

EIT Culture & Creativity Code of Good Conduct & Conflict of Interest





EIT Culture & Creativity Code of Good Conduct & Conflict of Interest

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Record of Revisions

Issue	Date	Summary and reason for change
1st	May 2023	Draft Issue

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Purpose

EIT Culture & Creativity has been designed to strengthen and transform Europe's Cultural and Creative Sectors and Industries (CCSI) to address the global challenges Europe faces. By integrating CCSI into Europe's largest innovation network of the EIT Communities, their potential as agents and drivers of economical, ecological, and societal changes for a better Europe is leveraged and fully unleashed. Our organisation reflects the diverse corporate and social characteristics that result from the many backgrounds, cultures, and languages of the many countries in which we are active. Ethical practices that are clearly, understood and consistently followed are the means to strong, successful and sustained performance. They enable us to build a competitive organisation while ensuring that what we do is following clear and transparent ethical principles. It is our firm belief that our Code of Conduct is a fundamental component of our success and that of thriving CCSI in Europe.

The Code of Good Conduct defines the standpoint and guidelines for our thinking, our behavior and business to position the EIT Culture & Creativity as a trustful and reliable employer and partner worth the mandate for supporting a thriving innovation ecosystem of the European Cultural and Creative Sectors and Industries that particularly stand for a purpose-driven, meaningful and credible standing and approach.

The EIT Culture & Creativity aims to maintain and develop a relationship of trust with all individuals, organisations and communities that we address, we fund, we work with, especially those who share our visions and aims or even help them to become a reality.

Ethical behaviour promotes and encourages a relationship of trust and good reputation is an essential intangible resource. A good reputation in external relations creates loyalty and leverages potentials may it be in in research, education, business, in collaboration and investments, attracting the best human and financial resources and supplier confidence while in internal relations, it helps to make and implement decisions giving clear guidance and prevents conflict and bureaucratic controls or excessive use of authority.

In appreciation and synergies with all the fundamental work conducted in that area, the EIT Culture & Creativity follows the good governance principles of the European Institute of Innovation and Technology ("EIT"), established by Regulation (EC) N° 294/2008 of the European Parliament and of the Council of March 11, 2008 or the regulation that may substitute it.

An effective Code is more than a document. It must permeate the organisation, its strategies and operations, lived by employees and in partnerships, known to stakeholders and the CCSI ecosystem. Complemented by the EIT Culture & Creativity's various policies the Code of Good Conduct is part of our practices and agreements building on diverse principles that define the nature of our actions.



General Principles

The following general principles shall govern all EIT Culture & Creativity activities:

- EIT Culture & Creativity action is based on the ethical principles of integrity, honesty and transparency, always maintaining behaviour based on good faith.
- EIT Culture & Creativity complies with the legal regulations applicable in each of the countries in which EIT Culture & Creativity is present and in accordance with the internal regulations of EIT Culture & Creativity.
- EIT Culture & Creativity values the contribution, thoughts, ideas, differences and diversity that others bring and show the utmost respect for all the involved people and stakeholders.
- EIT Culture & Creativity believes in teamwork. EIT Culture & Creativity aims to make a unique contribution to business and work together to achieve common goals, helping others along the way and striving for high levels of performance.
- EIT Culture & Creativity builds on all forms of innovation. EIT Culture & Creativity encourages their employees to do things better or differently in order to deliver greater value to stakeholders and to achieve more effective and efficient processes and systems.
- EIT Culture & Creativity strives for quality and excellence. EIT Culture & Creativity practices, processes and systems are designed to achieve quality results that exceed expectations. EIT Culture & Creativity works to the highest standards in its activities, and holds others accountable for achieving the same standards of excellence.
- EIT Culture & Creativity guarantees the confidentiality of the information when applicable and refrain from searching for reserved data, except in the case of express authorisation and in accordance with the legal regulations in force. In conducting any activity, situations where the parties involved in the transactions are, or may appear to be, in a conflict of interest must be avoided.
- EIT Culture & Creativity employees are an indispensable factor for success. For this reason, EIT Culture & Creativity protects and promotes the value of our human resources and support each in its personal and professional development to improve and increase the skills and competitiveness of each employee.
- EIT Culture & Creativity considers itself as a learning organisation, integrating self-management, co-creation and commitment to the wider mission - building the KIC as an evolutionary process responding to actual developments in an agile way and applying innovation also within the organisation.
- EIT Culture & Creativity values and builds on diversity and inclusion. EIT Culture & Creativity guarantees equal opportunities, leverages diverse perspectives and approaches and does not discriminate against any view, employee or stakeholder. At the same EIT Culture & Creativity values builds on sectoral and geographical and



organisational diversity.

