

DECISION OF THE MANAGEMENT BOARD OF 18 MARCH 2026 ON THE POLICY FOR THE PREVENTION AND MANAGEMENT OF CONFLICTS OF INTEREST OF THE EMSA MANAGEMENT BOARD

THE MANAGEMENT BOARD OF THE EUROPEAN MARITIME SAFETY AGENCY (EMSA),

Having regard to Regulation (EU) 2025/2434 of the European Parliament and of the Council of 26 November 2025 on the European Maritime Safety Agency¹ of the European Parliament and of the Council on the European Maritime Safety Agency, in particular Article 16(1)(j) thereof;

Whereas:

- (1) The Management Board shall adopt and make publicly available the rules for the prevention and management of conflicts of interest in respect of its members and publish annually on its website the declaration of interests of the Management Board members.
- (2) Each member and alternate of the Management Board shall submit annual Declarations of confidentiality and of interests.
- (3) A Review Panel, as mentioned in section 8 of the Policy, shall be established to assess the submitted declarations.
- (4) Rules on the acceptance of gifts and hospitality need to be established.

HAS DECIDED AS FOLLOWS:

Article 1 – Adoption

The EMSA Policy for the Prevention and Management of Conflict of Interest of the EMSA Management Board, annexed to this Decision, is hereby adopted.

Article 2 – Review Panel

1. The Review Panel shall be composed of the Chairperson of the Management Board, the Deputy Chairperson of the Management Board, and a member of the Management Board appointed by the European Commission.
2. In addition, a Management Board member acting as alternate shall be appointed.

Article 3 – Entry into force and publication

This Decision shall take effect on the day following that of its adoption. The EMSA Policy for the Prevention and Management of Conflict of Interest of the Management Board shall be published on EMSA's website.

Done at Lisbon, 18 March 2026.

A handwritten signature in blue ink, appearing to read 'Wojciech Zdanowicz'.

For the European Maritime Safety Agency

Wojciech Zdanowicz

Chairperson of the Management Board

¹ Regulation (EU) 2025/2434 of the European Parliament and of the Council of 26 November 2025 on the European Maritime Safety Agency and repealing Regulation (EC) No 1406/2002 (Text with EEA relevance), OJ L, 2025/2434, 29.12.2025

Policy for the Prevention and Management of Conflicts of Interest of the EMSA Management Board

Version 1.0

Date: March 2026

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1. Introduction

The European Maritime Safety Agency (EMSA) Management Board (MB) plays a critical role in ensuring the Agency's governance and strategic direction. This Policy aims to safeguard impartiality, integrity, and transparency in decision-making by preventing and managing conflicts of interest (Col).

2. Purpose

This Policy defines principles and procedures for identifying, declaring, assessing, and managing Col among MB members and other participants to its work. The Policy promotes public trust and accountability while recognising that declared interests do not automatically constitute a conflict. They are assessed case-by-case.

3. Scope

This Policy applies to all MB members, alternate members, and individuals supporting the Management Board, including advisers and members of working or advisory groups when acting in that capacity.

4. Definitions

A conflict of interest refers to any situation where an individual's public duties and private interests, whether actual, potential, or perceived, are in conflict, such that the impartiality, independence, or objectivity of a decision, opinion or recommendation of EMSA may be compromised or appear compromised. This includes direct or indirect interests, financial or non-financial, held by the individual or close family members, which could improperly influence the performance of official duties. Examples include secondary employment, investments, or affiliations with organisations whose interests intersect with EMSA's mandate.

In addition, according to Article 61 of the EU Financial Regulation a conflict of interests exists where the impartial and objective exercise of the functions of a financial actor or other person is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other direct or indirect personal interest.

Interests can be direct or indirect depending on their likely or potential impact on the individual's behaviour at a given point in time. Direct interests are interests of personal benefit to the individual at the time of declaration, likely to influence or give the appearance of influencing their behaviour. Indirect interests should be considered as other interests, of personal benefit to another person or entity, that may have some influence over the individual's behaviour and therefore must be neutralised.

In this context, the conflict of interest can also be actual, potential or perceived:

- Actual conflict: A situation where private interests could improperly compromise the performance of official duties.
- Potential conflict: A situation where private interests could be compromised if the person were to become involved in relevant (i.e. conflicting) official duties in the future.
- Perceived conflict: A situation where it may appear to the public that private interests compromise official duties, even if this is in fact not the case.

5. Principles

Members of the Management Board, and other participants to its work, shall act independently, prioritising the Union's interest, and avoid any undue influence arising from personal, financial, or professional interests.

6. What interests should be declared?

Interests shall be declared for a period of up to 5 years preceding the declaration.

