

Rules of Procedure of the Ethics Committee

Adopted by the Board of Directors of the Swedish Anti-corruption Institute (the “Institute”) on the 28 of May 2013 pursuant to Section 15 of the Institute’s bylaws.

Section 1 – The work of the Ethics Committee

The work of the Ethics Committee shall be headed by the Chairman of the Ethics Committee. When the Chairman is unavailable, he shall be replaced by the Vice Chairman. The provisions of these Rules of Procedure with respect to the Chairman shall apply to the Vice Chairman when carrying out the office of the Chairman.

Section 2 – The work of the Ethics Committee

- a) The working procedures of the Ethics Committee shall be carried out in writing. The work may include an oral hearing of the involved parties of a specific matter, when the Ethics Committee deems it beneficial for the investigation or promotes a prompt decision in the matter. The party requesting an opinion, or any other party, is not entitled to request a hearing.
- b) A request for an opinion on a planned measure shall be dealt with particular promptness.
- c) Any matter to the Ethics Committee is anonymized before it is processed by the Ethics Committee.
- d) Any matter that hasn’t been anonymous when it is presented to the Institute, is anonymized by the Secretary-General before it’s presented to Ethics Committee.

Section 3 – The office of the Ethics Committee

The office of the Ethics Committee is integrated with the office of the Institute and is managed by its Secretary-General. The Secretary General shall:

- Manage and follow up the Ethics Committee’s budget,
 - Follow up the evolution of rules and case law within the scope of the Ethics Committee’s area of responsibility,
 - Respond to questions on the Ethics Committee’s operations,
 - In consulting the Chairman, convene and prepare the Ethics Committee’s meetings,
 - Present matters before the Ethics Committee,
 - Manage contacts with requesting parties,
 - Draft opinions,
 - Based on authorizations from the Chairman, communicate opinions,
 - Dispatch opinions,
 - After consulting the Chairman, decide on issues on the publication of opinions,
 - Manage the archives of the Ethics Committee,
 - Manage the Ethics Committee’s contacts with courts and other public authorities,
 - Inform on the operations of the Ethics Committee, and
 - Otherwise prepare the work of the Ethics Committee.
- In the event that the Secretary-General cannot present a matter before the Ethics Committee, the Chairman shall appoint another person to do so.

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- The office of the Institute shall keep a register in which the matters before the Ethics Committee shall be lodged. Submissions and documents drafted by the Ethics Committee shall be filed separately for each case.
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- Invoicing, as well as bookkeeping and administrative functions shall be carried out by the office of the Institute.

Section 4 – Meetings of the Ethics Committee

The Chairman or Vice Chairman shall always be summoned to the meetings of the Ethics Committee. The Chairman following consultations with the Secretary-General and considering the nature of the case shall decide which other members are to be summoned to participate in settling a certain matter, while pursuing to have a certain turnover between members as well as utilizing the experience and expertise of members in the best possible manner.

Section 5 – Management Report

The Ethics Committee shall present a Management Report for the preceding calendar year no later than the 1st of April each year.

Section 6 – Management of matters

The Chairman of the Ethics Committee shall be the Chairman of the group appointed to deal with a matter, or if he is unavailable, the Vice Chairman, or if he is unavailable the member of the Ethics Committee who has served as member the longest. If two members have an equal number of service years, the chairman of the case shall be settled between them by a draw.

No less than three members, one being the Chairman or Vice Chairman, shall participate when a matter is being considered. Each member of the Ethics Committee holds one vote. The Chairman or if he is unavailable, the Vice Chairman, may provide an opinion on behalf of the Ethics Committee in less substantial matters and in matters that are not materially important.

Section 7 – Decisions by the Ethics Committee

The decision of the Ethics Committee shall be the opinion supported by more than half of the cast votes, or in the event of a tie, the opinion supported by the Chairman.

Section 8 – Accepting a matter

The Ethics Committee shall decide whether a request shall be taken up for consideration. When considering whether to accept a request or not, particular regard shall be had to whether the issue is of material importance or of general practical importance to the business sector or public authorities. In making its decision the Ethics Committee shall consider whether the issue is or could be dealt with by other parties.

Section 9 – Disqualification

The Chairman, the Vice Chairman, a member or the person presenting a matter before the Ethics Committee shall be disqualified:

- a) If the matter relates to him/her directly, or his/her spouse, parent, child or sibling or any other person closely related to him/her or if the outcome can be expected to be materially beneficial or detrimental to him/her or to any other closely related person,

- b) If he/she or a closely related person is the representative of a party to the matter or of any other party to whom the outcome of the case could be materially beneficial or detrimental,
- c) If he/she has acted as legal counsel or for compensation assisted in the case or if there is any other circumstance that could call into question his/her impartiality in the case.

The issue of questioned partiality shall be disregarded if it is obviously irrelevant.

A disqualified person cannot deal with the matter. He/she may, however, take such measures as no one else is able to take without undue delay.

A person, who is aware of a circumstance that could disqualify him/her, shall volunteer that information.

Section 10 – Presentations before the Ethics Committee

A presentation before the Ethics Committee shall be made in writing unless the Chairman approves otherwise. The presentation shall include the circumstances upon which the presentation is based. The Chairman may disallow an incomplete presentation. The same applies if the matter cannot be assessed.

Section 11 – Information on the Ethics Committee’s decisions to members

The Secretary General shall procure that all decisions of the Ethics Committee are sent to each members. Confidential decisions shall, however, be sent only to the Chairman, the Vice Chairman and the other members that participated in dealing with the matter.

Section 12 – Decisions of the Ethics Committee

The decisions of the Ethics Committee shall be made in writing and be sent to the applicant no later than two weeks after a decision has been made by the Ethics Committee or the Chairman.

The decisions of the Ethics Committee shall be made public, unless there are valid grounds against publication. Publication shall be made on the Institute’s web page.

The Ethics Committee may not publicize a decision relating to a planned measure until the measure has been undertaken, been made public by the planning party or otherwise become known to the general public.

Section 13 – Expert opinions

Upon the request of a court or other public authority for an expert opinion on a specific matter, each member shall be provided with a draft of the expert opinion, and the draft shall be finalized by the Chairman taking into consideration the members’ submitted notes.

Section 14 – Fees

The fees for matters to be heard by the Ethics Committee shall be determined by the Institute’s Board of Directors. Information on fees is found in appendix 1.

Section 15 – Appeals

Decisions by the Ethics Committee may not be appealed.

Section 16 – Review of rendered decisions

If the Ethics Committee finds that a decision is obviously incorrect due to new circumstances or for any other reason, the Ethics Committee may amend the decision, if it is materially important. Such a review shall be made by the Chairman following hearing the relevant party on the issue.

Section 17 – Confidentiality

A member of or presenter before the Ethics Committee, who in dealing with a matter has become aware of circumstances that are not part of a publicized decision or is otherwise known to the general public, shall treat those circumstances confidentially and may not without proper approvals utilize that knowledge. The same applies to other individuals who in connection with the Ethics Committee's dealing with a matter have received such knowledge.

Section 18 – Amendment of these Rules of Procedure

Issues of amendments of these Rules of Procedure shall be dealt with by the Board of Directors of The Swedish Anti-Corruption Institute. However, the Chairman may decide on deviations from these Rules of Procedure on matters of lesser importance.