- EIT Culture & Creativity meets fundamental responsibilities in the areas of human rights, labour, environmental and anti-corruption. Responsible businesses enact the same values and principles wherever they have a presence, and know that good practices in one area do not offset harm in another.
- EIT Culture & Creativity considers the environment our primary good that we have to and are committed to protect; to this end, we program our activities looking for a balance between economic initiatives, sustainability and the essential environmental needs, taking into account the interests of future generations.
- EIT Culture & Creativity supports the UN Sustainable Development Goals (UN SDGs) and incorporates the Ten Principles of the UN Global Compact into its strategies, policies and procedures by adhering itself and in full to them. In particular, the Ten Principles of the United Nations Global Compact are derived from:
 - the Universal Declaration of Human Rights
 - the International Labour Organization’s Declaration on Fundamental Principles and Rights at Work
 - the Rio Declaration on Environment and Development, and
 - the United Nations Convention Against Corruption

The Ten Principles of the UN Global Compact¹

Human Rights

Principle 1: Businesses should support and respect the protection of internationally proclaimed human rights; and

Principle 2: make sure that they are not complicit in human rights abuses.

Labour

Principle 3: Businesses should uphold the freedom of association and the effective recognition of the right to collective bargaining;

Principle 4: the elimination of all forms of forced and compulsory labour;

Principle 5: the effective abolition of child labour; and

Principle 6: the elimination of discrimination in respect of employment and occupation.

Environment

Principle 7: Businesses should support a precautionary approach to environmental challenges;

Principle 8: undertake initiatives to promote greater environmental responsibility; and

Principle 9: encourage the development and diffusion of environmentally friendly technologies.

Anti-Corruption

¹ Fully available at UN website <https://www.unglobalcompact.org/what-is-gc/mission/principles>



Principle 10: Businesses should work against corruption in all its forms, including extortion and bribery.

Application of this code to EIT Culture & Creativity “Involved Parties”

This Code is applicable and enforceable to all individuals and organizations who are direct members of EIT Culture & Creativity (hereinafter referred as to “**Involved Party**” or “**Involved Parties**”), either through:

- a contractual relationship (employees, partners and members, external collaborators, experts, Expert Evaluators and consultants)
- a position in the EIT Culture & Creativity governing bodies, especially its Supervisory Board members, and to all employees regardless of the position they hold or the place they work.

According to the specific action scope, this Code sets out the standards of conduct to be followed by all Involved Parties in the following situations:

- Relations with EIT Culture & Creativity Staff
- Relations with EIT Culture & Creativity Partners
- Relations with Public Authorities
- Relations with Civil Society

Standards of conduct

Standards of conduct to be followed in any kind of situation by any kind of Involved Parties:

Impartiality & Independency

When taking decisions, EIT Culture & Creativity Involved Parties shall act - taking into account the scope of their mandate and/or function and/or position - in an independent and impartial way, and refrain from any preferential treatment.

EIT Culture & Creativity Involved Parties shall refrain from acting solely in the interests of individual EIT Culture & Creativity partners or other stakeholders. The conduct of EIT Culture & Creativity Involved Parties shall never be guided by personal, company or special interest or political pressure.

The EIT Culture & Creativity Involved Parties must avoid any actions or transactions that may harm the interests of EIT Culture & Creativity. In the event of any conflicts of interest, they shall act as pursuant to the Conflicts of Interest Policy attached to this Code.



Objectivity

When taking decisions in all matters related with the EIT Culture & Creativity, EIT Culture & Creativity Involved Parties shall take into consideration the factors relevant for the decision at stake and give each of them its proper weight in the decision, at the best of public knowledge available, whilst excluding any irrelevant element from consideration.

Information

EIT Culture & Creativity Involved Parties shall provide and share in a timely manner requested or necessary information with the Supervisory Board of EIT Culture & Creativity and to the CEO and C-Team unless this information is deemed as confidential, including trade secrets. Such information should be reasonably accurate and complete.

