

EUROPEAN INVESTMENT BANK

Code of good administrative behaviour for the staff of the European Investment Bank in its relations with the public

(2001/C 17/08)

Article 1

General Provisions

In its relations with the public, the staff of the European Investment Bank, hereinafter called 'the Bank', shall observe the principles set out in this document, which constitute a code of good administrative behaviour, hereinafter called 'the code'. The 'public' shall be taken to mean any citizen of the Union or any natural or legal person residing or having its registered office either in a Member State or in a State in which the Bank carries out its activities.

Article 2

Personnel to whom this code applies

This code shall apply to the members of the Bank's staff. It shall also apply to persons working at the Bank as service providers, in so far as this is stipulated in the contract on which their employment at the Bank is based.

Article 3

Field of application

1. The code lays down the general principles of good administrative behaviour applicable to Bank staff members in all their relations with the public, except where these are governed by specific provisions, in particular the rules concerning access to documents.
2. The principles set out in this code shall not apply either to relations between the Bank and its staff or contractors or to any other relations of a professional nature.

Article 4

Legality

Members of staff shall act in accordance with the law and apply the rules and procedures laid down in Community legislation.

Article 5

Non-discrimination

1. In dealing with requests and answering enquiries, members of staff shall ensure that the principle of equal treatment is observed. Members of the public in the same situation shall be treated in the same manner.
2. In the event of unequal treatment, members of staff shall ensure that this is warranted by the objective characteristics of the matter in question.
3. Members of staff shall avoid all forms of unwarranted discrimination.

Article 6

Non-abuse of powers

In accordance with their obligations, members of staff shall not exceed the powers conferred upon them in the performance of their duties.

Article 7

Fairness and loyalty

1. Members of staff shall act in a fair and reasonable manner.
2. In their relations with the public and in accordance with their obligations, members of staff shall in all circumstances act in the interests of the Bank and not allow themselves to be influenced by personal considerations or relations.

Article 8

Legitimate expectations and consistency

1. Members of staff shall comply with the Bank's customary administrative rules and practices.
2. They shall meet the legitimate and reasonable expectations formed by the public on the basis of the Bank's previous conduct.

Article 9

Courtesy

1. Members of staff shall act in a conscientious, correct, courteous and approachable manner. In replying to correspondence, telephone calls and e-mails, members of staff shall endeavour to be as helpful as possible and to answer enquiries.
2. If an enquiry does not fall within their area of responsibility, staff shall refer members of the public to the relevant Bank department.
3. They shall offer apologies in the event of error.

Article 10

Requests for information

1. Where they are competent to deal with the request concerned, staff shall provide members of the public with the information requested. They shall ensure that the information furnished is clear and comprehensible.
2. In the event that an oral request for information is too complicated or complex to deal with, the member of staff approached shall ask the member of the public concerned to formulate his/her request in writing.

3. If, for reasons of confidentiality and in particular banking secrecy, a member of staff is unable to divulge the information requested, he/she shall give the reasons why such information cannot be provided.

Article 11

Replying to letters in the language used by the citizen

Members of staff shall ensure that, as far as possible, all citizens writing to the Bank in one of the languages of the Treaty receive a reply in the same language.

Article 12

Acknowledgement of receipt

1. Receipt of all letters and requests addressed to the Bank shall be acknowledged within two weeks of their delivery to the competent department, except where a substantive reply can be sent within that period.

2. In the event that a letter or request is delivered to the wrong person within the Bank, the member of staff who receives it shall forward it to the competent department without delay for handling by the latter.

3. The acknowledgement of receipt shall indicate the name of the department and member of staff in charge of the matter.

4. No acknowledgement of receipt or reply need be provided where an excessive number of letters or requests has been received or where these are of a repetitive or inappropriate nature.

Article 13

Reasoned replies and their deadlines

1. Members of staff shall ensure that a reply to all requests and complaints addressed to the Bank is provided within an acceptable period, without delay, and in any event no later than two months following receipt.

2. Where, on account of the complexity of the issues raised, a reply cannot be provided within the abovementioned period, the member of staff responsible shall inform the correspondent thereof without delay. In this event, the correspondent shall be furnished with a definitive reply as soon as possible.

3. All replies to requests and complaints must be reasoned in such way that the person concerned is precisely informed of the grounds and arguments on which they are based.

4. Where it is impossible, on account of the large number of persons concerned by similar replies, to communicate in detail the reasoning underlying the reply, and where standard replies are therefore provided, the member of staff in charge of the matter shall ensure that citizens who expressly request an individual reasoned reply are subsequently furnished with one.

5. Members of staff shall refrain from sending any reply to other external parties unless the persons concerned have been informed.

Article 14

Records

The Bank's departments shall keep a record of all requests received and replies furnished.

Article 15

Data protection

1. Members of staff handling a citizen's personal data shall observe the principles set out in Directive 95/46/EC of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data.

2. In accordance with their obligations, members of staff shall especially refrain from processing personal data for non-legitimate purposes or transmitting such data to unauthorised third parties.

Article 16

Complaints

1. Members of staff shall act with respect for the public's rights. However, if a person considers that the replies given violate his/her rights or interests, such person shall be entitled to lodge a complaint.

2. All complaints must be made in writing, within two months of the date of the correspondence which is the subject of the complaint, to the Secretary-General of the Bank.

3. Furthermore, in accordance with Article 195 of the EC Treaty, any citizen of the Union or any natural or legal person residing or having its registered office in a Member State shall be entitled to lodge a complaint with the European Ombudsman.

Article 17

Public access to the code

1. The Bank shall take the necessary measures to ensure that this code is publicised as widely as possible among the Union's citizens.

2. The Bank shall provide a copy of this code to all citizens who so request.

3. This code shall be published in the *Official Journal of the European Communities*.

Article 18

Entry into force

This code shall enter into force upon its publication in the *Official Journal of the European Communities*.