

CODE OF ETHICS AND PROFESSIONAL CONDUCT OF THE STAFF OF THE COURT OF ACCOUNTS

Code of ethics and professional conduct of the staff of the Court of Accounts establishes rules of ethics and professional conduct and formulates principles to be observed in order to increase confidence, authority and prestige of the Court of Accounts as supreme audit institution.

In drafting the Code of Ethics and Professional Conduct of the staff of the Court of Accounts, have been considered the guidance included in the INTOSAI Code of Ethical Conduct, which in line with the principles adopted at the Lima Congress in 1977, was established as a foundation for supreme audit institutions codes. Also, at the development of the Code, were considered the provisions of Law no. 94/1992 on the organization and functioning of the Court of Accounts, republished, as well as other legal acts which stipulate obligations, responsibilities, incompatibilities and prohibitions also applicable to the staff of the Court of Accounts.

Art. 1. - This Code of Ethics and Professional Conduct of staff of the Court of accounts, hereinafter "Code" is approved by the Court of Accounts' Plenum, according to provisions of Art. 57 and Art. 58 j) of Law no. 94/1992, republished, and includes the rules of professional conduct and principles that must be observed by the members of the Court of Accounts, external public auditors, civil servants and contractual personnel of the Court of Accounts.

Art. 2 - Compliance with the Code provisions aims to achieve the following objectives:

- a) increasing the credibility of the Court of Accounts as a supreme audit institution;
- b) increasing the quality of activities specific to the Court of Accounts;
- c) building trust of the audited entities regarding the actions and documents prepared by the Court of Accounts;
- d) reaching a high level of professionalism of the external public auditors.

CHAPTER I

Members of the Court of Accounts

Art. 3 - (1) Members of the Court of Accounts are independent in the exercise of their office and irremovable throughout its duration. They are public officials and are subject to the incompatibilities provided by the law for judges.

(2) The members of the Court of Accounts are prohibited to join political parties or undertake political activities.

(3) The Court of Accounts' members are prohibited to exercise, directly or through intermediaries, trading activities, participate in the administration or management of commercial or civil companies. They cannot not be experts or arbitrators appointed by a party in an arbitration.

Art. 4 - (1) Members of the Court of Accounts are obliged:

- a) to fulfill their assigned position impartially and in compliance with the Constitution;

- b) to keep secret the deliberations and votes and not to take a public stand or give consultations on matters within the authority of the Court of Accounts;
- c) to express their vote for or against the adoption of the Court of Accounts' acts, abstaining from the vote not being allowed. In the event of a negative vote, it must be justified in writing;
- d) to notify in writing the President of the Court of any situation that could trigger incompatibility with the mandate exercised;
- e) to not allow the use of the positions they have for purposes of commercial advertising or propaganda of any kind;
- f) to refrain from any activity or manifestation contrary to independence and dignity of their position.

(2) Serious violation of any liability referred to in paragraph (1) entails the revocation from the position of those who committed it.

(3) Revocation of the members of the Court of Accounts is made by the Parliament on the recommendation of the standing committees on Budget, Finance and Banking of the two Chambers.

Art. 5. - From the date of prosecuting, the Court of Accounts members are suspended by law from their positions. In case of a final sentence, they are dismissed by law as, and in the case of acquittal, the suspension shall cease.

Art. 6 – The member term of the Court of Accounts shall cease in the following cases:

- a) at the expiry of the period for which has been appointed, or in case of resignation, disenfranchisement, removal by law or death;
- b) in cases of incompatibility or impossibility to exercise the office for more than 6 consecutive months;
- c) in case of the revocation from the position.

Art. 7 - The provisions of this Code relating to members of the Court of Accounts, are also completed with the provisions of Law no. 303/2004 on the statute of judges and prosecutors, republished, with subsequent amendments and supplements, Law no. 161/2003 on certain measures to ensure transparency in the exercise of public dignities, public functions and in the business environment, preventing and sanctioning corruption, with subsequent amendments and supplements, as well as with other regulations in force, which set the incompatibilities regime, conflicts of interest, other prohibitions and obligations that may also apply to counselors of accounts.

CHAPTER II

Code of Ethics for external public auditors

Art. 8 - (1) This Code establishes rules of ethical and professional conduct, fundamental principles and values to be respected by the external public auditors in the socio-professional activity they perform.

(2) The rules of ethical and professional conduct set out in this Code have been established according to the Court of Accounts functions and necessity of individualization of external public auditor's position through features of professional and intellectual skills necessary for the employment in such position.

(3) For the purposes of this Code, by the phrase "external public auditor" is meant both the person performing activities specific to the Court or Accounts or performing other duties, strictly related to the control function and the persons holding management positions of director, deputy director, head of unit / chief regional audit office and office head from the specialty structures of the Court of Accounts and Audit Authority.

Section I

Fundamental ethical principles and values

Art. 9 - External public auditors must know and respect fundamental ethical principles and values that are found in the General Standards with ethical significance of Audit standards of the Court of Accounts, namely independence, integrity, professional competence, confidentiality, professional conduct and objectivity.

Art. 10. - (1) The external public auditor must be independent of both the verified entity and against any kind of influence and interest groups, internal or external to the entity.

(2) The independence of external public auditors is influenced and affected, mainly if:

- a) in the past 24 months, they have been in employment or job relationships or any kind of contractual relationship with the entity subject to verification;
- b) within the audited entity, family members, spouse, relative or in - law up to the second degree, inclusively, have the status of employee;
- c) establishes an atmosphere of familiarity with the verified entity's staff during the course of inspection / audit;
- d) there are suspicions that, due to influences internal or external to the entity, they were unable to exercise their professional judgment objectively for verifications performance;
- e) actions of intimidation are exercised over them, under various forms, by the staff of the audited entity or persons outside it, concerning the audit action undertaken. External public auditors under these circumstances shall inform the management of the specialty structure of which they are part of, for detecting relevant bodies in order to ensure their protection;
- f) in the last 24 months, were involved in actions pending in courts against the entity verified.

(3) External public auditors must maintain independence from any political influence in fulfilling their job duties to entities subject to verification, thus ensuring the principle of political neutrality. Where, as part verification actions to these entities, external public auditors are subject to political pressure, they are obliged to notify, both verbally and in

writing their hierarchical superiors about the respective situation, according to Article 17 of this Code.

Art. 11. - (1) The independence and objectivity of external public auditors may be influenced and affected by the conflict of interest. It can be real, apparent or potential.

(2) Real conflict of interest is the conflict between the public duties, respectively the public interest and personal interests of an external public auditor, the latter having certain interests in private person capacity that could improperly influence the fulfilment of job duties and his official responsibilities.

(3) The conflict of interest is apparent when the personal interests of an external public auditor seem to be likely to unduly influence the performance of its duties. Potential conflict of interest occurs when an external public auditor has personal interests that are likely to cause a conflict of interest if that person would be involved in the future, relevant job official duties, likely to cause a conflict. External public auditors must avoid apparent or potential conflict of interest that may arise between them and entities subject to verification.