When sharing information, EIT Culture & Creativity Involved Parties shall respect the confidentiality provisions of the legally binding agreements except when authorized or otherwise legally obligated to disclose. Thus, EIT Culture & Creativity Involved Parties will provide in a timely manner the necessary information to KIC partners for the performance of their duties and tasks (a.o. in the context of the execution of the business plan of the EIT Culture & Creativity) but will not share any confidential information from EIT Culture & Creativity or any third parties.

Confidential information acquired in the course of execution of one's duty for EIT Culture & Creativity will not be used for personal other special interest advantage. When communicating on a matter on which a competent body of EIT Culture & Creativity has taken a position, the EIT Culture & Creativity Involved Parties shall represent the adopted views of the EIT Culture & Creativity competent body.

Transparency & Accountability

EIT Culture & Creativity Involved Parties must act in a transparent manner and be ready to justify the reasons for particular actions and the context in which they have been taken, provided that this information is not confidential or could damage the interests of the EIT Culture & Creativity.

Lawfulness

EIT Culture & Creativity Involved Parties shall act according to law and apply the rules and procedures laid down in applicable law, rules and internal regulations.

In particular, they will comply with privacy and information security laws and regulatory requirements such as but not limited to the Regulation (EU) 2016/679 OF THE European Parliament and of the Council of 27 April 2016 on the protection of Expert Evaluators with regard to the processing of personal data and on the free movement of such data when personal information is collected, stored, processed, transmitted, and shared.

Principle of non-discrimination

EIT Culture & Creativity Involved Parties shall avoid any discrimination between individuals, for example based on nationality, sex, racial or ethnic origin, religion or belief, disability, age, residence or sexual orientation.



In taking decisions, EIT Culture & Creativity Involved Parties shall ensure that the principle of equality of treatment is respected. Anybody who is in the same situation shall be treated in an equal manner.

No improper advantage

Bribes or other means of obtaining undue or improper advantage are not to be promised, offered, authorized, given or accepted. This prohibition covers promising, offering, authorizing, giving or accepting anything of value to or from any third party, including national or European government officials, either directly or indirectly through a third party, in order to obtain or retain certain subsidies, approvals or authorizations, or an exemption from certain legal or contractual obligations.

EIT Culture & Creativity Involved Parties shall not commit or participate in any fraudulent acts. EIT Culture & Creativity Involved Parties shall immediately report any fraudulent acts by others concerning EIT Culture & Creativity that comes to their knowledge.

Professionalism – Fairness

EIT Culture & Creativity Involved Parties must conduct themselves in such a way as to maintain the integrity of and public confidence in EIT Culture & Creativity. They shall always act in a professional manner, fairly, inclusive and reasonably and in good faith. They shall maintain skills important and relevant to the EIT Culture & Creativity needs. Individuals shall be treated with due respect, dignity and impartiality, regardless of their position. In a multicultural workplace, mutual respect and tolerance of differences are essential ingredients of any good working relationship, which involves:

- **Teamwork:** working together to achieve common goals.
- **Polite and clear communication:** engaging colleagues by showing respect and encouraging efficiency through clarity of instructions.
- **Conflict resolution:** finding workable solutions through better mutual understanding.
- **Self-management:** empowering and skilling oneself to deliver the tasks agreed and cooperate in teams.

Conflict of Interests

All EIT Culture & Creativity Involved Parties will strive to avoid any conflict of interest between the interests of EIT Culture & Creativity on the one hand, and personal interests or interests of KIC partners or stakeholders in the ecosystem on the other. This includes avoiding actual conflicts of interest as well as the perception of conflicts of interest.

Annex I to this Code includes the Conflict of Interest Procedure that EIT Culture & Creativity Staff and Supervisory Board members must follow.



Relations with EIT Culture & Creativity staff

For the purpose of this Code, “EIT Culture & Creativity Staff” shall mean persons employed under a labour contract and advisors, experts and Expert Evaluators contractually hired by EIT Culture & Creativity.

General responsibilities

EIT Culture & Creativity promotes a work environment that is compatible with personal development and respects the private life of its employees and the activities that they carry out outside the scope and hours of work, provided that these activities do not negatively affect the good name, brand or image of EIT Culture & Creativity, the professional development of the employee or generate a conflict of interest. The relationship between EIT Culture & Creativity and its EIT Culture & Creativity Staff is based on loyalty and fidelity according to the following basic models of conduct:

- Avoiding attitudes that could be considered, directly or indirectly, a harassment
- Avoiding activities that could be considered, directly or indirectly, illegal or corrupt
- Safeguarding passwords, access cards and other methods of access to information systems, being the employees responsible for its negligence misuse.
- Treating others with respect and consideration and having a positive attitude towards them
- Admitting mistakes with transparency and humility
- Accepting constructive criticism (opinions) at all levels of the organization and asking for or proposing alternative solutions.

