



## English Summary of decision 2013:1 by the IMM Ethics Committee

Stockholm 2013-10-29

### The matter

A trade organization is planning to arrange a mass and to that mass invite teachers and student-counselors. The mass will take place during two days, according to the invitation, and the participants will be invited to participate in discussions and seminars as well as enjoying meals free of charge. The first 100 registered participants will also be provided with a free of charge hotel accommodation as well as a free of charge dinner.

### Considerations

The question in the matter is if it is in line with the IMM Code of Business Conduct to offer a free hotel accommodation as well as free of charge dinner for the first 100 participants that sign up for the event.

The trade organization is to be seen as such an organization that is covered by the IMM Code of Business Conduct according to point A 2.

According to the Code of Business Conduct point B 5 Companies may not grant, promise or offer Improper Benefits to employees of or Contractors to public agencies or other Public Entities for carrying out the employment or assignment. It is stated that particular interests apply to employees of and Contractors to Public Entities. Thus, there is particular reason to use caution when granting Benefits to such recipients.

The IMM Code of Business Conduct separates Benefits aimed at influencing Actions from Benefits aimed at influencing Attitude. Any Benefit that is aimed at Influencing Actions shall under normal circumstances be deemed non-permitted according to point B 5. Any Attitude Influencing Benefits complying with what are considered accepted forms for interaction between the Market and Public Entities are, under normal circumstances, accepted. It is not certain that the free of charge hotel accommodation and dinner in this particular case would be influencing Actions. It is possible though that the benefit could affect the teachers and student counselors Attitude in relation to the trade that the trade organization is representing.

The question of whether a Benefit is Improper must be reviewed on a case by case basis against the backdrop of all relevant circumstances according to point B 5.

The circumstances to be considered in particular are the following:



### **The value of the benefit**

The benefit has a total value that adds up to over 2000 SEK and is the type of benefit that seldom will be offered to this group of recipients. The value of the hotel and dinner is, in this context, at a level that cannot be seen as acceptable.

### **The position of the recipient**

It cannot be excluded that people within the target group could affect others decisions in relation to the industry branch that the trade organization is representing.

### **The nature of the benefit**

The free of charge hotel accommodation and free of charge dinner cannot be seen as a natural part of the mass and do not have a clear connection to or forms a natural and useful part of the work carried out by the recipient.

### **The group of recipients and the forms for offering the Benefit**

It would have been more in line with the IMM Code of Business Conduct if the invitation had been sent directly to the public authority and that an authorization had been received from the public authority. It is doubtful though if the offer had been seen as in line with the IMM Code of Business Conduct since the invitation is aimed at employees within a public authority and that caution should be had when granting benefits to this particular target group.

### **THE DECISION BY THE ETHICS COMMITTEE**

The offer to the first 100 registered participants to receive a free of charge hotel accommodation as well as a free of charge dinner is not consistent with the IMM Code of Business Conduct.