(4) The public interest involves fulfilling their job duties with the observance by the external public auditor of Constitution and laws of the country, of this Code and any other regulations and internal rules specific to the Court of Accounts. Personal interest is material advantage or of other nature, pursued or obtained directly or indirectly, for himself or for others by using external public auditor's reputation, influence, facilities, relationships and information which are available as a result of exercise of his duties.

(5) The following situations in which external public auditors may be are considered real conflict of interests situations, without limitation,

- a) in the preceding 24 months, have used in personal interest or in the interest of family members, husband, wife, or 1st degree relatives, movable or immovable assets in the entity's ownership, subject to verification;
- b) spouse or first degree relatives have contracts, including of legal assistance, advice or civil concluded in the previous 24 months or ongoing with the entity subject to verification;
- c) are indebted, materially or otherwise, to employees of the audited entity, which could thus obtain from external public auditors favors or benefit of special treatment during the verification action;
- d) leased movable and immovable entities that are subject to verification of the Court of Accounts;
- e) received gifts from entities subject to verification in the form of goods or services or honored invitations to shows, seminars, conferences or events in the country or abroad. As regards participation in various events organized by the verified entity, other events are covered than those of public and official nature;
- f) provided financial and accounting services in the previous 24 months at the entity that will be verified both by these as well as by wife, husband or relatives of first degree.

(6) Failure to declare by the external public auditors of conflicts of interest situations really referred to in paragraph (5), as well as of other situations that could generate such a conflict for external public auditors in relation to entities subject to verification, it is considered misbehavior.

Art. 12. - (1) Integrity is the principle according to which the external public auditor is required to observe the principles of independence and objectivity, to maintain irreproachable standards of professional conduct, make decisions taking into account the public interest and to prove absolute honor in conducting activity and Court of Accounts' resource usage.

(2) The principle of integrity requires that the external public auditor:

- a) to be fair, to implement and fully comply with the legislation in force, standards, rules and procedures for the conduct of verification missions, making decisions consistent with the public interest;
- b) to be honest, that is to show honesty and fairness to be respected and not compromising professionalism in the mission which fulfills;
- c) to be incorruptible, meaning to not receive material or other nature advantages from interest groups from inside or outside the audited entity;
- d) to demonstrate fairness, good faith and responsibility in the use of time and material and financial resources of the Court of Accounts;
- e) not knowingly participate in activities and acts outside the professional activity, by which their position to be discredited.

Art. 13. - (1) Professional competence is the principle according to which the external public auditors must be able to decide, based on professional judgment, on a problem or situation encountered in the work they perform.

(2) The principle of professional competence involves from the part of external public auditor, the following:

- a) to have good knowledge of the legislation governing the organization and functioning of the audited entity;
- b) to have theoretical and practical training for conducting activities of control / audit;
- c) to continually improve training, in order to fulfill the responsibilities specific to the position he occupies, through individual continuing professional training;
- d) to support based on clear evidence the findings, conclusions, formulated recommendations and proposed measures in the reports elaborated as a result of missions conducted to verified entities.

(3) External public auditors must maintain throughout the control / audit mission both professional skepticism as well as due care.

(4) Professional skepticism is the reserved attitude on the truth and accuracy of data, information and documents submitted by the entity verified, prompting the external public auditors to evaluate critically and objectively the validity of information from the audit evidence obtained.

(5) Due attention is the constant concern that external public auditors must manifest to the job duties that they have to fulfill, according to auditing standards, regulations and internal rules of the Court of Accounts, in the activity carried out to entities subject to verification.

Art. 14. - (1) Confidentiality is the principle according to which the external public auditor can not reveal, except in cases provided by law, the data and information made available to him by the audited entities and those acquired from other sources during the course of control / audit missions.

(2) To preserve the confidentiality of data and information gained in the control / audit missions, the external public auditors must comply with the obligations and prohibitions laid down in art. 41 and art. 43 paragraph (2) l) and m) of the Statute.

Art. 15. - (1) Professional conduct is the principle according to which the external public auditor should behave and act in fulfilling his job duties so as to avoid any situation that might discredit his position and activity performed, and the prestige of the Court of Accounts.

(2) Senior management personnel must set an example of ethical and professional conduct for their staff.

(3) The principle of professional conduct requires external public auditors, compliance mainly with the requirements related to the fulfillment of job duties regarding the verifications. Thus, they have to:

- a) demonstrate consideration in examining issues under verification and obtaining data and information so that the findings, conclusions, recommendations and proposed measures to be complete, clear and real;
- b) to show perseverance and consistency in the application and collection of data, information and documents needed to establish conclusions, and if they are not made available by the entity verified, to apply the procedures provided by law and by the subsequent internal rules;
- c) to give the appropriate importance and time needed for discussions with those designated by the entity to substantiate its findings on the basis of all arguments and evidences submitted by them;
- d) to provide the audited entity a reasonable period of time to provide information and documents requested, except for situations where they must be made available immediately;
- e) to request the audited entity to clarify the aspects for which considers that further information is required;
- f) to formulate and issue independently the opinion about the aspects found and decide honestly, concisely, expressing the reasons for non-compliance with the entity's point of view;
- g) to show efficiency in the exercise of job duties, observing deadlines established and thus avoiding subjective and unnecessary extension of the verification action duration;

(4) In addition to the requirements of paragraph (3), external public auditors shall observe, without limitation, the following requirements of ethical conduct:

- a) to have a decent outfit;
- b) to have a respectful behavior both in relationships with colleagues and superiors within the Court of Accounts and in relations with management representatives and employees of the audited entities;
- c) not to practice any form of threat or pressure on colleagues, staff of the Court of Accounts or on audited entities management representatives and employees, regardless of the position held;
- d) to show understanding for the problems the entity is facing and consider it an equal partner;
- e) to ensure equal treatment in the work that it carries to the audited entity and not discriminate on grounds of nationality, gender, origin, race, ethnicity, disability, age, religion or political beliefs;
- f) to demonstrate seriousness, professionalism and respect for persons he works with;
- g) to respect the privacy of persons whom he enters in working relationships.

Art. 16. - (1) Objectivity is the principle according to which the external public auditor must prove equity and impartiality in the activity conducted to the public entity and, in particular, in the report prepared, which has to be fair and objective.

(2) The external public auditor should be objective, namely to prove by evidence, calculations and reasoning that the drafting of the findings and conclusions documented in the reports concluded and measures proposed to eliminate irregularities or deviations found, concerns the activity of the audited entity.

(3) The external public auditors are required to use in an impartial way data and information presented to them by the entity verified when formulating findings, conclusions, recommendations and proposed measures.

(4) The external public auditors will present data and information on the work carried out by the entity verified using professional judgment, consultations with teammates and superiors involved in the supervision and coordination of the audit mission, without being influenced by suggestions and opinions of any other persons and which are contrary to the public interest.

Section 2

Statement of Independence

Art. 17 - (1) External public auditors are obliged that, at the initiation of mission in which they were proposed to participate, to compile a Statement of independence, according to the model shown in Annex no. 1 of this Code and that shall be mandatorily attached to the verification mission file. Statement of Independence is a tool to monitor and control of the Code of Ethics provisions observance, especially the principles of independence, integrity, objectivity and impartiality in carrying out job duties.

