



**DECLARATION OF INTEREST**

*(by the Members of the EMCDDA Management Board (MB), including Members without voting rights, their Substitutes and Observers)*

First name: Raphael

Last name: Bayer

Position in the EMCDDA MB:

- Member
- Member without voting rights
- Substitute**
- Observer

**Hereby declares, to the best of his/her knowledge, that the interests he/she currently has, or has had in the five years preceding the date of this declaration, and which are, or could be perceived as, related to the EMCDDA's activities, are listed below:**

1) Do you hold, or have you held in the past five years, positions in public or private organisation or entity (e.g. as employee, member of managing bodies), or do/did you perform professional activities (e.g. provision of services, consulting activities, liberal professions) which are, or could be perceived as, related to the EMCDDA's activities?

**NO**

YES *(please complete the table below as required)*

Position/activity	Organisation/entity	Time frame (from/to)	Observations

2) Do you have, or did you have in the past five years, financial interests (e.g. managerial stakes in companies, including ownerships of patents or any other relevant intellectual property rights), or assets (shares and/or securities held in companies), or grants or other funding/financial benefits (e.g. sponsorships or other kinds of benefits received in a personal capacity) which are, or could be perceived as, related to the EMCDDA's activities?

**NO**

YES *(please complete the table below as required)*

Financial interest/asset/grant/benefit	Organisation/entity	Time frame (from/to)	Observations



3) Does one of the situations referred to in items 1) and 2) above concern, or has it concerned in the past five years, your spouse/partner and/or your dependent family members?

**NO**

YES (please complete the table below as required)

Family member's position/activity or financial interest/asset/grant/benefit	Organisation/entity	Time frame (from/to)	Observations

4) Do you have, or did you have in the past five years, any other relevant interests, other than the ones mentioned above, which are, or could be perceived as, related to the EMCDDA's activities?

**NO**

YES (please complete the table below as required)

Other relevant interests	Organisation/entity	Time frame (from/to)	Observations

**I undersigned declare on my honour that:**

- To my best knowledge the present Declaration of interest is true and complete. I am aware that I will be responsible for updating this Declaration whenever the situation changes in respect of the interests declared and I will have the primary responsibility for spontaneously declaring any competing interest or conflicts of interest at all times, with special attention to any interest which might be considered prejudicial to my independence in relation to the items on the agenda of a meeting of the EMCDDA constituent body that I have to attend.
- I have read and I am aware of the content of the Privacy statement on the protection of personal data resulting from this Declaration, as it is provided here below, and I am aware that this Declaration will be made available for public scrutiny on the EMCDDA website, with due respect to EU rules on protection of personal data.
- I am aware of and I shall comply with the EMCDDA Policy for the prevention and management of conflicts of interest as adopted by the EMCDDA Management Board at its meeting of 5 December 2014 (EMCDDA/29/14 as published on the EMCDDA website). In particular I am aware of and I shall comply with the following provisions of this Policy:
  - In order to fulfil its tasks, the EMCDDA needs to have access to the highest level of expertise available in the areas of activity covered by its mandate and mission, as defined in its founding regulation. This expertise is often extremely specialised and the possible choice of alternative expertise is not always available. It is therefore essential that the EMCDDA can still be given access to specialised experts, while being made fully aware of all interests involved and possible risks of conflict of interests (or appearance of conflict of interests), in order to act upon these risks.