Interests that may pose actual, potential or perceived conflicts must be disclosed, as public perception of bias can undermine trust even if no improper act occurs.

In particular, the following interests shall be declared:

- Financial interest in commercial entities active in the field of EMSA's activities, including the holding of stocks and shares, stock options, equity, bonds, and/or partnership interest in the capital of such an undertaking. However, the holding of financial interest through an investment fund, pension fund and/or interests in non-nominal unit trusts or similar arrangements would not, in principle, need to be declared, provided that these investments are broadly diversified, and the individual has no influence on their financial management. In addition, financial interests do not need to be declared if their aggregate value is below EUR 10,000 (ten thousand euro);
- Current personal contractual obligations to perform work for a commercial entity or an interest group active in the field of EMSA's activities;
- Current intellectual property in a specific commercial entity active in the field of EMSA's activities;
- Interests of household members (i.e. spouse, partner and children living at the same address as the individual) in a domain falling within the field of EMSA's activities. In order to maintain privacy, their names do not need to be declared and also the relationship (e.g. wife) should not be specified.
- Other memberships or professional affiliations that can be perceived as a conflicting interest with the field of EMSA's activities;
- Personal relationships that could lead to a conflict of interest situation. In order to maintain privacy, the names of the persons concerned do not need to be declared

7. Gifts and Hospitality

As a general rule, MB members should not accept gifts and hospitality. They should make use of sound judgement in order to assess, in the given circumstances, if acceptance could be envisaged. Acceptance of gifts or hospitality may exceptionally be authorised (within the limits indicated below) when it is clear that this will not compromise or reasonably be perceived to compromise the MB member's objectivity and independence and will not damage the MB or the Agency's public image.

Criteria to be considered in this context are, in particular, if the acceptance of the gift or hospitality is counter to the interests of the MB or the Agency or presents a potential, actual or perceived conflict of interest for the member concerned, or if such acceptance would be in accordance with diplomatic and courtesy usage.

Accumulation of gifts and hospitality for which prior permission of the Review Panel is presumed may be seen to compromise the MB member's objectivity and independence, or may damage the MB or the Agency's public image. Therefore, it requires the permission by the Review Panel.

A procedure may be opened, as referred to below in Point 11 "**Breach and Sanctions**", in the event of non-consistent information of the declaration of gifts, hospitality, invitations, honours, or in case of failure to declare.

Gifts

Subject to the general principles set out herein, the following apply:

- Any gifts entailing a sum of money, regardless of the amount, must always be refused.
- Prior permission by the Review Panel is presumed to be granted for a gift worth up to EUR 50 (fifty euro).
- Explicit prior permission from the Review Panel is required for a gift worth between EUR 50 (fifty euro) and EUR 150 (one hundred and fifty euro), when it is clear that this will not compromise or reasonably be perceived to compromise the MB member's objectivity and independence and will not damage the MB or the Agency's public image. The MB member concerned is required to inform the Secretariat of the MB and to submit a declaration.
- If the Review Panel refuses to authorise the acceptance or if a gift is unwanted, it will be returned to the source, if this is feasible. Alternatively, the gift can be donated by the Agency to an appropriate charitable organisation.
- As a courtesy, the MB member shall inform the sender of the gift that the gift cannot be accepted and will be transmitted to charity, unless this would be diplomatically inappropriate.
- Authorisation to accept gifts with a value higher than EUR 150 (one hundred and fifty euro) will be refused by the Review Panel. Therefore, MB members shall not accept any gift with a value of more than EUR 150 (one hundred and fifty euro) related to their performance and duties as MB member.
- In case of doubt as to the value of a gift, an evaluation shall be undertaken in good faith by the MB member who receives it. The gift and its value shall be recorded in the gift register. The MB Secretariat or the Review Panel can raise questions regarding the estimated value of the gift.

Hospitality

Subject to the general principles set out herein, the following apply:

- Prior permission by the Review Panel is presumed to be granted for:
 - hospitality in the form of lunches or dinners strictly linked to the function of the MB members and as such not prejudicial to the interests and public image of the Agency or the MB;
 - occasional offers of simple meals, refreshments, snacks.
- Explicit prior permission by the Review Panel is required in cases not covered by the previous paragraph submitting a declaration.
- MB members shall not accept hospitality except when in accordance with diplomatic and courtesy usage. Attendance upon invitation to any events where MB members represent the MB shall not be considered as hospitality.
- MB members shall notify the Chairperson of the MB and the MB Secretariat of any decoration, prize or honour awarded to them in relation of their performance and duties for EMSA.

8. Governance and Roles

The administrative processes of collection, record keeping and publication of Declarations of Confidentiality and Interests as well as gifts shall be managed by the MB Secretariat.