EIT Culture & Creativity employees selection process

The evaluation of EIT Culture & Creativity specifically employees (under a labour contract) shall be carried out following the EIT Culture & Creativity internal Recruitment Policy, considering whether the profiles of the candidates correspond to the expected ones and the different organisational needs, respecting the principle of equal opportunities for all the interested subjects as well as diversity.

The information requested will ,only, be used to check the aspects linked to the professional profile or psychological aptitude, respecting at all times the private sphere and the opinions of the candidate. EIT Culture & Creativity, in accordance with the information at its disposal, must implement the appropriate measures to avoid favouritism, nepotism or forms of patronage in the selection and contracting phases.

Good judgement and common sense

Ethical principles and standards required of EIT Culture & Creativity Staff include the exercise of good judgement and common sense in relationship with hierarchy, other members of staff and external stakeholders.



Relations with EIT Culture & Creativity partners

When dealing with EIT Culture & Creativity partners, EIT Culture & Creativity Involved Parties must follow the principles of openness and transparency, as well as courtesy, helpfulness and efficiency as well as the following standards:

- **Lawfulness:** EIT Culture & Creativity Involved Parties must act in accordance with the law and apply the rules and procedures laid down in applicable legislation.
- **Non-discrimination and equal treatment:** EIT Culture & Creativity Involved Parties must respect the principles of non-discrimination and, in particular, guarantee equal treatment for partners and other stakeholders irrespective of nationality, gender, racial or ethnic origin, religion or beliefs, disability, age or sexual orientation.
- **Proportionality:** EIT Culture & Creativity Involved Parties must ensure that the measures taken are proportional to the aim pursued.
- **Consistency:** EIT Culture & Creativity Involved Parties must be consistent in their behaviour and follow EIT Culture & Creativity normal practice. This includes being supportive of the vision and mission of the EIT Culture & Creativity and act in its interest. Any exceptions to this principle must be duly justified.
- **Objectivity and impartiality:** EIT Culture & Creativity Involved Parties must always act objectively and impartially, in the community interest and for the public good. They should act independently within the framework of the policy fixed by EIT Culture & Creativity and their conduct must never be guided by personal or national interest or political pressure.
- **Clarity:** clear and simple, formulated in terms as close as possible to those used by the interlocutors (for example, for customers belonging to the general public, avoiding clauses that are only understandable to experts).

Relations with public authorities & public communities

EIT Culture & Creativity bases its relations with the local, regional, national and international public authorities on the principles of transparency and equal opportunities, and rules out any action aimed to gain an advantage over competitors, when it is based on any act contrary to the applicable legislation. Cooperation with the public authorities will also take place in all moment, complying scrupulously with their resolutions in accordance to the applicable laws.

Furthermore, EIT Culture & Creativity participates in the protection of the environment by minimizing the negative environmental impact of its activity and promoting the sustainable use of natural resources.

EIT Culture & Creativity aims to create an innovation community to educate and inspire cultural creative innovation for the Triple Tradition - the green, digital and social transformations. EIT Culture & Creativity encourages and supports CCSI players, stakeholders and their partners to work together for a better Europe. Our programmes



support EIT Culture & Creativity's vision of creating novel solutions for global challenges by CCSI. Our understanding of an innovation community is that of an open ecosystem with an inclusive approach to new and unusual players, to the very small and very big as well as public and private stakeholders. Fostering the understanding of all players in the public community is important for a successful integration of the partners across the whole knowledge triangle.

EIT Culture & Creativity complies with all environmental legislation, rules and regulations applicable in all countries where EIT Culture & Creativity promotes or carries out research, business and educational activities, as well as EIT Culture & Creativity's environmental and operational policies and procedures, if approved.

Noncompliance to this Code of Conduct

EIT Culture & Creativity Involved Parties shall notify any action or omission against this Code throughout the Ethical channel that will be created during 2024. In such formal channel, any EIT Culture & Creativity Involved Parties will be able to:

- Consult any doubts regarding the interpretation of this Code, its implementing regulations and the applicable legislation and internal regulations.
- Report breaches of this Code, its implementing regulations and the applicable legislation and internal regulations.

