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**COMMUNICATION FROM THE PRESIDENT TO THE COMMISSION**

**Guidelines for the participation of Members of the European Commission in election  
campaigns at member state level**

# COMMUNICATION FROM THE PRESIDENT TO THE COMMISSION

## Guidelines for the participation of Members of the European Commission in election campaigns at member state level

### 1. Introduction

It is generally important to distinguish between institutional activities carried out by the Members of the Commission in the general interest of the Union and political activities of Members related to a political party during their term of office. It is even more important and sensitive during election campaigns. Article 10 of the Treaty on European Union recognises the importance of representative democracy, and thus particularly of electoral campaigns, for the Union and the Member States.

The present guidelines provide practical guidance for the participation of Members of the European Commission in national, regional or local elections in Member States of the European Union as it is important to distinguish between institutional activities carried out by the Members of the Commission in the general interest of the Union, which cannot serve a specific political party, and political activities in a campaign in support of specific parties, candidates or a manifesto. These two different situations need to be separated from each other as clearly as possible. Whereas the Members of the Commission participating in the campaign can – exceptionally – support and speak on behalf of a political party, the Commission as an institution – and consequently its Members acting in their institutional capacity – must be impartial and objective with regard to the campaign.

Article 9 of the Code of Conduct for the Members of the European Commission<sup>1</sup> ('the Code') establishes the rules for participation in national politics during the term of office. <sup>(2)</sup>

According to Article 17(3) of the Treaty on European Union and Article 245 of the Treaty on the Functioning of the European Union, the Members of the Commission must be completely

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<sup>1</sup> Commission Decision C(2018) 700 final of 31.01.2018; OJ C 65, 21.2.2018, p. 7: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:C:2018:065:TOC>.

<sup>(2)</sup> '1. Members may participate in national politics as members of national political parties or an organisation of the social partners (such as trade unions) or in a national election campaign, including regional or local elections, provided that this does not compromise their availability for service in the Commission and the priority given to their Commission duties over party commitment. Participation as members of national political parties or an organisation of the social partners includes the holding of honorary or non-executive functions in bodies of the party structure, but excludes management responsibilities. Political contacts in the capacity as Member of the Commission remain unaffected.

2. Members shall inform the President of their intention to participate in a national, regional or local election campaign and the role they expect to play in the campaign. If they intend to stand for election or otherwise play an active role in the election campaign, they must withdraw from the work of the Commission for the entire period of active implication and at least for the duration of the campaign. In other instances, the President, taking into account the particular circumstances of the case, shall decide whether the envisaged participation in the election campaign is compatible with the performance of the Member's duties. Members so withdrawing from the work of the Commission shall be granted 'unpaid electoral leave' by the President and may not use the Commission's human or material resources during that period. The President shall duly inform the President of the European Parliament of the granting of this leave and of which Member will take over the relevant responsibilities during the period of leave.

3. Members shall abstain from making public statements or interventions on behalf of any political party or organisation of the social partners of which they are members, except when standing for election/participating in an election campaign in accordance with paragraph (2). This is without prejudice to the right of Members to express their personal opinions. Members so participating in electoral campaigns shall undertake to refrain from adopting a position in the course of the campaign that would not be in line with the duty of confidentiality or infringe the principle of collegiality.'

independent and must neither seek nor take instructions from any Government or other institution, body, office or entity. They must refrain from any action which is incompatible with their duties or the performance of their tasks and may not engage in any other occupation, whether gainful or not. To this end, they have given a solemn undertaking that, both during and after their term of office, they will respect the obligations arising therefrom.

Members of the Commission have political responsibility and a responsibility to maintain political contacts in view of the accountability of the Commission to the European Parliament and the European electorate and in view of the role of European political parties in the democratic life of the Union.<sup>3</sup> According to Article 9(1) of the Code, they may participate in a national election campaign, including regional or local elections, provided that this does not compromise their availability for service in the Commission and the priority given to their Commission duties over party commitment.

Article 9 of the Code sets the conditions that are applicable when Members of the Commission want to participate in such election campaigns at Member State level. While confirming the right of the Members of the Commission to participate in national, regional or local election campaigns, Article 9(2) of the Code provides that Members must withdraw from the work of the Commission for the entire period of their active implication and at least for the duration of the campaign, if they intend to stand for election or otherwise play an active role in the election campaign. In other instances, the President, taking into account the particular circumstances of the case, shall decide whether the envisaged participation in the election campaign is compatible with the performance of the Member's duties.