The actual assessment of the submitted Declarations of Confidentiality and Interests shall be carried out by a Review Panel of the Management Board, that is empowered by the Management Board to carry out the assessment and proposal of remedial measure on its behalf. The Review Panel of the Management Board shall consist of the Chairperson, the Deputy Chairperson and one member of the MB appointed by the European Commission and one appointed MB member acting as alternate. Where the possible

conflict concerns any of the Review Panel members, the person concerned shall be replaced by the alternate.

The Review Panel of the MB may be supported by the respective EMSA services in their work.

The MB Secretariat shall keep a gifts register, where gifts which are accepted and/or rejected are declared. This register should indicate the details of the entity offering the gifts. All gifts should be declared. Gifts which are rejected should appear in the register as “offered and refused”.

On an annual basis, the Review Panel is entrusted with the task of assessing the register and identifying underestimated gifts and/or multiple gifts. Its decision on the matter shall be final.

9. Preventive Measures

Members of the Management Board, and other relevant participants to its work, should proactively manage private affairs to avoid conflicts and foster an open culture for discussing potential conflict of interest situations.

10. Procedures for Declarations of Confidentiality and Interests

10.1 Annual Declarations

Management Board members and their alternates shall submit annual Declarations of confidentiality and of interests (in the Annex), along with an up-to-date CV. These will be published on EMSA's website.

Management Board members and their alternates are obliged to update their Declaration of confidentiality and of Interests without delay following any relevant change of circumstances.

10.2 Specific Declarations

At the start of each meeting, members of the Management Board, and other relevant participants to its decision-making, shall orally declare any interests related to agenda items. These declarations will be recorded in the minutes.

10.3 Assessment and Decision

1. The examination of the annual declarations shall be concluded by the Review Panel by assigning one of the following risk levels to each profile:
 - Level 1: No relevant interest declared.
 - Level 2: Relevant interest declared (e.g. in the maritime sector) but which do not appear likely to have any direct influence on the decision-making process of the Management Board (and are not expected to have any such influence during the year following the declaration) or which are not such that it could foreseeably derive any particular benefit from the Management Board decision.
 - Level 3: Interests declared pertaining directly to the field of competence of the Management Board.
2. Interests can only be assessed by considering whether the specific interests declared are compatible with EMSA's activities and interests, as well as the mandate of the Management Board.

3. On the basis of the risk level assigned, the Review Panel shall propose to the Management Board the steps to be undertaken vis-à-vis the person concerned, taking into consideration the merits of each case within the framework laid down in point 4 below.
4. If the matter is classified as risk level 1 or 2, no further action is required. However, the Chairperson of the Management Board may at any time ask the Review Panel to reconsider the matter, in particular in the event of a change of circumstances, with a view to revise the classification.
5. For matters classified as risk level 3, the Review Panel shall immediately inform the person concerned that a possible conflict of interests has been identified and invite him or her to present any observations within 10 working days. On the expiry of the latter, the Review Panel taking account of such observations, if any, or requesting additional information, if needed, shall indicate to the Management Board if a conflict of interest under risk level 3 is confirmed.
6. Where the existence of a conflict of interest is confirmed by the Review Panel, the Management Board shall take a decision imposing mitigating measures (e.g. exclusion from voting on topics where a conflict of interest was noted) or giving two (2) months to the person concerned to remedy the conflict. The Management Board shall also take a decision imposing interim mitigating measures during the period of time given to remedy the conflict. (e.g. suspension from meetings or exclusion from voting on topics where a conflict of interest was noted) In case the conflict is not remedied within the term indicated, the Chairperson of the Management Board shall inform the appointing entity, as the case may be, providing full details of the facts found and indicating whether the situation already existed at the time of appointment of the person concerned, or has arisen subsequently.

11. Breach and sanctions

1. In case of a failure of a member to submit their annual Declaration of confidentiality and of interests within the deadline set by the Management Board Secretariat. The Management Board Secretariat shall assign the member concerned with an additional term of ten (10) working days to comply with his or her obligations. In case of failure to comply, the Chairperson of the MB shall inform the appointing institution and the member concerned shall be suspended with immediate effects from the exercise of duties until their Declaration has been submitted.
2. If the Review Panel has serious reasons to believe that there has been a breach of trust, it shall bring the case to the attention of the Management Board. A breach of trust is defined as an instance when it becomes apparent that information which should have been disclosed in the Declaration has not been. The Review Panel may request from the member concerned additional background information with regard to the information that was not declared, inviting an explanation for the non-disclosure and asking the individual to update the Declaration.
3. The Review Panel shall perform an assessment of the minutes of the meetings or of the records of the written procedure where the member concerned participated, as well as of the drafts submitted to and the acts adopted by the Management Board. The Review Panel shall clarify whether, and if appropriate, the extent to which, that member influenced the acts adopted by the Management Board. The Management Board shall take all appropriate measures to address these findings.
4. The member concerned shall be informed of the Review Panel' preliminary conclusions on the existence of a breach of trust and shall be invited to present his or her views within ten (10) working days of the notification. Where those views are not provided within the time indicated or do not call into question the existence of a breach of trust, the Board may proceed to propose to the Management Board appropriate measures. The Management Board will take a decision on the measures to be taken and the Chairperson will inform the appointing authority.