Meanwhile the Ethical channel is not in place, the EIT Culture & Creativity Involved Party can make queries and notifications as follows:

- In case of EIT Culture & Creativity employees, external collaborators, experts and any other stakeholders of EIT Culture & Creativity, they shall send an e-mail to the CEO of the EIT Culture & Creativity.
- In case of members of the EIT Culture & Creativity Supervisory Board, they shall report to the Chairperson of the Supervisory Board.

EIT Culture & Creativity Code Distribution

The Code and its Annex I (Conflict of Interest) shall be applicable to all EIT Culture & Creativity Involved Parties since its approval by the General Assembly of the Association and its distribution to the EIT Culture & Creativity Involved Parties. Moreover, the EIT Culture & Creativity may request the Involved Parties to sign it. The Code will also be available for consultation on the EIT Culture & Creativity intranet from year 2024 onwards. When appropriate, this Code will be completed and/or developed by those internal policies or protocols of action to be considered necessary at any given time.



Trainings Plan

EIT Culture & Creativity as a learning organisation will prepare and execute an annual training plan to present and explain the Code and its Annex I (Conflict of Interest) to all EIT Culture & Creativity Involved Parties, starting in year 2024 onwards.

EIT Culture & Creativity Code of Compliance

All EIT Culture & Creativity Involved Parties must comply with this Code. In turn, EIT Culture & Creativity's stakeholders must comply with this Code in all matters affecting them.

I have received a copy of the current Code of Good Conduct and its Annex I of this Code (Conflict of Interest).

I have read, understand and agree with them and I will abide by them.

Name and signature:

Date:

Annex I: Conflict of Interest

The following constitutes the Conflict of Interest Procedure of EIT Culture & Creativity, which has been developed to govern the disclosure, management, and, if possible, avoidance of conflicts of interest within EIT Culture & Creativity. This Procedure is compliant with and applies in addition to the requirements of the Articles of Association and internal By-Laws and other governing documents, as well as the applicable laws. Words in capital shall be interpreted as they are defined in the Code of Conduct.



The purpose of this Procedure is to protect the integrity of EIT Culture & Creativity decision-making process, to enable stakeholders to have confidence in EIT Culture & Creativity integrity, and to protect the integrity and reputation of the members of the Supervisory Board and the EIT Culture & Creativity Staff.

Scope

All EIT Culture & Creativity Staff (as defined in this Code of Good Conduct) and especially its Supervisory Board members, individual or legal person with actual or potential Source of Interest (as defined below) (the “Obligated Persons”) will strive to avoid any conflict of interest between the interests of EIT Culture & Creativity on the one hand, and personal, professional, and business interests on the other. This includes avoiding actual conflicts of interest as well as the perception of conflicts of interest.

Definition of Conflict of Interest

A conflict of interest refers to a situation where the impartiality and objectivity of a decision, opinion or recommendation of an Obligated Person is or might be perceived as being compromised by the existence of a Source of Conflict of Interest interfering with the interest of the EIT Culture & Creativity. It arises where a obligated Person has a personal, professional or business interest which is a Source of Conflict of Interest which may be in conflict with or may influence the exercise of his/her obligations or responsibilities. Essentially, a conflict of interest arises whenever personal activities and relationships interfere, or appear to interfere, with one’s ability to act in the best interest of EIT Culture & Creativity.

There is normally no risk for conflict of interest when the Obligated Person acts in the general interest of EIT Culture & Creativity. The mere fact that members of the Supervisory Board are the representative of or have a professional link with a particular EIT Culture & Creativity Core partner or project partner does not imply that they have a conflict of interest with regards to decisions on the approval of the Business Plan (i.e. as opposed to decisions on specific amendments in order to promote interests of individual partners). For the purposes of this procedure, the following situations shall be deemed as actual or potential conflict of interests (non-exhaustive list):

- a. A member of the Supervisory Board who is employed by a core partner of the EIT Culture & Creativity Association, linked third party or project partner may be faced with a decision in a meeting of the Supervisory Board regarding whether EIT funding for the individual entity should be granted in the context of a discussion regarding amendments to the business plan of the EIT Culture & Creativity.
- b. A member of the Supervisory Board or Management Team who is related to a member of EIT Culture & Creativity Involved Party and there is decision to be taken on remuneration.
- c. An EIT Culture & Creativity Involved Party who holds shares or other interests in a legal entity that may be awarded a grant under the business plan of the EIT Culture & Creativity or an assignment to work or provide services for EIT Culture & Creativity as a director, advisor or expert.