(2) The Statement of independence is submitted for each action to which the external public auditor is nominated, namely documentary actions, financial audit, performance audit, compliance / control audit, verification of complaints and checking the carry out of the measures ordered by decisions.

(3) External public auditors shall draw up only one Statement of independence when they are appointed to perform to a an entity, at the same time or in successive periods of time, several types of verifications, such as documentation, financial audit, performance audit, compliance audit, verification of complaints and verification of carrying out the measures ordered by decisions and so on.

(4) In the central and territorial specialized structures a register of statements of independence of external public auditors is kept, referred to as "Register", which is held in electronic format to the secretariat of the concerned structures, in accordance to the model provided in Annex no. 2 to this Code. After completing the Statement of Independence by external public auditor, the latter presents himself for acknowledgment to the hierarchical superior, or the director of the central structures or Director / Deputy Director of the Chambers of accounts, and is recorded in the Register. Number and date of registration in the Register is filled in, mandatorily, in the Statement of independence.

(5) External public auditors are required to submit Statements of independence in addition to those made at the commencement of the mission whenever new circumstances arise during the verification action, which may influence or affect mainly the independence and objectivity in exercising the job duties. These Statements of independence will contain in the title the reference "in completion of the Statement of Independence no. dated....." and is recorded in the specialized structure records in accordance with the provisions of Art. 17 paragraph (4) of this Code.

(6) External public auditors are required to submit Statements of independence, as well as those in their completion, within 3 business days of the completion, electronically to the Ethics Committee, established at the Court of Accounts level, or at the level of the Audit Authority, as appropriate, the workgroup subordinated to the Court of Accounts Plenum, which operates in accordance with Art. 43-45 of this Code.

Art. 18. - (1) If, in the Statement of Independence or in the Statement of independence submitted completing the initial one, were recorded various issues different at one or more points of its contents, the Head of the Department, Director of the Chamber of Accounts, the Director of the specialty directorate within the Audit Authority or the head of the audit regional office of which the external public auditor is part, orders within 3 business days from the date of registration in the Register of the Statement of Independence, replacing it with other external public auditor or measures to reduce or eliminate situations which may affect external public auditor's independence and objectivity in the performance of the job duties by restructuring the verification activities to be performed by each member of the control / audit team, as appropriate.

(2) For conflicts of interest situations referred to in art. 11 paragraph (5) one shall mandatorily proceed to replacing the external public auditor within 3 business days from the date of registration of the Statement of Independence in the evidence Register found at the specialty structure. Measure of replacement is ordered by:

- a) head of unit, in case of directors and external public auditors in the central structures;
- b) Head of unit VI "Coordination of administrative-territorial units budgets verification" in the case of chambers of accounts' directors
- c) the Chamber of Accounts director in case of external public auditors, heads of departments, and, as appropriate, to deputy directors within the chamber of accounts.

(3) The decision of replacing the external public auditor, according to the procedure of paragraph (2) shall be also taken if the husband / wife, relatives and in-laws up to the second degree are employed in the entity and are involved in activities subject to Court of Accounts verification. In justified cases, mostly related to difficulties that may arise in the composition of control / audit teams, the external public auditor concerned can participate in the action of verifying the entity in question, provided that the hierarchical superior to ensure that the principles of independence, objectivity and integrity are followed by the distribution of responsibilities within the team, so it does not achieve verification of objectives which are in the responsibility of the person it has a family relationship / relative by affinity up to the second degree.

(4) When the external public auditor has a family or relative by affinity up to the second degree relationship with people of the verified entity who are not involved in activities subject to Court of Accounts' verification, it is obliged to mention in the Statement of Independence that situation and under the supervision of the direct hierarchical superior within the departments or to director / deputy director of the chambers of accounts, director of the specialty directorate within the Audit Authority or to the Head of the audit regional office, may participate in the verification of the respective entity.

19. - (1) At the initiation of the verification action or at the nomination for participation in committees to resolve disputes, directors and heads of departments from the central specialized structures or directors, deputy directors and heads of departments in the chambers of accounts or heads of regional audit offices will submit Statements of independence if they realize that they are falling within the scope of an ethical issue stipulated by the Code in relation to the entity subject to verification. These Statements of independence follow the registration procedures as well as those for transmission to the Ethics Committee, referred to in art. 17 of this Code.

(2) With the purpose of ordering by the hierarchical superiors of the measures required for compliance with the principles of independence, objectivity and integrity, the persons referred to in paragraph (1) shall present or submit the Statements of

independence, where appropriate, within 3 business days of their registration in the register provided in art. 17 paragraph (4), to the:

- a) head of the department, in case of the central structures directors;
- b) head of Department VI "Verification coordination of administrative-territorial units budgets" in case of chambers of accounts directors;
- c) the director of the department, in case of heads of units within the department;
- d) the director of the chamber of accounts, if the deputy director and heads of units within the chambers of accounts, as appropriate;
- e) Audit Authority management in the case of directors of the specialty directorates;
- f) the director of the specialty directorate within the Audit Authority for heads of units;
- g) the director of the specialty directorate within the Audit Authority that coordinates the audit mission, in case of heads of audit regional office.

(3) Measures that can be ordered to ensure the independence, objectivity and integrity according to art. 18 may be also adapted and applied for directors and heads of units from the central specialized structures or to directors, deputy directors and heads of units in the chambers of accounts.

(4) The persons indicated in paragraph (1) may submit Statements of Independence no more than one month before the onset of verification action to an entity provided in the program when they become aware of ethical issues within the Code in case of that entity, thus being timely created, premises for clarification by hierarchical superiors stipulated under paragraph (2) of the measures required to ensure the independence, objectivity and integrity in fulfilling the job duties.

Section 3

Information on ethical issues

Art. 20. - (1) Directors of the specialized departments and directors of chambers of accounts and are required to submit monthly an information on ethical issues in electronic form to the Ethics Committee, no later than 5 business days after the end of the month subject to reporting, according to the model presented in Annex no. 3 to this Code.

(2) Information on ethical issues mainly includes:

- a) information on the knowledge and observance for the Statute and Code provisions within specialized structures;
- b) special cases reported by external public auditors by completing the Statements of Independence and how these situations were resolved by their superiors;
- c) trainings and evaluations on ethical issues that are conducted at specialized structures level in office days, according to internal regulations;
- d) the trainings on ethical issues organized for newly hired external public auditors, according to the Statute and the Code provisions;
- e) the modality in which the specialized structures carried out the proposals made by the Committee in reports / briefings submitted to the Plenum and approved by it;
- f) any other issues and situations encountered in the activity of external public auditors belonging to the specialized structures which are relevant in terms of ethics and integrity.

(3) The reports on ethical issues prepared by the directors of the specialized structures at central level are endorsed by the head of department before being sent to the Ethics Committee.

(4) The directors within the Department I "Methodology, professional training, assessment of the audit and control activity, scheduling, reporting, synthesis and IT", Department VI " Verification coordination of administrative-territorial units budgets " and the Legal Department have to submit quarterly briefings regarding ethical issues on ethical and professional conduct of the specialty staff who work within these structures, no later than 5 business days after the end of the quarter for which they were prepared. Presentation form of the briefing on ethical issues set out in Annex no. 3 of the Code, adapts to the specific of the activity developed by these specialty structures.