12. Data Protection

Implementation of this Policy shall be made in accordance with Regulation (EU) 2018/1725.

Any person to whom this Policy applies to has a right to access their data, in particular regarding their declarations or gifts register if applicable, to update or correct them at any time.

13. Transparency and Review

Declarations will be published on EMSA's website. This Policy will be reviewed periodically to ensure effectiveness and alignment with EU ethics standards.

EMSA MANAGEMENT BOARD

DECLARATION OF CONFIDENTIALITY AND OF INTERESTS FOR THE YEAR XXX

I, the undersigned, ..., in my function as [advisor] [[alternate] member] [observer] of the Management Board of the European Maritime Safety Agency (EMSA), representing,

- hereby declare that I am aware of my obligation to respect confidentiality, even after my duties have ceased. In addition, I acknowledge my duty to maintain strict confidentiality regarding all non-public information obtained through my participation in the work of the Management Board. I shall not disclose, share, or use any confidential information for personal gain or in any manner inconsistent with the responsibilities entrusted to me. I shall also respect the confidential nature of the opinions expressed by other members during discussions in meetings or provided in written form.
- hereby declare the following with regard to interests relevant to my tasks (*please tick the relevant boxes and provide relevant information in case any interests are declared*):
 - I have no interests which could be considered a relevant interest.
 - I have the following interests:

	Category	Details
<input type="checkbox"/>	Financial interest in commercial entities active in the field of EMSA's activities, including the holding of stocks and shares, stock options, equity, bonds, and/or partnership interest in the capital of such an undertaking. <i>Note: Financial interests do not need to be declared if their aggregate value is below EUR 10,000.</i>	
<input type="checkbox"/>	Current personal contractual obligations to perform work for a commercial entity or an interest group active in the field of EMSA's activities.	
<input type="checkbox"/>	Current intellectual property in a specific commercial entity active in the field of EMSA's activities.	
<input type="checkbox"/>	Interests of household members (i.e. spouse, partner and children living at the same address as the individual) in a domain falling within the field of EMSA's activities. <i>Note: To maintain privacy, their names do not need to be declared and the relationship (e.g. wife) should not be specified.</i>	
<input type="checkbox"/>	Other memberships or professional affiliations that can be perceived as a conflicting interest with the field of EMSA's activities.	
<input type="checkbox"/>	Personal relationships that could lead to a conflict of interest situation. <i>Note: To maintain privacy, the names of the persons concerned do not need to be declared.</i>	

I understand that this Declaration shall be updated this in the case of a change of circumstances with regard to any interest and will be published by the Agency.

DONE IN _____ ON _____
SIGNATURE

Data Protection Notice – Declaration of confidentiality and of interests

Purpose of Processing

The European Maritime Safety Agency (EMSA) collects and processes personal data provided in the Declaration of confidentiality and of interests for the purpose of ensuring transparency and compliance with ethical standards applicable to EMSA activities. The information will be published on EMSA's website to meet legal obligations.

Legal Basis

Processing is carried out in accordance with Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by Union institutions, bodies, offices and agencies.

Categories of Personal Data

The personal data processed may include:

- Name and professional details
- Position and organisational affiliation
- Information related to potential interests that could lead to a conflict of interests

Recipients of the Data

The Declaration will be published on EMSA's website. Data may also be accessed by EMSA staff responsible for compliance and governance.

Data Retention

Personal data will be retained for as long as necessary to fulfil the purpose of transparency and compliance, and in accordance with EMSA's retention policy.

Data Subject Rights

You have the right to:

- Access your personal data
- Request rectification of inaccurate or incomplete data
- Request restriction of processing under certain conditions
- Object to processing on compelling legitimate grounds

To exercise these rights, please contact EMSA's Data Protection Officer (DPO) at DPO@emsa.europa.eu. You also have the right to lodge a complaint with the European Data Protection Supervisor (EDPS).

Controller

The Data Controller is the Head of the Unit, Executive Office, European Maritime Safety Agency (EMSA), Praça Europa 4, 1249-206 Lisbon, Portugal.

European Maritime Safety Agency

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