The present guidelines take into account the principles set by the guidelines on ethical standards for the participation of the members of the European Commission in the election campaign adopted on 6 February 2019<sup>4</sup> that led to the election of the European Parliament of May 2019.

They also take into account the opinion of the Independent Ethical Committee delivered on 20 April 2022 on a draft of the guidelines for the participation of Members of the European Commission in election campaigns at member state level.

The present guidelines are without prejudice to the campaign rules in the Member State concerned.

## **2. Active role in an election campaign vs. non-active role**

According to Article 9(2) of the Code, if the Members of the Commission stand for election or otherwise play an active role in the election campaign, they must withdraw from the work of the Commission for the entire period of active implication and at least for the duration of the campaign. In other instances, the President, taking into account the particular circumstances of the case, shall decide whether the envisaged participation in the election campaign is compatible with the performance of the Member's duties.

It is therefore important to determine what constitutes an 'active role' in an election campaign requiring a Member's temporary withdrawal from the work of the Commission and a non-active participation in the campaign.

In this regard, an active role is to be understood as being a candidate or as participating in the campaign with a significant degree of involvement, notably in terms of visibility during the campaign and intensity of engagement with the electorate, regardless of the Member State in which the Member exercises such a role.

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<sup>3</sup> Recital 3 and Article 2(3) of the Code of Conduct.

<sup>4</sup> C(2019) 990 final

By contrast, a non-active role is a limited and occasional participation that results from a Member's affiliation to, or association with, a national or European political party in a Member State.

If a Member is a candidate or otherwise plays an active role, he or she always has to withdraw temporarily from the work of the Commission.

In order to qualify as other, non-active forms of participation, the Member's participation in the election campaign should fulfil the following conditions:

- The participation must not compromise the Member's availability for and the fulfilment of his or her Commission duties, such as the participation in the decision-making process of the Commission, notably the weekly meetings of the Commission, the exercise of empowerments, regular meetings with the Directorates-General reporting to the Member, the participation in meetings of the European Parliament at plenary and committee level, the participation in Council meetings, the participation in interinstitutional meetings during the legislative process and the external representation of the Commission whenever necessary.
- The participation must be significantly limited, in terms of visibility and intensity, in comparison to the activity of a candidate, and should thus not go beyond a modest contribution, involving not more than a very limited number of occasional statements or activities during the campaign. This can take the form of an occasional participation at a party or campaign event (mere presence, speech, panel discussion or interview) or a contribution or participation in a party publication (party newspaper or online communication of the party) as long as the participation remains modest in its form, content and public perception.
- The participation must not create the perception of an institutional support or interference of the Commission in the election campaign. It must be clear that any statements made by the Member are personal opinions.

### **3. Early information of the President**

A Member of the Commission who intends to participate – in whatever manner - in an election campaign at Member State level has to inform the President in writing as early as possible and indicate his or her intended level of involvement in a precise and comprehensive manner.

The Secretariat-General assists the President and analyses whether the envisaged participation is to be considered as active participation or not, based on the criteria above.

The President decides on this basis whether the participation requires the Member to withdraw temporarily from the work of the Commission and shall be granted unpaid electoral leave or whether the participation is compatible with the performance of the Member's duties.

The Member shall not engage in any campaign activity before the President has taken his or her decision.

### **4. Guidelines for an active role**

#### **a) President's decision: unpaid electoral leave**

If a Member is a candidate or if the Member's involvement in a specific election campaign in a Member State consists of an active role, the Member must withdraw from the work of the Commission and is granted 'unpaid electoral leave' by the President for the entire period of

active implication, and at least for the duration of the campaign in accordance with Article 9(2) of the Code.

**b) Provisional portfolio reallocation during an unpaid electoral leave and information of the European Parliament and the Council**

The President decides which other Member of the Commission takes over the relevant portfolio responsibilities during the unpaid electoral leave and informs the European Parliament, in line with Article 9(2) of the Code and paragraph II.4 of the Framework Agreement on the Relations between the European Parliament and the Commission<sup>5</sup>, as well as the Council.

**c) Ongoing obligations of the Member during the unpaid electoral leave**

The general obligations of Members of the Commission continue to apply during the unpaid electoral leave. These are notably the obligations resulting from Article 17(3) of the Treaty on European Union, from Articles 245 and 339 of the Treaty on the Functioning of the European Union and from Article 2(2), second sentence, (4) and (5)<sup>6</sup>, Article 5 – Collegiality and discretion<sup>7</sup>, Article 6(4) to (6)<sup>8</sup> and Article 13(2)<sup>9</sup> of the Code. The rights and responsibilities of the President and the Commission under Article 13(1)<sup>10</sup> and (3)<sup>11</sup> of the Code in relation to the proper application of the Code continue to apply.