(5) Briefings on ethical issues of specialized structures directors mentioned in paragraph (4) will contain references to the Statement of Independence, only to the extent that external public auditors in these structures are involved in control / audit actions, or perform duties in connection with such activities.

(6) The Ethics Committee has the obligation to centralize data and matters of ethics and integrity contained in briefings on ethical issues in quarterly reports, presented to the Plenum.

(7) In case of the Audit Authority, briefings on ethical issues will be submitted to the Ethics Committee constituted at the level of the Audit Authority, quarterly, not later than 5 business days after the end of the quarter for which they were elaborated.

Art. 21. - (1) At least once every six months, directors of specialty departments and directors of the chambers of accounts organize in one of the days at the office, meetings with all external public auditors to present, analyze and discuss cases for breach of rules with ethical significance or ethical issues that occurred in their work.

(2) In the meetings provided in paragraph 1) the directors of the specialized departments and directors of chambers of accounts will remind the external public auditors their ethical obligations they have and will present their documentary materials provided mainly by the Ethics Committee on certain issues of ethics and integrity.

(3) The activities carried out by directors of specialty departments and directors of the chambers of accounts as provided in paragraph (1) and (2) shall be recorded in the briefing on ethical issues related to the month in which they occurred.

Section 4

Incompatibilities of the external public auditors

Art. 22 - (1) Incompatibility is the situation where the external public auditor cannot exercise other functions or activities outside the one of external public auditor.

(2) External public auditors are in incompatibility when:

- a) conduct public activities of political nature;
- b) occupy any other public or private position, except for teaching positions in education. External public auditor position cannot be exercised at the entity at which the auditor concerned conducts the teaching activity. Teaching activity may be exercised only outside the work program of the Court of Accounts.
- c) exercises trading activities directly or through intermediaries;
- d) have the quality of member in the management, administration and control bodies, remunerated or not, of commercial or civil companies, including banks or other credit institutions, insurance or financial companies, national companies or public utilities

companies, as well as in political parties, with the exception of non-profit associations and foundations or professional associations;

e) are experts, mediators or arbitrators appointed by the parties in an arbitration.

Art. 23. - (1) External public auditors who are in one of the situations of incompatibility stipulated in art. 22, which may also be generated by the existence of a mandate, are obliged to inform in writing within 3 business days of the occurrence thereof, the head of department, director of the chambers of accounts, the specialty department director or head of the audit regional office that includes the ethics committee, established at the Court of Accounts level, namely at the Audit Authority, as appropriate, for keeping records of these cases and seeking their settlement.

(2) Within 10 business days from the expiry of the deadline provided in paragraph (1), external public auditors are required to choose one of the positions / activities, resigning, under the law, from the position they renounce.

(3) Failure to comply with the obligations under paragraph (1) and (2) is considered serious misconduct.

Section 5

Disciplinary liability of external public auditors

Art. 24 – Constitutes act of misconduct every offence committed with guilt by external public auditors in relation to the activity conducted, consisting of an action or inaction by which legal provisions, individual employment contract, provisions of the current Code and any other regulations or internal rules of the Court of Accounts have been violated.

Art. 25 - The following facts are considered disciplinary offences:

- a) systematic, proved delay in the performance of work assignments on time and of good quality;
- b) repeated violation of the job duties by negligence;
- c) absence without leave;
- d) unjustified refusal or omission, knowingly, to fulfill the tasks set by the job description;
- e) failure to observe the secrecy and confidentiality of the data and information obtained by carrying out the job duties and their disclosure to persons other than those entitled, under the law, or using them in a manner contrary to the law;
- f) public disclosure of the documents prepared and / or issued by the Court of Accounts structures before the end of the recovery procedures laid down in Regulation on the organization and conducting of activities specific to the Court of Accounts and the capitalization of documents resulting from these activities without the approval of the Court of Accounts;
- g) expressions and statements written or oral, defamatory, slanderous and unfounded, affecting the prestige and authority of the Court of Accounts;
- h) interventions or insisting on solving problems outside the legal framework and outside job duties that the external public auditor has;
- i) breach of order and discipline in the workplace, and on the premises of the entities where conducts verification actions;
- j) public expression of opinions or political beliefs as well as participation in political activities and public events;
- k) the unjustified refusal, knowingly failure to complete or completion with false data of the Statement of Independence in the conditions and situations under this Code and failure to

transmit this to people and internal structures of the Court of Accounts by the deadlines set in this Code;

- l) violation of the provisions on incompatibilities, prohibitions and conflicts of interest provided by this Code, the Statute of external public auditor and other internal regulations of the Court of Accounts;
- m) violation of any other obligation under this Code, the statute of external public auditor and by other internal regulations of the Court of Accounts.

Art. 26. - (1) The disciplinary sanctions applicable to external public auditors, in case of committing one or more disciplinary offences are:

- a) written warning;
- b) demotion, with the salary according to position in which demotion was ordered for a period not exceeding 60 calendar days;
- c) decrease of the basic salary by 5-10 % for a period of 1-3 months;
- d) disciplinary termination of the individual employment contract.

(2) Disciplinary sanctions provided in paragraph 1 a) - c) shall be canceled by law within 12 months of the implementation, if the external public auditor shall not be bound for another disciplinary sanction within that period. Cancellation of disciplinary sanctions is established by order of the President of the Court of Accounts.

Art. 27. - (1) For the same disciplinary offence only one sanction may apply.

(2) If, as a result of the referral, more facts are indicated as disciplinary offences committed by the same external public auditor, the disciplinary commission established to investigate the facts prior to disciplinary complaints, according to art. 31, proposes after administrative investigation, implementation of a single disciplinary sanction, taking into account all disciplinary offences.

(3) Disciplinary sanctions shall be applied according to the seriousness of the disciplinary offence committed by the external public auditor, taking into account the following:

- a) the circumstances in which the offence was committed;
- b) the degree of guilt of the person concerned;
- c) the consequences of the disciplinary offence;
- d) general behavior within the structure the guilty persons is part of;
- e) disciplinary sanctions previously incurred by the person concerned.

Art. 28. - (1) Referral of the offences committed by the external public auditors, which are regarded as disciplinary offences, may be made, without limitation, by:

- a) accounts counselor for external public auditors, office managers, heads of department and directors in the coordinated department, as well as for directors and deputy directors of territorial structures they coordinate;
- b) chamber of accounts director for external public auditors, office managers, heads of unit and deputy directors under its supervision;
- c) the controlled entity when the facts are committed in the exercise of control / audit mission;
- d) external public auditors;
- e) Ethics Committee;
- f) whistleblowers, as warnings to the public;
- g) representatives of civil society.

(2) The main issues concerning the whistleblowers capacity of external public auditors are found in the Annex no. 4 of this Code.

