

Practical recommendations for interaction of ACER staff with interest representatives

Note: These recommendations focus on meetings/participation to events with interest representatives outside established institutional frameworks such as expert group meetings. Likewise, they do not apply to meetings with NRAs nor Union or Energy Community institutions or bodies.

DO

- 1 The Agency strongly encourages organisations or self-employed individuals to register in the Transparency Register prior to meetings with Agency staff. **Check** whether interest representatives are registered in the **EU Transparency Register** before meeting them or accepting an invitation to an event. (<http://ec.europa.eu/transparencyregister/public/homePage.do>).
- 2 Whenever possible, **ask the representative to register** if their activities fall within the EU Transparency Register's scope.
- 3 Prepare well and conduct basic research to check what interests they represent and **who is funding them**. Ask for further information, if needed.
- 4 Ensure that they disclose, in advance, the **meeting purpose/issue** for discussion, names of participants and the organisations and/or clients on whose behalf they act, as well as any other relevant information.
- 5 Assess and avoid any **risk of conflicts** between your private interests and the public interest and think about how your interaction might be perceived.
- 6 Be aware that not all interest representation takes place in a formal setting. Lobbying can also take place during casual encounters and in **social settings**. Remain professional at all times.
- 7 Maintain good **record keeping** habits, including the meeting date/location, names of participants, organisations and issues discussed.
- 8 **Debrief** relevant colleagues and your management after meetings and events.
- 9 Report to your management lobbying practices considered unacceptable in particular in light of the EU Transparency Register's **Code of Conduct** for interest representatives.
- 10 Familiarise yourself with **ethnics and integrity rules** that apply to the Agency (Staff Regulations, specific conflict of interest rules, etc.)

DON'T

- 1** As a general rule, meet interest representatives not registered in the **EU Transparency Register**. Please ask the representative to register if their activities fall within its scope.
- 2** Overlook the **motives** of those who seek meetings or invite you to events. Lobbying is done by a range of organisations, including consultancies, law firms, NGOs, think-tanks, grassroots campaigns.
- 3** Interact with a particular interest representative without considering offering **other groups** a similar opportunity.
- 4** Accept any invitations to meetings or events, which could put the Agency in a **difficult situation**.
- 5** Proceed with the meeting, **if you are in doubt**. If necessary, consult your management and if it is decided that you should go ahead, add a note to the file explaining why.
- 6** Accept or arrange meetings **outside office hours** and official premises. If you do, consider informing your management and involve another colleague.
- 7** Do or say anything that could be viewed as granting an interest representative **preferential treatment**.
- 8** Give the impression to an interest representative that any particular advice, idea or information could or will be **decisive** in the decision-making process.
- 9** Share information you are **not authorised** to share or misuse confidential information.
- 10** Accept any direct or indirect gifts or hospitality offered by third parties. Gifts should only be accepted if in line with or if required by social, courtesy or diplomatic usage. In that case prior permission is presumed to be granted for a gift worth up to €50, whereas explicit prior permission is required for a gift worth between €50 and €150.