



2024/3083

5.12.2024

COMMISSION DECISION (EU) 2024/3083

of 4 December 2024

establishing the Code of Good Administrative Behaviour for Staff of the European Commission in their relations with the public

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 249(1) thereof,

Whereas:

- (1) The right to good administration is enshrined in Article 41 of the Charter of Fundamental Rights of the European Union and is recognised by the Court of Justice of the European Union as a general principle of Union law.
- (2) Article 298(1) of the Treaty on the Functioning of the European Union provides that, in carrying out their missions, the institutions, bodies, offices and agencies of the Union shall have the support of an open, efficient and independent European administration.
- (3) Relations with the public form an essential part of the Commission's mission to serve the public interest. The Commission is committed to the values of service and the highest standards of professional ethics. The Code of Good Administrative Behaviour for Staff of the European Commission in their relations with the public (the 'Code of Good Administrative Behaviour') implements these values.
- (4) The Code of Good Administrative Behaviour helps ensure that Commission staff put the principles of good administration into practice on a daily basis in their relations with the public. It sets out the principles that guide the administrative conduct of Commission staff, such as lawfulness, independence, non-discrimination and equal treatment, proportionality, consistency, impartiality, objectivity and prompt handling of enquiries from the public.
- (5) The Commission adopted the Code of Good Administrative Behaviour in 2000 as an annex to its Rules of Procedure ⁽¹⁾.
- (6) The Code of Good Administrative Behaviour should be adopted as a self-standing Commission decision in order to give it greater visibility and to facilitate subsequent updates.
- (7) The Rules of Procedure of the Commission ⁽²⁾ now provide, in Articles 46 and 70 respectively, that Commission staff shall act in accordance with the rules laid down in the Code of Good Administrative Behaviour and that the Rules of Procedure no longer contain this Code as an annex.
- (8) The Code of Good Administrative Behaviour should be updated to reflect changes in Union law and in communications methods,

HAS ADOPTED THIS DECISION:

Article 1

The Code of Good Administrative Behaviour for Staff of the European Commission in their relations with the public, as set out in the Annex, is adopted.

⁽¹⁾ Rules of Procedure of the Commission C(2000) 3614 of 29 November 2000 (OJ L 308, 8.12.2000, p. 26, ELI: http://data.europa.eu/eli/proc_rules/2000/3614/oj).

⁽²⁾ Commission Decision (EU) 2024/3080 of 4 December 2024 establishing the Rules of Procedure of the Commission and amending Decision C(2000) 3614 (OJ L, 2024/3080, 5.12.2024, ELI: <http://data.europa.eu/eli/dec/2024/3080/oj>).

Article 2

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 4 December 2024.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

CODE OF GOOD ADMINISTRATIVE BEHAVIOUR FOR STAFF OF THE EUROPEAN COMMISSION IN THEIR RELATIONS WITH THE PUBLIC**Quality service**

The Commission and its staff have a duty to serve the interest of the Union and, in so doing, the public interest.

The public legitimately expects quality service and an administration that is open, accessible and properly run.

Quality service calls for the Commission and its staff to be courteous, objective and impartial.

Purpose

In order to meet its obligations of good administrative behaviour, in particular in its relations with the public, the Commission undertakes to observe the standards of good administrative behaviour set out in this Code and to be guided by them in its daily work.

Scope

This Code shall be binding on all staff covered by the Staff Regulations of Officials of the European Union (the 'Staff Regulations') and the Conditions of Employment of Other Servants of the European Union (the 'CEOS') ⁽¹⁾ in their relations with the public. Staff employed under national law, seconded national experts, trainees, service providers and scientific visitors shall also be guided by this Code in their relations with the public.

Relations between the Commission and its staff are to be governed exclusively by the Staff Regulations and the CEOS.

1. General principles of good administration

The Commission respects the following general principles in its relations with the public:

Lawfulness

The Commission acts in accordance with the law and applies the rules and procedures included in Union law.

Non-discrimination and equal treatment

The Commission respects the principle of non-discrimination and, in particular, guarantees equal treatment for members of the public irrespective of nationality, sex, racial or ethnic origin, religion or beliefs, disability, age or sexual orientation. Thus, a difference in the treatment of similar cases is to be duly justified by the relevant features of the case at hand.

Proportionality

The Commission ensures that the measures taken are proportional to the aim pursued.

In particular, the Commission ensures that the application of this Code never leads to the imposition of administrative or budgetary burdens disproportionate to the expected benefit.

Consistency

The Commission shall be consistent in its administrative behaviour and shall follow its normal practice. Any exception to this principle has to be duly justified.

⁽¹⁾ Council Regulation No 31 (EEC), 11 (EAEC) laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community (OJ 45, 14.6.1962, p. 1385/62, ELI: [http://data.europa.eu/eli/reg/1962/31\(1\)/2024-01-01](http://data.europa.eu/eli/reg/1962/31(1)/2024-01-01)).

2. Guidelines for good administrative behaviour

Objectivity and impartiality

Staff shall always act objectively and impartially, in the interest of the Union and for the public good. They shall act independently within the framework of the policy set by the Commission and their conduct shall never be guided by personal or national interests or political pressure.

Information on administrative procedures

Where a member of the public requires information relating to an administrative procedure of the Commission, staff shall ensure that this information is provided within the deadline set for the relevant procedure.