Art. 29. - (1) Complaint addressed to the President of the Court of Accounts, according to provisions of Art. 28 paragraph (1) a), b), d) and e) shall be made in writing and must contain mainly the following elements:

- a) the name, forename, address, position held and structure in which the person who filed the complaint operates, or, if applicable, the name and address of the legal entity audited and the name and position of the legal representative;
- b) the name, forename, address, position and structure in which the external public auditor operates and whose act is notified as disciplinary offence;
- c) description of the act which is the subject of the complaint and the date of its commitment ;
- d) presentation of evidence on which the complaint is based;
- e) an indication of the disciplinary offence committed, specifying the job duties violated, of the legal provisions, regulations and internal rules, legal provisions or legal orders of hierarchical superiors which were not observed in the development of their professional activity;
- f) proposal to apply a disciplinary sanction of the "written warning";
- g) signature.

(2) The notification shall be made before the expiry of 6 months from the date of the deed notified as disciplinary offence and should be accompanied, when possible, by the documents that support it.

Art. 30 - With the exception of written warning, no sanction may be imposed before a preliminary disciplinary investigation, under penalty of nullity.

Art. 31. - (1) In order to carry out the preliminary disciplinary investigation of the facts notified and for sanction proposal, President of the Court of Accounts appoints a disciplinary commission, depending on circumstances, composed of 3-7 members and a secretary without the right to vote.

(2) The disciplinary commission operates only based upon a complaint, within the limits and in relation to its subject.

(3) The works of each meeting of the disciplinary committee shall be recorded in the minutes signed by the President and the other members of the disciplinary committee.

Art. 32. - (1) The disciplinary committee activity is based on the following principles:

- a) presumption of innocence, according to which the external public auditor is presumed innocent for the act referred as disciplinary offence as long as his guilt has not been proven;
- b) guarantee of the right of defense, according to which the external public auditor shall be entitled to be heard and to present evidence in his defense and to be assisted or represented during the administrative inquiry procedure;
- c) the right to another opinion, according to which the disciplinary committee is required to ensure to the persons at divergent positions, the possibility to express themselves on any act or fact which is related to disciplinary offence for which the disciplinary committee was noticed;
- d) proportionality, according to which a correct report must be observed between the seriousness of the disciplinary offence, the circumstances of its perpetration and proposed disciplinary sanction;
- e) the legality of the sanction, according to which the disciplinary committee may not apply disciplinary sanctions other than those provided by law;
- f) the uniqueness of sanction according to which only one disciplinary sanction may apply for a disciplinary offence;

- g) rapidity of the procedure according to which disciplinary commission is required to proceed without delay to the settlement of the cause, with the observance of rights of the persons involved and of the procedures provided by the law and by this Code;
 - h) mandatory opinion, according to which each member of the disciplinary committee is required to adjudicate each complaint pending before the disciplinary committee.
- (2) Members of the disciplinary commission exercise their powers with the observance of the principles of independence, integrity and objectivity in the factual analysis and decision-making.
- (3) The members of the disciplinary committee have the duty to inform the President of the Disciplinary Committee about any interference in their work by individuals or legal entities that may harm their independence or impartiality or might create suspicions about these and if there is any relationship between them and external public auditors investigated from administrative point of view.
- (4) In carrying out the activity, members of the disciplinary committee shall maintain the confidentiality of deliberations and personal data, under the law, and not to publicly express their views on ongoing procedures.
- (5) During the administrative investigation, disciplinary committee meetings are public only at the request or with the written consent of the external public auditor whose work was referred to as disciplinary offence.
- (6) For good reasons, at the start of the administrative investigation, the external public auditor may request the rejection of a particular member of the disciplinary commission suspected of lack of objectivity. If determined, the validity of the complaints raised by external public auditor, President of the Court of Accounts shall appoint another member of the disciplinary committee instead of that rejected.

Art. 33. - (1) In this research, the discipline commission establishes the facts that constitute disciplinary offences, their legal basis, the circumstances in which they were committed, the consequences of disciplinary offences and the existence or absence of the guilt.

(2) The procedure of prior administrative research consists of:

- a) the hearing of external public auditor investigated, the person who filed the complaint, as well as others who can give information necessary to establish the truth and clarify the facts in all respects;
- b) the provisions of evidence suggested by the parties and, where applicable, of those required by the disciplinary commission;
- c) the discussion of the case in the view of minutes of the meeting, the minutes of the hearing and the evidence submitted.

Art. 34 - (1) In order to conduct preliminary administrative investigation, the disciplinary committee will convene in writing the external public auditor in question, 5 business days before the date set. The convocation will mandatorily include the object of the complaint, subject, date, time and place of the meeting and shall be accompanied by a copy of the complaint, as well as by the copies of documents submitted by the person who filed the complaint.

(2) Communication of convocation and of all documents shall be made directly with signature on delivery or by post, with registered letter with acknowledgment of receipt. Evidence of communication shall be kept on prior disciplinary research file. If external public auditor refuses to directly receive the written convocation or to sign the proof of acknowledgment, a protocol shall be signed, which records this situation in the presence of at least one witness.

(3) In the absence of external public auditor, investigation will continue, taking into account all the evidence and other elements available to the disciplinary committee, except for situations where absence is reasoned (sick leave, annual leave, unpaid leave, child care leave and so on).

Art. 35. - (1) External public auditor has the right to prepare and support all the defenses in his favor and provide disciplinary committee all evidence and motivations he deems necessary and the right to be assisted / represented at his request by a lawyer or by a representative of the union, as appropriate.

(2) External public auditor is entitled to know all documents used or resulted from the disciplinary committee's activity regarding the act referred as disciplinary offence and the disciplinary commission has the obligation to ensure unhindered access to them.

(3) Listening and verification of the investigated external public auditor's defenses are mandatory.

Art. 36. - (1) Hearing of the external public auditor investigated, the person who filed the complaint and, where appropriate, of other persons, are recorded in a separate report which contains questions from members of the Disciplinary Committee and responses of the individual examined.

(2) Minutes of the hearing shall be signed on each page by all persons present at the hearings. The additions, deletions or changes brought shall be signed in the same way, under penalty of not being considered.

(3) If the persons heard cannot or do not want to sign, this will be indicated in the minutes.

(4) The secretariat of disciplinary committee is provided by human resources and payroll directorate.

Art. 37. - (1) Within 5 business days from the date of completion of preliminary disciplinary proceedings, the disciplinary committee of external public auditors prepares a report regarding the notification in question, which should contain the following elements:

- a) the date of preparing the report, the name and first name of disciplinary committee members;
- b) the number and date of referral registration;
- c) the full name, address, personal identification number, Identity card serial number, the position held by the external public auditor whose act was referred as disciplinary offence as well as the structure in which it operates;
- d) the full name and address of the person who filed the complaint or, where appropriate, work and position held by it;
- e) a brief presentation of the act notified and of circumstances of the offence;
- f) description of the act which constitutes disciplinary offence, time when was committed and its legal basis;
- g) an indication of the legal provisions, of the individual employment contract provisions, of the regulations and internal rules, legal provisions or orders of hierarchical superiors, violated by the external public auditor; h) the administrated evidence;
- i) the reasons for which defenses have been removed by the external public auditor during the preliminary disciplinary investigation if necessary;
- j) the proposal on the applicable disciplinary sanction or, where appropriate, a proposal to dismiss the complaint;
- k) the reasons for the proposal;
- l) the name, forename and signatures of the President and the other members of the disciplinary committee.