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<sup>5</sup> OJ L 45, 17.2.2018, p. 46.

<sup>6</sup> ‘2. Members shall behave and perform their duties with complete independence, integrity, dignity, with loyalty and discretion, in compliance with the rules laid down in the Treaties and as spelled out in this Code of Conduct. They shall observe the highest standards of ethical conduct.

[...]

4. Members shall act collegially and assume collective responsibility for any decision taken by the Commission.

5. Members shall respect the dignity of their office and shall not act or express themselves, through whatever medium, in a manner which adversely affects the public perception of their independence, their integrity or the dignity of their office.’

<sup>7</sup> ‘1. Members shall comply with the duty of loyalty towards the Commission and discretion in discharging their duties. They shall act and express themselves with the restraint that their office requires.

2. Members shall refrain from disclosing what is said at meetings of the Commission.

3. Without prejudice to the disciplinary provisions applicable to officials and other agents, Members are responsible for the proper handling and any external transmission by members of their Cabinets of classified documents, of sensitive information or of confidential documents submitted to the College for adoption or information.

4. Members shall not make any comment that would call into question a decision taken by the Commission or which may harm the Commission's reputation.’

<sup>8</sup> ‘4. Members shall not accept any gift with a value of more than EUR 150. When, in accordance with diplomatic and courtesy usage they receive gifts worth more than this amount, they shall hand them over to the Commission's Protocol Department. In case of doubt as to the value of a gift, an evaluation shall be undertaken under the authority of the Director of the Office of Infrastructure and Logistics in Brussels, whose decision on the matter shall be final. The Commission's Protocol Department shall keep a public register of the gifts handed over in accordance with this paragraph which shall identify the donor.

5. Members shall not accept hospitality, except in accordance with diplomatic and courtesy usage. Attendance upon invitation to any events where Members represent the Commission shall not be considered as hospitality.

6. Members shall notify the President of any decoration, prize or honour awarded to them. Should a prize include a sum of money or valuables, it should be donated to a charity of their choice; valuable objects can also be handed over to the Protocol Department.’

<sup>9</sup> ‘Members or former Members shall inform the President in a timely manner if they have doubts with regard to the application of this Code before acting on the matter relating to which the doubts arise.’

<sup>10</sup> ‘The President, assisted by the Independent Ethical Committee, shall ensure the proper application of this Code of Conduct.’

<sup>11</sup> ‘In case of an infringement of this Code of Conduct which does not warrant a referral to the Court of Justice in accordance with Article 245 or 247 of the Treaty on the Functioning of the European Union, the Commission may decide, taking into account the opinion of the Independent Ethical Committee and on proposal of the President, to express a reprimand and, where appropriate, make it public.’

– **Use of Commission resources**

A Member may not use the Commission's human or material resources during the unpaid electoral leave (Article 9(2) of the Code). Commission staff shall not in any way be involved or contribute to the Member's participation in the election campaign, notably by drafting speeches or documents or helping with the organisation of travel or appearances. The staff of the Cabinet of the Commissioner should be reminded of this rule when a Member is authorised to participate in a campaign.

– **Public statements and interventions in the campaign**

According to Article 9(3) of the Code, Members who participate in an election campaign can make public statements or interventions on behalf of a political party. However, they shall undertake to refrain from adopting a position in the course of the campaign that would not be in line with the duty of confidentiality or infringe the principle of collegiality (Article 9(3), last sentence, of the Code).

They shall notably not criticise or dissociate themselves from decisions or positions taken by the Commission.

It must also be clear that such statements are not statements in a Member's institutional capacity. The Member should not use, in his or her appearances, the title of Member of the Commission or the Commission's visual identity in a way which could create a perception of institutional support by the Commission or one of its Members to the election campaign.

– **Social media and websites**

During their unpaid leave, Members must not use Commission staff or resources for their communication activities during the campaign.

In order to ensure this clear distinction and despite the personal link between the account and the Member as a person, Members who participate in an election campaign and wish to use social media for their campaign participation shall create a separate account for the purpose of the campaign and for any statement or intervention on behalf of a party or a candidate. Commission resources cannot be involved in the management of the campaign-related account or campaign-related messages.

