



University of Naples "Parthenope"

Pos. UPDR/Rip. Human Resources

Decree no. 4

THE RECTOR

HAVING the applicable Articles of Association of the University;
REGARD TO Law No. 190 of 6 November 2012 on "Provisions for the prevention and suppression of corruption and illegality in the public administration";
HAVING Law no. 240 of 30/12/2010 concerning "Regulations on the organisation of universities, academic staff and recruitment, as well as delegation to the Government to promote the highest quality and effectiveness of the university system" and in particular Art. 2, paragraph 4;
REGARD TO the R.D. no. 387 of 30/6/2011 with which the Code of Ethics of the University of Naples Parthenope was issued;
HAVING the note of ANAC, file no. 145384 of 5/10/2016 requesting information on the provisions set forth in the Code of Conduct referred to in Rector's resolution no. 53 of 29/1/2014;
REGARD TO the Communication issued by the Chairman of ANAC dated 9/11/2016 highlighting the need to set forth rules of conduct and concrete control measures in the Codes of Ethics of public universities, in accordance with the principles of Presidential Decree no. 62/2013, also with regard to the Rector;
HAVING the note of ANAC, file no. 145384 of 5/10/2016 requesting information on the provisions set forth in the Code of Conduct referred to in Rector's resolution no. 53 of 29/1/2014;
ACKNOWLEDGED the Communication issued by the Chairman of ANAC dated 9/11/2016 highlighting the need to set forth rules of conduct and concrete control measures in the Codes of Ethics of public universities, in accordance with the principles of Presidential Decree no. 62/2013, also with regard to the Rector;
HAVING in particular, Art. 7 of the above-mentioned Code of Ethics governing the «Conflict of interest»;
REGARD TO in particular, Art. 7 of the above-mentioned Code of Ethics governing the «Conflict of interest»;
CONSIDERED THAT it is appropriate to integrate the afore-mentioned Art. 7 of the current Code of Ethics in order to specify the measures that this Administration can adopt to prevent conflicts of interest in top management positions, with particular reference to the Rector and the General Manager;
HAVING the positive impact of such integration in terms of preventing corruption;
EVALUATED the resolution dated 28/11/2016 by which the Academic Senate has approved the proposed additions, pending the favourable opinion of the Board of Directors;
HAVING the favourable opinion regarding the integration of Art. 7 of the Code of Ethics, issued by the Board of Directors at its meeting on 7/12/2016;
REGARD TO the updating of the 2017-2019 Three-Year Plan for Corruption Prevention and
PENDING Transparency;

DECREES THE FOLLOWING

that Art. 7 of the Code of Ethics referred to in R.D. no. 387 of 30/6/2011 is hereby integrated into paragraphs 2, 4 and 5:

Art. 7: "Conflict of interest"

1. *A conflict of interest occurs when the private interest of a member, excluding the student as a learner, actually or potentially conflicts with the interest, not only economic, of the University. This conflict also relates to external working relationships with potentially competing educational institutions or universities.*

2. *The private interest, not only of an economic nature, of a member of the University may be his/her personal interest; the interest of a spouse or cohabiting partner, of a relative or relative-in-law or other natural persons; the interest of entities or legal persons with which he/she has a commercial, employment, collaboration, association relationship or within which he/she holds positions in the governing or representative bodies; the interest of entities or legal persons of which he/she has, directly or indirectly, control or holds a significant shareholding; the interest of third parties, if he/she can knowingly derive advantages from it.*
3. Any member of the University who, in a given operation or circumstance, has interests in conflict with those of the University shall immediately inform the body or person responsible or hierarchically superior thereto, or shall refrain from any resolution or decisions in this regard, as well as from performing acts, even if only potentially, that are detrimental to the interests of the University.
4. *In the event of a conflict of interest attributed to the General Manager, he/she must notify the Rector in accordance with the procedures contained in Art. 7 of the University's "Code of Conduct";*
5. *In the event of a conflict of interest attributed to the Rector, he/she must inform the Academic Senate at the first next meeting; the Body, having identified the related conditions, shall refer the matter to the Guarantee Commission so that it may carry out the investigation set forth in Art. 21, paragraph 8 of the Articles of Association and implement the consequent decisions.*

This provision becomes an integral part of the Code of Ethics, as per R.D. no. 387 of 30/6/2011, and comes into force the day after its publication on the University website.

Napoli, 4 GEN. 2017

THE RECTOR

Prof. (Alberto CAROTENUTO)
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