(2) The proposal referred to in paragraph (1) j) shall be made by the majority of votes. The member of the commission which has a different opinion, drafts and signs a separate opinion, presenting the reasons on which it rests.

(3) Where the disciplinary committee proposes the implementation of disciplinary sanctions provided in art. 26 paragraph (1) b) and c) of the current Code, it will also propose their duration and, where appropriate, the percentage of salary rights reduction.

(4) The disciplinary committee may also propose disciplinary dismissal of complaint when committing a disciplinary offence is not confirmed.

(5) The report of the disciplinary committee shall be disseminated to the President and the Plenum of the Court of Accounts, the person who filed the complaint, the external public auditor whose act was referred and the Ethics Committee, and the person who made the notification is informed, through an administrative address, of the conclusions of the undertaken research.

Art. 38 - Establishing the applicable sanction is made in relation to the seriousness of the disciplinary offence committed by the external public auditor, considering the provisions of art. 27 paragraph (3) of this Code.

Art. 39. - (1) The President of the Court of Accounts disposes the implementation of disciplinary sanction by an order issued in a written form within 30 calendar days from the date of knowledge of committing the disciplinary offence by the disciplinary committee's report, but not later than 6 months from the date of the act.

(2) The date of the acknowledgment by the President of the Court of Accounts about the performance of the disciplinary offence is:

a) the date of registration at the President's Office of the notification made under Art. 28 paragraph (1), letter a) and b) of this Code, in the case of applying a disciplinary sanction of the " written warning ";

b) date of registration at the President's Office of the report prepared by the disciplinary commission, following the performance of preliminary disciplinary investigation, when applying disciplinary sanctions provided in art. 26 paragraph (1) b) - d) of this Code.

(3) Under the absolute nullity sanction, the sanctioning order will necessarily include:

a) full name, address, personal identification number, identity card serial number, position of the external public auditor whose act was referred as disciplinary offence as well as the structure in which it operates;

b) description of the deed which constitutes disciplinary offence and date of its perpetration;

c) indication of the legal provisions, of the individual employment contract provisions, of the regulations and internal rules, legal provisions or orders of hierarchical superiors which have been violated by external public auditor;

d) the reasons why defenses from external public auditor during the disciplinary investigation have been removed;

e) the legal basis under which the disciplinary sanction is applied;

f) the term in which the disciplinary sanction may be appealed;

g) the competent court where the administrative act ordering the disciplinary sanction can be challenged.

(4) At the sanctioning order, the disciplinary committee's report is attached, under penalty of absolute nullity.

(5) The sanctioning order is communicated to the external public auditor within 5 calendar days from the date of issue and shall take effect from the date of communication.

(6) The communication is performed by delivery of the order directly to the external public auditor, with signature of receipt, or by post, by registered letter with acknowledgment of receipt to the domicile or residence communicated by it.

(7) The sanctioning order is communicated to the disciplinary committee that drafted and submitted the report and to the Directorate for Human Resources and Payroll.

Art. 40. – Sanctioning order can be appealed by the external public auditor to the competent courts under the Civil Procedure Code and Labor Code, within 30 calendar days from the date of communication.

Art. 41 - If the external public auditors are subject to a criminal investigation file, from the date of criminal prosecuting, the external public auditors are suspended by law from their positions. In case of a final sentence, external public auditors are dismissed under the law, and in the event of acquittal, the suspension ceases.

Art. 42. - The provisions on the rights, obligations and prohibitions of the Statute of the external public auditor shall be supplemented with the Code of Ethics provisions of the external public auditor.

Section 6 Ethics Committee

Art. 43 - Increasing the authority and prestige of the Court of Auditors can be achieved by implementation and compliance by external public auditors, in all the principles and rules of ethics and professional conduct contained in this Code and other regulations and internal rules of the Court of Accounts.

Art. 44. - (1) For the purposes of ongoing monitoring of modality in which external public auditors conform and comply with the Statute and Code provisions shall be established under the authority of the Ethics Committee Plenum. The purpose of its establishment is actively promoting ethical behavior within the organization, increasing awareness of the external public auditors on principles and ethical values and integrity, of preventing any cases of violations of this Code and internal framework at which external public auditors must refer for ethics advice and to clarify any matters concerning the application of this Code.

(2) For the Audit Authority's work, the Ethics Committee is composed of 5 members and 3 external public auditors of the central structure and two external public auditors of the regional offices, appointed by decision of the President of the Audit Authority.

Art. 45 - Regulation of organization and functioning of the Ethics Committee of the Court of Accounts set out in Annex no. 5.

CHAPTER III

Civil servants and contractual staff

Art. 46 - The rules of ethics and professional conduct set out in this Code are mandatory for public officials and contractual staff and assume the fulfillment of the following objectives:

- a) professionalism in the activity conducted;
- b) quality in the work performed.

Section 1

General principles

Art. 47. - The general principles governing the professional conduct of civil servants and contractual staff are the following:

- a) the observance of Constitution's supremacy and the rule of law;
- b) professionalism;
- c) the impartiality and non-discrimination;
- d) freedom of thought and expression;
- e) integrity;
- f) privacy.

Art. 48 - Observing the supremacy of Constitution and Law is the principle according to which the civil servants and contractual employees are obliged that by their acts and deeds, to observe the Constitution, laws of the country and act with the observance of the professional ethics for the implementation of legal provisions, in accordance with their duties.

Art. 49 - Professionalism is the principle according to which the professional duties must be fulfilled with responsibility, competence, efficiency, fairness and conscientiousness.

Art. 50 - Impartiality and non-discrimination is the principle according to which in exercising the job duties should have objective attitude, neutral towards any political, economic, religious of other interest.

Art. 51. - (1) Freedom of thought and expression is the principle according to which expression and substantiation of the opinions are subject to the rule of law and principles of morality, correlating the freedom of dialogue with promoting the interests of the Court of Accounts.

(2) Civil servants and contractual staff must respect interlocutors' freedom of opinion and not to be influenced by personal or popularity considerations, using a conciliatory attitude to avoid generating conflicts caused by exchange of views.

Art. 52. - (1) Integrity is the principle according to which public officials and contractual staff in the performance of their job duties, must be fair, correct, honest and incorruptible.

(2) The principle of integrity requires that public officials and contractual staff:

- a) to demonstrate fairness, good faith and responsibility in the use of time and material and financial resources of the Court of Accounts;
- b) adopt an attire, attitude and demeanor befitting and decent behavior in relationships with colleagues;

- c) not to provide assistance and advice to individuals or legal entities in order to promote legal actions or of other type against the Court of Accounts and in connection with its activity;
- d) to not knowingly take part in activities and acts outside professional activity by which their position to be discredited;
- e) not to seek nor accept, directly or indirectly, any advantage or benefit in consideration of the position they hold or abuse of it in any way;
- f) not to promise the fulfillment of duties or taking a decision by the Court of Accounts in a privileged mode;
- g) to keep confidential nature of the information obtained as a result of exercise of their job duties.