For reasons of clarity and transparency, Members can clarify in the title, introduction, biography, description or profile of their account, or via a dedicated message, that the account is used for communications as Member of the Commission and that there is a separate account for their participation in the campaign. This allows users to follow or unfollow the account they wish.

This shall apply as soon as Members actually use their account for the campaign.

They cannot use their Commission webpage during the unpaid electoral leave or for any campaign-related purposes, and no Commission staff and no Commission resources must be involved in the management of the account during the unpaid electoral leave.

– **Gifts during the unpaid leave**

A Member cannot accept any gift with a value of more than EUR 150 even if offered during his or her 'unpaid electoral leave'. If a Member receives a gift which is worth more than this amount, he or she shall:

- either hand it over to his or her party or campaign organisation in line with the applicable legislation on campaign rules in the Member State concerned; or
- hand it over to the Commission's Protocol Department in line with Article 6(4) of the Code of Conduct.

In case of doubt as to the value of the gift, the Member shall ask for an evaluation in line with Article 6(4) of the Code of Conduct.

– **Financial or material support to the campaign of a Member by third parties**

The Member shall refer any offer of financial or material support to the campaign to the party or campaign organisation.

The financial or material support for the campaign and the personal, notably financial, interests of a Member who participates in the campaign must be strictly separated.

This applies without prejudice to the applicable legislation on campaign rules in the Member State concerned.

– **Hospitality**

Article 6(5) of the Code provides that Members shall not accept hospitality, except in accordance with diplomatic and courtesy usage.

A Member on unpaid electoral leave can accept hospitality if it is linked to his or her involvement in the election campaign.

This applies without prejudice to the applicable legislation on campaign rules in the Member State concerned, and without prejudice to the obligation to follow the procedure for conflicts of interest set out in Article 4 of the Code<sup>12</sup> in case such a conflict arises at a later stage when the Member is no longer on unpaid leave.

– **Declaration of interests**

In case the information to be declared under Article 3 of the Code on declarations of interests changes during the leave, the Member shall update his or her declaration upon return from the leave.

– **Conflicts of interest in relation to the campaign**

According to Article 2(6) of the Code<sup>13</sup>, Members shall avoid any situation which may give rise to a conflict of interest or which may reasonably be perceived as such.

If such a situation arises after the unpaid leave has ended, the Member shall follow the procedure for conflicts of interest set out in Article 4 of the Code (recusal from a file; information of the President).

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<sup>12</sup> ‘1. Members shall recuse themselves from any decision or instruction of a file and from any participation in a discussion, debate or vote in relation to a matter that falls under Article 2(6).

2. Declarations submitted under Article 3 shall be scrutinised under the authority of the President.

3. Members shall inform the President of any situation that falls under Article 2(6) as soon as they become aware of it.

4. The President shall take any measure he considers appropriate, in the light of the information referred to in paragraphs (2) and (3) or other available information, if necessary after consultation of the Independent Ethical Committee, such as:

(a) the reallocation of a file to another Member or to the responsible Vice-President. The President shall inform the President of the European Parliament in due time of any such reallocation;

(b) the request for the sale or placing in a blind trust of the financial interests referred to in Article 3(4)(a) where these give rise to a conflict of interest in the area of the Member's portfolio responsibilities.’

<sup>13</sup> ‘Members shall avoid any situation which may give rise to a conflict of interest or which may reasonably be perceived as such. A conflict of interest arises where a personal interest may influence the independent performance of their duties. Personal interests include, but are not limited to, any potential benefit or advantage to Members themselves, their spouses, partners (1) or direct family members. A conflict of interest does not exist where a Member is only concerned as a member of the general public or of a broad class of persons.’

## **5. Procedure in case of a non-active role**

### **a) President's decision: compatibility with institutional duties**

If, based upon the criteria set out in section 2, and following the Secretariat-General's analysis, the President considers that the Member's involvement in a specific election campaign at Member State level does not consist of an active role, the Member shall not be placed in 'unpaid electoral leave' and shall continue to perform his or her duties.

### **b) Clear distinction between institutional activities and campaign activities**

Combining the performance of the duties and occasional and limited campaign activities requires particular attention and care to distinguish between institutional activities as Member of the Commission as part of their duty to promote the general interest of the Union, and an activity in support of a campaign.

As set out above, a Member shall separate his or her institutional activities as Member of the Commission as clearly as possible from his or her participation in a campaign. Whereas Members participating in the campaign can support and speak on behalf of a political party, the Commission as an institution – and consequently its Members acting in their institutional capacity – has to be impartial and objective with regard to the campaign.