- d. An EIT Culture & Creativity Involved Party carrying out professional activities similar to those they may provide for EIT Culture & Creativity if this may interfere with the interests of EIT Culture & Creativity.
- e. An EIT Culture & Creativity Involved Party participating, either directly or indirectly, either personally or through related persons, in the governing bodies of other entities which may conflict with the interests of EIT Culture & Creativity.
- f. An EIT Culture & Creativity Involved Party accepting bribes or gifts from persons or companies that have or intend to establish a business relationship with EIT Culture & Creativity or participating in any of its public calls.
- g. An EIT Culture & Creativity Involved Party using EIT Culture & Creativity confidential information for personal benefit.
- h. An EIT Culture & Creativity Involved Party hiring relatives or friends of one's own or of partners, without complying with EIT Culture & Creativity recruitment policy approved for this purpose.
- i. An EIT Culture & Creativity Involved Party making investments in the name and on behalf of EIT Culture & Creativity for personal benefit.
- j. An EIT Culture & Creativity Involved Party using working time for EIT Culture & Creativity unrelated activities or corporate purpose.
- k. If an EIT Culture & Creativity Involved Party member stands to benefit directly or indirectly either from a personal, professional or economic point of view if a KIC proposal and/or Business Plan (s) is accepted;
- l. If an EIT Culture & Creativity Involved Party stands to benefit directly or indirectly either from a personal, professional or economic point of view when exercising his/her responsibilities.

Sources of Conflict of Interest

For the purpose of this Procedure, being objectively concerned in the following interests or issues, shall be considered as a possible source of Conflict of Interest for the Obligated Person concerned, actual or potential (being these examples not limited to) ("Source of Conflict of Interest"):

- a. Economic interest means any substantial financial interests of an Obligated Person including holding of stocks and shares, equity, bonds, partnership interests in the capital of a company, one of its subsidiaries or a company in which it has a holding;
- b. Member of a managing body means any participation by an Obligated Person in the internal decision making body (e.g. board membership, directorship) of a public or private entity, carrying out or with a potential interest in any of the EIT Culture & Creativity activities or funding;



- c. Member of advisory body means any participation of an Obligated Person in the works of an advisory body, created permanent or created ad hoc, managed by a body with an interest in the subject matter, with a right to have an influence on its output(s) in relation to the EIT Culture & Creativity activities or funding;
- d. Strategic advisory role means any participation of an Obligated Person (present or past), with a right to vote on/influence the outputs, in an advisory board with the role of providing advice/expressing opinions on the (future) strategy, direction and development activities of the entity related to the EIT Culture & Creativity activities;
- e. Consultancy/advice means an activity where the Obligated Person concerned provided/provides advice or services on in a particular field (including both remunerated and non-remunerated activities);
- f. Employment means any form of regular, occasional or ad hoc occupation or business, part-time or full time, paid or unpaid, including self-employment, in or for any legal or Expert Evaluator carrying out any of the activities falling under the EIT Culture & Creativity scope of action;
- g. Intellectual property rights means rights on the subject matter granted to creators and owners of works that are the result of human intellectual creativity and may lead to a financial gain;
- h. Beneficiary of an EIT Culture & Creativity funding means any participation of a beneficiary or a potential beneficiary of EIT Culture & Creativity funds, carrying out or with a potential interest in any of the EIT Culture & Creativity activities or funding, unless this circumstance is stated in the articles of association or internal by-laws of the EIT Culture & Creativity; and
- i. Other membership or affiliation means any membership or affiliation not falling under the definitions provided above and relevant for the purposes of the present decision, to anybody carrying out any of the activities on which the EIT's outputs impact, including professional organizations.

In the event that any Source of Conflict of Interest is deemed to possibly generate an actual conflict of interest to an Obligated Person, then the Obligated person shall realize a communication, as set out above, immediately.