Section 2

The incompatibilities, prohibitions and conflict of interests for public officials

Art. 53. - (1) The civil servant capacity is incompatible with any other public office than the one in which has been appointed, as well as with the public office.

(2) Civil servants may not hold other offices and can not carry out other activities, paid or unpaid, as follows:

- a) within public authorities or institutions;
- b) within the cabinet of officials, unless the civil servant is suspended from public office, under the law, on the duration of his appointment;
- c) within the autonomous administrations, trading companies or in other units with lucrative purpose in the public sector;
- d) as a member of an economic interest group.

(3) There is not in an incompatibility situation within the meaning of paragraph (2) a) and c) provisions, public official who is appointed by an administrative act issued under the law, to represent or to participate as a representative of the authority or public institution within management collective bodies established under the normative acts in force.

(4) Civil servants may not be trustees of individuals with regard to performing certain acts in relation to public office they exercise.

(5) In the situation provided in paragraph (2) b), at the end of the official's term, the public official is reinstated in the public position previously held or in a similar position.

(6) Direct reporting relationships are not allowed where those public servants are spouses or relatives of first degree

(7) Persons who are in one of the situations referred to in paragraph (1), (2), (4) or (6) shall choose, within 60 calendar days, to renounce at the capacity which is incompatible with that of a civil servant or at the termination of the direct hierarchical relationships, under the conditions set by the legislation in force.

Art. 54. - (1) To Civil servants in the Court of Accounts, the following prohibitions are applicable:

- a) occupying the management positions in management structures or bodies, elected or appointed, of the political parties, defined according to their status, of the organizations to whom it applies the same legal regime as to political parties or of foundations or associations that are attached to political parties;
- b) public expressing of their political beliefs and preferences in the exercise of their duties;

- c) favoring a political party or any organization to which it applies the same legal regime as political parties;
- d) soliciting or accepting, directly or indirectly, for themselves or others, in consideration of their public office, gifts or other benefits;
- e) direct receipt of applications whose resolution is within their competence or talk directly with the complainants, except for those to whom such powers are established and to intervene to resolve these applications;
- f) other circumstances stipulated by legislation in force.

(2) In addition to the prohibitions provided in paragraph (1), to the Secretary General of the Court of Accounts is prohibited to be member in political parties, to organizations to whom applies the same legal regime as to political parties or to foundations or associations that are attached to political parties.

Art. 55. - (1) The civil servant is in conflict of interest if it is in one of the following situations:

- a) is called to resolve petitions, make decisions or take part in making decisions about the natural and legal persons to which has patrimonial relations;
- b) participate in the same committee, constituted according to law, with civil servants who are spouse or relative of first degree;
- c) own economic interests, those of the spouse or first degree relatives can influence the decisions has to take in exercising the public office.

(2) In case of a conflict of interest, the public official is obliged to refrain from solving the request, making the decision or participating in making a decision and to immediately inform the hierarchical superior to which reports directly. It is obliged to take the necessary measures to impartially exercise a public office within maximum 3 business days from the date of knowledge.

(3) In the cases provided under paragraph (1), the Secretary General of the Court of Accounts, at the proposal of the hierarchical superior to which the public official concerned reports directly, shall designate another public official, who has the same level of training and experience.

(4) Violation of paragraph (2) provisions, may draw, where applicable, disciplinary, administrative, civil or criminal liability, according to the law.

Section 3

Prohibitions and conflict of interests situations for contractual staff

Art. 56. - (1) The contractual staff of the Court of Accounts is prohibited:

- a) to express public judgments which are not in compliance with reality related to the work of the Court of Accounts, with its strategies or policies or with the projects of normative or individual acts;
- b) to make judgments about the disputes pending and in which the Court of Accounts is a party, if it is not empowered to do so;
- c) to disclose non-public information, other than as provided by law;
- d) to disclose information they have access to in the exercise of its office, if such disclosure is likely to attract undue advantages or to damage the image or rights of the institution or of some persons in the Court of Accounts as well as of other natural or legal persons;
- e) to provide assistance and advice to individuals or legal entities in order to promote legal actions or of other nature against the state, authority or Court of Accounts.

(2) Paragraph (1) a) - d) provisions shall also apply after termination of employment, for a period of 2 years, if the provisions of special laws do not provide other terms.

(3) In addition to the prohibitions provided in paragraph (1) , the contractual personnel is also prohibited:

- a) to participate in fundraising for political parties;
- b) to provide logistical support to candidates for public positions;
- c) to collaborate in relations service and outside, with natural or legal persons making donations or sponsoring political parties;
- d) to display in the Court of Accounts insignia with the logos or the name of the objects with political parties or of their candidates.

(4) Contractual staff of the Court of Accounts shall not solicit or accept gifts, services, favors, invitations or any other personal benefit which are intended personally, to the family, parents, friends or people with whom had business or political relationships, which can influence their impartiality in exercising public functions held or can constitute a reward in relation with these offices.

(5) By activities of decision-making, advisory, valuation or participation in investigations or actions to control, the contract staff must not obtain benefits or advantages of personal interest or producing material or non-material damage or injury to other persons.

(6) The contractual staff engaged in publishing activities in personal interest or educational activities is prohibited to use work time or logistics of the Court of Accounts for their achievement.

Section 4

Conduct of civil servants and contract staff

Art. 57. - (1) In relationships with the Court of Accounts staff, and with the representatives of legal entities and natural persons outside the institution, officials and contractual staff are required to have a behavior based on respect, good faith, fairness and kindness.

(2) Public officials and contractual staff shall not prejudice the honor, reputation and dignity of the Court of Accounts staff, as well as to persons with whom relate for exercise of duties by:

- a) the use of offensive language;
- b) disclosure of privacy issues that can be achieved within the job relations, from statements of assets, Statement of interests, and so on, other than those representing public information;
- c) making certain referrals or slanderous complaints;
- d) adoption of a partial and unreasonable attitude for clear and effective settlement of problems arising from exercising the position.

Art. 58. - (1) In the exercise of specific duties of management positions, civil servants and contract staff are required to ensure equal opportunities and treatment in career development in the public or contractual position for subordinate staff.

(2) Public officials and management contract staff have the obligation to examine and apply objectively criteria for assessing the professional competence for subordinate staff, and not to use discriminatory criteria, family relationship, affinity or other criteria inconsistent with the principles provided by this Code when proposing preferments,

promotions, transfers, appointments or dismissals from the positions or granting material or moral incentives, excluding any form of favoritism or discrimination.

(3) By the activity performed, civil servants and contract staff should not seek to obtain personal benefits or advantages or producing damage or injury to others.

Art. 59. - (1) Civil servants and contract staff are obliged to ensure the protection of public and private property of the state, in the administration or patrimony of the Court of Accounts, to avoid producing any harm, in any case acting as a good owner.

(2) Civil servants and contract staff are obliged to use work time and goods belonging to the Court of Accounts only for performance of activities related to the position held.

(3) Public servants and contract staff must propose and ensure, according to their duties, useful and efficient use of public money in accordance with the legal provisions.

(4) Civil servants and contract staff conducting publishing activities in personal interest or educational activities are forbidden to use work time or logistics of the institution organization to achieve them.