3. Information on the rights of interested parties

Hearing of all parties with a direct interest

Where Union law provides that interested parties are to be heard, staff shall ensure that they are given an opportunity to make their views known.

Duty to state the reasons on which decisions are based

Commission decisions shall clearly state the reasons on which they are based and shall be communicated to the interested parties.

As a general rule, a statement of reasons for decisions shall be given. However, where it may not be possible to communicate in detail the grounds of individual decisions, for example because of the large number of persons concerned by similar decisions, standard replies may be given. Those standard replies shall include the main reasons justifying the decision taken. Furthermore, an interested party who expressly so requests shall be provided with a detailed statement of reasons.

Duty to state the appeal possibilities

Where Union law so provides, decisions notified shall clearly state that an appeal is possible and describe how to lodge it (name, postal address and email address) of the service with which the appeal has to be lodged and the deadline for lodging the appeal).

Where relevant, decisions shall refer to the possibility of starting judicial proceedings in accordance with Article 263 of the Treaty on the Functioning of the European Union and/or of lodging a complaint with the European Ombudsman in accordance with Article 228 of the Treaty on the Functioning of the European Union.

4. Dealing with enquiries

The Commission undertakes to answer enquiries from the public in the most appropriate manner and without delay.

Requests for documents

The rules on access to documents are enshrined in specific rules ⁽²⁾, which are to apply fully under this section.

Correspondence

For the purposes of this Code, the term 'correspondence' shall mean both letters and electronic mail sent to the Commission.

⁽²⁾ Including Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43, ELI: <http://data.europa.eu/eli/reg/2001/1049/oj>), and the Detailed rules for the application of Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to European Parliament, Council and Commission documents, annexed to the Rules of Procedure of the Commission (OJ L, 2024/3080, 5.12.2024, ELI: <http://data.europa.eu/eli/dec/2024/3080/oj>).

In accordance with Article 24 and Article 20(2)(d) of the Treaty on the Functioning of the European Union, the Commission shall reply to correspondence in the original language of the correspondence provided that it was written in one of the languages referred to in Article 55(1) of the Treaty on European Union.

Unless otherwise stated in the specific applicable provisions in the relevant field, a reply to correspondence addressed to the Commission shall be sent within 15 working days from the date of receipt of the correspondence by the service responsible for the matter. The reply shall identify the service responsible and state how it may be contacted (name, postal address and email address).

If a reply cannot be sent within 15 working days, and in all cases where the reply requires additional work, such as consultation between services or translation, the service responsible shall send a holding reply, indicating a date by which the addressee may expect a reply in the light of this additional work, taking into account the relative urgency and complexity of the matter.

If the reply is to be drawn up by a service other than the one to which the initial correspondence is addressed, the person making the enquiry shall be informed of the name, the postal address and the e-mail address of the service to whom the correspondence has been transmitted.

These rules shall not apply to correspondence that can reasonably be regarded as improper, for example because it is repetitive, abusive and/or pointless. In such cases, the Commission reserves the right to discontinue any such exchange of correspondence.

Telephone communication

When answering the telephone, staff shall identify themselves or their service. They shall return telephone calls as promptly as possible.

Staff replying to enquiries shall provide information on subjects for which they have direct responsibility and shall direct the caller to the specific appropriate source in other cases. If necessary, they shall consult their superior before providing the information or refer callers to them.

Where enquiries concern areas for which staff are directly responsible, they shall check whether the information has already been made public before providing it. If this is not the case, the member of staff may consider, where appropriate in consultation with their superior, that it is not in the interest of the Union to disclose the information. In that case, the member of staff shall explain why they are unable to disclose the information and, where appropriate, refer to the obligation to exercise discretion as laid down in Article 17 of the Staff Regulations.

Where appropriate, staff shall request confirmation in writing of enquiries made by telephone.

Requests from the media

The Spokesperson's Service is responsible for contacts with the media. However, staff may answer requests for information that concern technical subjects falling within their specific areas of responsibility.

5. Protection of personal data and sensitive information

The Commission and its staff are to respect, in particular:

- the rules on the protection of privacy and personal data;
- the security rules for protecting EU classified and sensitive non-classified information;
- the obligations set out in Article 339 of the Treaty on the Functioning of the European Union and in particular those which relate to professional secrecy;
- the rules on secrecy in criminal investigations;
- the confidentiality of matters falling within the ambit of the various committees and bodies referred to in Article 9 of, and Annexes II and III to, the Staff Regulations.

6. Complaints

European Commission

Complaints concerning a possible breach of the principles set out in this Code may be lodged directly with the Secretariat-General ⁽³⁾ of the European Commission, which shall forward them to the relevant service.

The Director-General or Head of Service shall reply to any such complaint in writing, within 2 months. The complainant then has 1 month to request the Secretary-General of the European Commission to review the outcome of the complaint. The Secretary-General shall reply to the request for review within 1 month.

European Ombudsman

Complaints may also be lodged with the European Ombudsman in accordance with Article 228 of the Treaty on the Functioning of the European Union and the Statute of the European Ombudsman.

⁽³⁾ Postal address: Secretariat-General of the European Commission, Unit SG.C.2 'Ethics, Good Administration and Relations with the European Ombudsman', Rue de la Loi/Wetstraat 200, 1049 Bruxelles/Brussel, BELGIQUE/BELGIË.
Email address : SG-Code-de-bonne-conduite@ec.europa.eu
Online complaint form: https://ec.europa.eu/assets/sg/administrative-conduct/complaints_en/