Communication process

In case a situation of potential conflict of interests or a Source of Conflict of Interest arises that concerns:

- An Obligated Person who is member of the Supervisory Board: He/she shall immediately inform the Chair of the Supervisory Board. In case the conflict of interest regards the Chair of the Supervisory Board, the person to be informed is the oldest member of the Supervisory Board different from the Chair. Meanwhile the Ethical channel is not in place, the Obligated person can send an e-mail to the relevant recipient.
- An Obligated Person who is not a member of the Supervisory Board: He/she shall refrain from any actions that could be affected by the conflict of interests and:



- a. In case of a potential conflict of interest related with the recruitment of employees, to proceed in accordance to the procedure set forth in the EIT Culture & Creativity Recruitment Policy (to be set up in 23/24);
- b. In other cases of a potential conflict of interest, he/she shall immediately inform the EIT Culture & Creativity CEO. In case the potential conflict of interest regards the CEO of EIT Culture & Creativity, the person to be informed is the Chair of the Supervisory Board. Meanwhile the Ethical channel is not in place, the Obligated person can send an e-mail to the relevant recipient.

Screening Criteria

The Chair of the Supervisory Board, the oldest member of the Supervisory Board different from the Chairperson or the CEO, as the case may be (the “**Person in Charge**”), shall without undue delay decide on the possible decisions according to the following criteria:

- a. Interests can only be assessed by considering whether the communicated Source of Conflict of Interest or the potential Conflict of Interest of the Obligated Person is compatible with the EIT Culture & Creativity activities and interests;
- b. In the case of a specific Source of Conflict of Interest or potential Conflict of Interests, the assessment should take into account the context in which the communication is made, including the items on the agenda of the meeting in which the person participates and the role and function that he or she is required to take on or perform in that context.

Abstention to carry out actions until the Decision is adopted

Until the moment that the Person in Charge communicates its decision, the Obligated Person concerned shall refrain from any actions that could be affected by the Conflict of Interest.

In case the potential Conflict of Interest concerns the activities of the Obligated Person as a member of the EIT Culture & Creativity in general terms, then the Obligated Person shall cease to perform any act and his or her functions may be suspended, at the sole discretion of the Person in Charge of the matter, until the decision is issued.

In case the potential Conflict of Interest only concerns a particular matter, issue or decision, the Obligated Person withdraws from the part of the meeting at which there is discussion of any arrangement or transaction affected by the potential conflict of interest. In case the Obligated Person is a member of the Supervisory Board, then the member who has the potential conflict of interest will not vote on any such matter on the relevant meeting and will not to be counted when considering whether a quorum of members of the Supervisory Board is present at the meeting. Any such disclosure and the subsequent actions taken will be noted in the minutes of the Supervisory Board.



Adoption of the Decision

The Person in Charge may request from the Obligated Person the documentation it considers necessary, without the Obligated Person being able to refuse to provide it without due cause. Likewise, it shall issue the decision in the briefest time possible, in order to avoid any damage to the interests of the EIT Culture & Creativity, as well as to allow the Obligated Person to exercise its functions as soon as possible if it is deemed that there is no Conflict of Interest.

If the Person in Charge decides that the Obligated Person has fallen under a situation of Conflict of Interest, the following restrictions may be established by the sole decision of the Person in Charge:

- Withdraw the Obligated Person from any preparatory work and discussion related to the Conflict of Interest; or
- Withdraw the Obligated Person from any decision that may be affected by the identified Conflict of Interest.

Ex-post treatment of situations of noncompliance

In case any other EIT Culture & Creativity Involved Party is aware, or is made aware, of information that is not consistent with, or that is missing from, the declaration of a Obligated Person and that a preliminary assessment suggests that it concerns a declarable interest in the terms of this procedure, the Person in Charge will contact Obligated Person concerned, asking her/him to clarify the situation within seven calendar days, in particular by providing the rationale for the absence of the information to be declared, and if applicable to complete the declaration of interests with the missing information.

If the missing information is not provided within seven calendar days, the Person in Charge may take any appropriate preventive action regarding the Obligated Person's participation in the EIT's activities. The Person in Charge may carry out an internal assessment involving outside counsel to determine the existence of the conflict of interest. The Obligated Person shall be given the opportunity to explain his/her case towards the Person in Charge. In case the Person in Charge determines that the Obligated Person did not comply with his/her obligations under this procedure of conflict of interests, whether intentionally or through negligence on his/her part, shall make him/her liable to measures or actions in accordance with the rules applicable in the specific case.