### **c) Availability for the performance of duties**

The Member must ensure full accomplishment of his or her institutional duties. This concerns in particular the participation in the decision-making process of the Commission, notably the weekly meetings of the Commission, the exercise of empowerments, regular meetings with the Directorates-General reporting to the Member the participation in European Parliament meetings at plenary and committee level, the participation in Council meetings, the participation in interinstitutional meetings during the legislative process and the external representation of the Commission whenever necessary. The participation in the campaign cannot justify an absence in any of these activities.

If a Member does not fully accomplish his or her duties because of the participation in the campaign, the President can, after discussing the matter with the Member, ask him or her to withdraw temporarily from the Commission, to cease any campaign activity, or take any other measure to ensure the proper application of the Code and these guidelines.

### **d) Use of Commission resources**

The Member participating in the campaign may not use the Commission's human or material resources for activities linked to the campaign. This means in particular:

#### *Staff*

The Member cannot rely upon staff of the Commission services or of his or her Cabinet for activities linked to the campaign, notably for drafting speeches or documents or helping with the organisation of travel or appearances. This is without prejudice to the possibility to revert to staff at any moment in time for the exercise of his or her institutional duties. The staff of the Cabinet of the Commissioner should be reminded of these rules when a Member is authorised to participate in a campaign.

#### *Travel*

Travel of a Member of the Commission in relation to a participation in a campaign activity, including in particular public campaign events or other dedicated public appearances as a candidate cannot be considered as a mission (travel in the interest of the service) and cannot be



reimbursed by the Commission. The related cost does not need to be published under Article 6(2) of the Code<sup>14</sup>.

The Member cannot rely on a Commission Representation or EU Delegation for support in organising any travel for the purpose of the campaign.

Expenses incurred for campaign travel may be covered by third parties (in particular the political party) in line with the applicable campaign rules in the Member State concerned and as long as this does not give rise to any conflict of interest with the Member's duties.

#### **e) Public statements and interventions in the campaign**

As a participant in the campaign, the Member can make public statements or interventions on behalf of his or her political party (Article 9(3) of the Code).

However, it must be clear that such statements made by the Member are personal opinions and not statements in his or her institutional capacity. The Member should not use, in his or her appearances, the title of Member of the Commission or the Commission's visual identity in a way which could create a perception of institutional support by the Commission or one of its Members to the election campaign.

He or she should ensure that a distinction can be made between his or her personal statements as participant in the campaign and those made in his or her institutional capacity.

While participating in the campaign, the Member shall always bear in mind his or her obligations of independence, integrity, dignity, loyalty, collegiality and discretion as Member of the Commission (Articles 2(2), 2(5) and 5 of the Code of Conduct).

In particular, he or she shall undertake to refrain from adopting a position in the course of the campaign that would not be in line with the duty of confidentiality or infringe the principle of collegiality (Article 9(3), last sentence, of the Code). The Member shall notably not criticise or dissociate him- or herself from decisions or positions taken by the Commission.

#### **f) Social media and websites**

When participating in a campaign, Members can make public statements or interventions on behalf of his or her political party (Article 9(3) of the Code).

He or she shall refrain from expressing him- or herself on behalf of a political party on the social media accounts related to the position as Member of the Commission. This is without prejudice to the right of Members to express their personal opinions (Article 9(3), second sentence, of the Code).

Members cannot use their Commission webpages for the purposes of the campaign.

#### **g) Meetings with interest representatives**

In line with the distinction to be made between Members' campaign and institutional activities and the prohibition to use Commission resources, campaign meetings cannot take place in the Commission premises.

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<sup>14</sup> 'Members shall conduct missions in compliance with the rules in the Financial Regulation, the internal rules on the implementation of the general budget of the European Union, the Guide to Missions and the rules set out in Annex 2. A mission is defined as travel in the exercise of his or her duties by a Member away from the Commission's place of work. Free travel offered by third parties must not be accepted unless it is in accordance with diplomatic or courtesy usage or unless the President has authorised it beforehand. For reasons of transparency, the Commission will publish an overview of mission expenses per Member every two months covering all missions undertaken unless publication of this information would undermine the protection of the public interest as regards public security, defence and military matters, international relations or the financial, monetary or economic policy of the Union or a Member State.'

Given the modest contribution to the campaign, involving not more than a very limited number of occasional statements or activities during the campaign, the obligations of transparency of Article 7 of the Code of Conduct<sup>15</sup> continue to apply. Consequently, the Member shall continue to meet only organisations or self-employed individuals which are registered in the Transparency Register inasmuch as they fall under the scope of the Register and make public information on such meetings.

