently and to conduct themselves as befits good public servants.
2. and 3. [...]

Article 51 Oath or affirmation

1. Civil servants are required to swear an oath or make an affirmation.
2. Rules governing the procedure for civil servants' oaths or affirmations are laid down by ministerial order.
3. The form to be used for civil servants' oaths or affirmations is laid down in an order by Our Minister of the Interior and Kingdom Relations.

Article 61 Outside activities

1. Civil servants must report to Our Minister, in a manner to be determined by Our Minister, outside activities in which they are engaged or plan to be engaged that might affect the interests of the service in so far as they are related to the performance of their duties.
2. Our Minister must maintain a register on the basis of the reports made pursuant to paragraph 1.
3. The outside activities reported by the members of senior management, as referred to in article 4, paragraph 5 (a) in conjunction with article 7, paragraph 4, and by the Director-General of the Senior Public Service Office, are to be published, together with any restrictions that may be imposed by Our Minister on these outside activities.
4. Civil servants are prohibited from engaging in outside activities that might reasonably be assumed to interfere with good job performance or with the proper functioning of the service in so far as it relates to the performance of the civil servants' duties. Further rules concerning this prohibition may be laid down by ministerial order.

Article 61a Financial conflicts of interest

1. Our Minister must identify the civil servants whose duties involve a particular risk of financial conflicts of interest or of improper use of share price-sensitive information. Civil servants who are thus identified must report their financial interests, shareholdings and securities transactions that might affect the interests of the service, in so far as these are related to the performance of their duties, to an official designated for this purpose.
2. Our Minister must maintain a register on the basis of the reports made pursuant to paragraph 1.
3. The civil servants in question must supply additional information or documents related to their financial interests, shareholdings or securities transactions if Our Minister or the designated official referred to in paragraph 1 considers that this is appropriate in light of facts or circumstances that are included the civil servants' reports or that become available following their reports.

4. Civil servants are prohibited from having financial interests or owning, buying or selling shares when this might reasonably be assumed to interfere with good job performance or with the proper functioning of the service in so far as it relates to the performance of the civil servants' duties.
5. Further rules may be laid down by ministerial order as regards the reporting referred to in paragraph 1, the register referred to in paragraph 2 and the prohibition referred to in paragraph 4.

Article 62 Participation in tendering and delivery

1. Civil servants are prohibited from participating directly or indirectly in contracts or supplies for public authorities, unless permission has been granted.
2. Civil servants are required to respect any decisions that are made about their direct or indirect participation in contracts and supplies for other persons.

Article 64 No payments, rewards or bribes

1. Civil servants are prohibited in the exercise of their duties from claiming, requesting or accepting payments, rewards, gifts or promises from third parties, except with the approval of the competent authority.
2. The acceptance of bribes is unconditionally and strictly prohibited.

CHAPTER VIIIb Reporting an abuse (articles 79a-79e)

Article 79a

For the purposes of this chapter the following definitions apply:

- a. suspected abuse: suspicions, based on reasonable grounds, of the existence in a civil servant's organisation of a grave breach of statutory regulations or policy rules; of a grave danger to health, safety or the environment; or of serious malfunctioning, which might endanger the proper functioning of the service;
- b. the competent authority: the most senior official in the management of an organisation.

Article 79b

1. Without prejudice to their obligation to report criminal offences, civil servants should report any suspected abuse to their line manager. Civil servants who consider it inadvisable to report their suspicions to their line manager should report them to their line manager's immediate superior, or to a confidential counsellor designated for this purpose.
2. If there are compelling reasons not to follow the procedure referred to in paragraph 1, the civil servant should report the suspected abuse directly to the Commission on Integrity in the Civil Service.

Article 79c

1. The line manager or confidential counsellor referred to in article 79b, paragraph 1 should ensure that the competent authority is immediately informed in writing through the normal administrative hierarchy of the report of a suspected abuse and the date on which it was received. If the report was made to a confidential counsellor, the counsellor ascertains that the civil servant consents to having the suspicion reported to the competent authority.
2. The competent authority:
 - a. arranges an immediate investigation in response to the report of a suspected abuse;
 - b. supplies the civil servant who reported the suspected abuse with a written confirmation of the time and content of the report; and
 - c. informs the person or persons whom the reported suspected abuse concerns that a report has been made, unless this could be harmful to the conduct of the investigation.
3. Within eight weeks of the report, the competent authority should notify in writing the civil servant who reported the suspected abuse of the substantive position that the competent authority is adopting with regard to the suspected abuse report.
4. If the competent authority's position cannot be communicated within eight weeks, the competent authority notifies the civil servant of this fact and gives a date by which the position can be expected to be communicated.
5. Once the competent authority has arrived at a position as regards the reported suspicions, he notifies in writing the person or persons whom the reported suspected abuse concerns of that position, and of the report if the person or persons concerned has or have not been informed of it earlier in accordance with paragraph 2 (c).

Article 79d

1. The civil servant may report the suspected abuse to the Commission on Integrity in the Civil Service if:
 - a. the civil servant does not agree with the position of the competent authority referred to in article 79c, paragraph 3;
 - b. the civil servant has not received the competent authority's position or a notification as referred to in article 79c, paragraph 4 within the time limit referred to in article 79c, paragraph 3;
 - c. either the civil servant has not received the competent authority's position within the time limit referred to in article 79c, paragraph 4, or the time limit is unreasonably long.
2. The civil servant must report the suspected abuse to the Commission on Integrity in the Civil Service if the situation referred to in article 79b, paragraph 2 arises.
3. Within four weeks of the Commission on Integrity in the Civil Service having made its recommendation, the competent authority informs in writing the civil servant who reported the suspected abuse whether the recommendation will be followed, giving reasons. A copy of this communication is sent to the Commission on Integrity in the Civil Service.
4. The competent authority informs the person or persons whom the report of a suspected abuse concerns of the recommendation referred to in paragraph 3 and of any action that may be taken in response to it, as well as of the report of the suspicion if the person or persons concerned has or have not been informed of it earlier.

Article 79e

Confidential counsellors may not be disadvantaged in any way whatsoever as a result of performing the duties referred to in this chapter.