- The need to avoid conflicts of interest should not prevent the EMCDDA from collaborating with and seeking input from high-level experts. As the persons concerned are generally experienced and may have interests arising out of their professional background and capacity, appearance of conflict of interest, cannot always be entirely avoided. The risks of actual or perceived conflicts of interest should be identified, evaluated and managed. This is particularly relevant in areas where available expertise is limited. A fair, proportionate and timely handling of each case should therefore be ensured pursuant to a policy on prevention and management of conflicts of interest which reflects the perceived exposure of the agency to the relevant risks, taking into account the tasks entrusted to it.
- A conflict of interest generally refers to a situation where it can be reasonably considered that the impartiality and objectivity of an assessment, opinion, recommendation or decision of the agency is or might be perceived as being influenced, compromised or biased by a personal interest held or entrusted to a given individual. Relevant personal interest may be of financial or non-financial nature and it may concern a personal or family relationship or professional affiliations and other relevant outside activities.
- Not only actual independence but also perception of independence is important, since this issue can impact on the agency's reputation by raising doubts about the conclusions reached. The appearance of conflict of interest can constitute a reputational risk to the agency, even if it turns out to be unsubstantiated.
- This declaration of interest shall not imply by itself the existence of any conflict of interest. Declaring an interest shall not necessarily mean having an actual or potential conflict of interest, nor shall it automatically disqualify a person from participating in the activities of the EMCDDA.

Done at Vienna on 12.6.2018

Signature .....





## Privacy statement on protection of personal data resulting from the Declaration of interest

The EMCDDA shall process any personal data resulting from any Declaration of interest delivered in accordance with the EMCDDA Policy for the prevention and management of conflicts of interest, hereinafter referred to as the "Policy" (EMCDDA/29/14, as adopted by the EMCDDA Management Board at its meeting of 5 December 2014 and published on the EMCDDA website), pursuant to the Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

The purpose of the data processing is to ensure and safeguard the impartial functioning and the independent operations of the EMCDDA and its constituent bodies, in the public interest and in accordance with the mandate assigned to the latter.

The legal basis for this data processing is provided by the above mentioned decision of the EMCDDA Management Board adopting the EMCDDA Policy for the prevention and management of conflicts of interest, as published on the EMCDDA website.

In particular this Policy defines the nature of the interests to be declared, the obligation to do so, the possible consequences of not declaring, and provides for the publication of the Declaration of interest on the EMCDDA website.

The EMCDDA Director is the data controller responsible for the aforementioned data processing.

As required by the aforementioned Policy, the Declaration of interest will be published on the EMCDDA website and for the purpose of the relevant data processing will be disclosed to the recipients identified in the latter, namely the Members of the EMCDDA Management Board and EMCDDA Director, as well as, under the authority of the latter and as required by the relevant data processing, the Head of the EMCDDA 'Governance unit', the Head of the EMCDDA 'Administration unit' and the staff members in charge of the assistance to the EMCDDA Management Board and of the management of the EMCDDA website.

Furthermore, and in line with the pertinent provisions of the relevant EU legislation, the Declaration of Interest may be disclosed to bodies and actors in charge of audit, control, inspection or review of the EMCDDA acts, such as the European Court of Auditors, the EC Internal Audit Service, OLAF, the European Ombudsman and the European Data Protection Supervisor.

The EMCDDA Director, as the responsible data controller, will ensure that any Declaration of interest is duly filed and kept for a maximum retention period which will expire on the date of the decision providing discharge to the EMCDDA Director, following the termination of the mandate of the concerned person in the relevant EMCDDA constituent body.

The data subject, i.e. the author of the Declaration of interest, will have the right to access his/her Declaration and update or correct it, as required, at any time. For this purpose the data subject will have to address in writing the EMCDDA Director, as the responsible data controller.

In case the Declaration of interest is not delivered or is not complete, the EMCDDA Director, as the responsible data controller, will contact the data subject concerned for the purpose of the required delivery or completion of the Declaration.

The data subject may address the EMCDDA data protection officer ([DPO@emcdda.europa.eu](mailto:DPO@emcdda.europa.eu)) for possible questions concerning the protection of his/her personal data.

Without prejudice to any judicial remedy, the data subject will have the right to lodge a complaint with the European Data Protection Supervisor ([edps@europa.eu](mailto:edps@europa.eu)), if he/she considers that his/her rights to the protection of his/her personal data have been infringed.