#### **h) Gifts**

The Member cannot accept any gift with a value of more than EUR 150 even if the gift is offered in the context of his or her participation in the election campaign.

The general rules contained in Article 6(4) of the Code<sup>16</sup> continue to apply (acceptance out of courtesy; handing over of gifts to the Protocol Service; evaluation in case of doubt on the value).

#### **i) Financial or material support to the campaign of a Member by third parties**

Given the modest contribution to the campaign, involving not more than a very limited number of occasional statements or activities during the campaign, Members should not be involved in the acceptance of any financial or material support to the campaign.

#### **j) Hospitality**

In accordance with Article 6(5) of the Code, ‘Members shall not accept hospitality, except in accordance with diplomatic and courtesy usage. Attendance upon invitation to any events where Members represent the Commission shall not be considered as hospitality’.

A Member can exceptionally accept hospitality by his or her party, if it is linked to his or her limited participation in the election campaign and does not create a conflict of interest under Article 2(6) of the Code<sup>17</sup>. This applies without prejudice to the applicable legislation on campaign rules in the Member State concerned.

#### **k) Conflicts of interest related to campaign activities**

The participation in an election campaign is an intrinsic part of the institutional cycle in a democracy. Neither the participation in a campaign nor the expression of a political view results as such in a conflict of interest.

In general, when participating in a campaign in a limited, non-active manner, Members have to avoid any situation which may give rise to a conflict of interest or which may reasonably be perceived as such, in line with Article 2(6) of the Code.

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<sup>15</sup> ‘1. Members and their members of Cabinet shall meet only those organisations or self-employed individuals, which are registered in the Transparency Register established pursuant to the Interinstitutional agreement (2) on this matter between the European Parliament and the Commission inasmuch as they fall under its scope.

2. They shall make public information on such meetings in accordance with the Commission Decision 2014/839/EU, Euratom (3).’

<sup>16</sup> ‘Members shall not accept any gift with a value of more than EUR 150. When, in accordance with diplomatic and courtesy usage they receive gifts worth more than this amount, they shall hand them over to the Commission’s Protocol Department. In case of doubt as to the value of a gift, an evaluation shall be undertaken under the authority of the Director of the Office of Infrastructure and Logistics in Brussels, whose decision on the matter shall be final. The Commission’s Protocol Department shall keep a public register of the gifts handed over in accordance with this paragraph which shall identify the donor.’

<sup>17</sup> ‘Members shall avoid any situation which may give rise to a conflict of interest or which may reasonably be perceived as such. A conflict of interest arises where a personal interest may influence the independent performance of their duties. Personal interests include, but are not limited to, any potential benefit or advantage to Members themselves, their spouses, partners (1) or direct family members. A conflict of interest does not exist where a Member is only concerned as a member of the general public or of a broad class of persons.’

Should such a situation arise nevertheless, the procedure of Article 4 of the Code applies<sup>18</sup>.

## **6. Application of the Code and the guidelines**

In accordance with Article 13(1) of the Code, the President, assisted by the Independent Ethical Committee, ensures the proper application of the Code of Conduct and these guidelines.

Every Member of the Commission has to decide if she or he wants, or deems opportune, to participate in an election campaign in a Member State at national, regional or local level, and has to inform the President thereof. The President will subsequently decide on the participation.

According to Article 13(2) of the Code, a Member shall inform the President in a timely manner if he or she has doubts with regard to the application of the Code or the present guidelines before acting on the matter relating to which the doubts arise.

Members and their Cabinets can turn to the President or the Secretary-General in case of questions related to these Guidelines.

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<sup>18</sup> ‘1. Members shall recuse themselves from any decision or instruction of a file and from any participation in a discussion, debate or vote in relation to a matter that falls under Article 2(6).  
2. Declarations submitted under Article 3 shall be scrutinised under the authority of the President.  
3. Members shall inform the President of any situation that falls under Article 2(6) as soon as they become aware of it.  
4. The President shall take any measure he considers appropriate, in the light of the information referred to in paragraphs (2) and (3) or other available information, if necessary after consultation of the Independent Ethical Committee, such as:  
(a) the reallocation of a file to another Member or to the responsible Vice-President. The President shall inform the President of the European Parliament in due time of any such reallocation;  
(b) the request for the sale or placing in a blind trust of the financial interests referred to in Article 3(4)(a) where these give rise to a conflict of interest in the area of the Member's portfolio responsibilities.’