Art. 60. - (1) Any public official or contract staff may purchase a property owned by the state and in the heritage of the Court of Accounts, subject to sale under the law, except in the following cases:

a) when was informed during or as a result of carrying out his job duties, about the value and quality of goods to be sold;

b) when he participated in the exercise of job duties in the organization of selling the respective asset;

c) when it can influence the sale operations or when it has obtained information to which people interested in buying the property did not have access.

(2) Civil servants and contract staff are prohibited from providing, in circumstances other than those provided by law, information on public or private property of the state, under management or patrimony of the Court of Accounts, and which are subject to sale, lease or rent operations.

Art. 61. - (1) Relations with mass media shall be ensured by staff specially designated for this purpose by the President of the Court of Accounts, under the law.

(2) Civil servants and contract staff designated to participate in activities or public debates in their official capacity, must be within the powers of the representation term entrusted by the management of the Court of Accounts.

(3) If they are not appointed in this regard, civil servants and contract staff can participate in activities or public debates, but with an obligation to make known that the opinion expressed does not represent the official point of view of the Court of Accounts.

Section 5

Conduct regarding international relations

Art. 62 - The provisions of art. 42 of the Statute of the external public auditor regarding the conduct in international relations also applies to civil servants and contract staff.

Section 6

The disciplinary liability of civil servants and contract staff

Art. 63. - (1) Violation of the legal provisions, of the provisions of this Code, of the individual employment contract and of any other regulations or internal rules of the Court of Accounts, attracts disciplinary responsibility of civil servants and contract staff, under the law.

(2) The following acts are considered disciplinary offences:

- a) proven systematic delay in performing timely and quality work assignments;
- b) repeated violation of job obligations by negligence;
- c) absence without leave from the job;
- d) repeated failure to comply with the work program;
- e) interventions or insisting to settle claims outside the legal framework;
- f) failure to observe the secrecy or confidentiality of the works with this character;
- g) events that affect the image and prestige of the Court of Accounts;
- h) conduct during the working hours of political activities;
- i) unjustified refusal or omission, knowingly, to fulfill the job tasks stipulated in the job description;
- j) violation of legal provisions relating to duties, incompatibilities, conflicts of interest and prohibitions established by law for public officials;
- k) breach of general principles governing the professional conduct of civil servants and contractual personnel, and of other obligations under this Code.

Art. 64 - The disciplinary sanctions applicable to civil servants for committing any of the irregularities of the art. 63, depending on its severity are:

- a) written reprimand;
- b) reduction of wages by 5-20% over a period of up to 3 months;
- c) suspension of the right of pay scale advancement or, where appropriate, of promotion in the public office for a period of 1 to 3 years;
- d) relegation in public office for a period of up to one year;
- e) dismissal from public office.

Art. 65. - (1) For the same disciplinary offence only one sanction may apply.

(2) Where by the same complaint, multiple facts are reported as disciplinary offences committed by a public official or contract staff, the disciplinary committee suggests after administrative investigation, the implementation of a single disciplinary sanction, taking into account all disciplinary offences.

(3) Disciplinary sanctions can be implemented in relation to the seriousness of the disciplinary offence committed, taking into account the following:

- a) causes for committing disciplinary offence;
- b) the circumstances in which it occurred;
- c) the degree of guilt of the person concerned;
- d) the consequences of the disciplinary offence;
- e) the conduct of civil servants;
- f) the existence of disciplinary history which were not deleted as provided by this Code.

(4) In the case of civil servants, disciplinary sanctions apply not later than 1 year from the date of notifying the disciplinary committee regarding the disciplinary irregularity but no later than 2 years since committing disciplinary offence.

Art. 66 – Except for the written reprimand, no sanction can be ordered before performing an administrative research, under penalty of absolute nullity.

Art. 67. - (1) The organization, functioning, competence, manner of notification and working procedure for the disciplinary commission set up within the Court of Accounts in order to analyze the actions of civil servants which have been reported as disciplinary

offences, are performed in compliance with the G.D. no. 1344/2007 on rules of organization and operation of disciplinary committees, with subsequent amendments and supplements.

(2) The disciplinary committee of civil servants consists of three full members and three alternate members, two members being appointed by the President of the Court of Accounts, and the third member is appointed by the majority of civil servants.

(3) The disciplinary committee has a main secretary and an alternate secretary appointed by the President of the Court of Accounts.

(4) The President of the disciplinary committee is elected by secret vote of the full members, among them. If failure to meet the majority, member who has the highest legal experience shall be elected president or, if there is none, the member who has the most seniority in the public service.

(5) The full members and alternate members, full secretary and alternate secretary are appointed for 3 years with the possibility of mandate renewal.

Art. 68. - (1) The disciplinary committee of public servants may propose, after debating the case:

- a) implementation of one of the disciplinary sanctions provided in art. 64 b) - e) of this Code, if committing a disciplinary offence was proved;
- b) dismissal of the referral when committing a disciplinary offence is not confirmed.

(2) If the disciplinary committee proposes implementation of disciplinary sanctions provided in art. 64 b) to d) of this Code, it will also propose their duration and, where applicable, the percentage of salary rights reduction or step or position on which is to apply the sanction of demotion.

Art. 69. - (1) Within 5 business days of completion of the administrative investigation procedure, the disciplinary committee of civil servants prepares a report regarding the notification in question, which should contain the following elements:

- a) the date of the report elaboration, the names of the disciplinary committee's members;
- b) the number and date of referral registration;
- c) the name, forename, address, personal identification number, serial number of CI, the position held by the civil servant whose deed was referred to as disciplinary offence as well as the compartment in which it operates;
- d) the name, forename and address of the person who filed the complaint or, where appropriate, workplace and position held by it;
- e) a brief presentation of the act referred, date of its commission and circumstances in which was committed;
- f) specification of the legal provisions, regulations and internal rules, legal provisions or orders of hierarchical superiors who have been violated by the public official;
- g) the evidence submitted;
- h) proposal on the applicable disciplinary sanction or, where appropriate, a proposal to dismiss the complaint;
- i) the rationale for the proposal;
- j) the names, signatures of the President and the other members of the disciplinary committee and the Secretary thereof;
- k) date of the report preparation.

(2) The proposal referred to in paragraph (1) h) shall be made by the majority of votes. The committee member who has a different opinion, drafts and signs the separate opinion, presenting the reasons on which it rests.

(3) The report of the disciplinary committee shall be presented to the President of the Court of Accounts, the person who filed the complaint and to the civil servant whose act was referred.

Art. 70. - (1) The President of the Court of Accounts orders, the implementation of the disciplinary sanction by an order in writing within 10 calendar days from the date of knowledge of committing the disciplinary offence by the disciplinary committee's report.

(2) Where is implemented other sanction than that proposed by the disciplinary committee, in the sanctioning order, are stipulated the reasons that led to the decision.

(3) Under the sanction of absolute nullity, the sanctioning order will necessarily include:

a) full name, address, personal identification number, identity card serial number, the position held by the person whose deed was notified as disciplinary offence as well as the structure in which it operates;

b) description of the deed which constitutes disciplinary offence and date of its perpetration;

c) specification of the legal provisions, of the regulations and internal rules, legal provisions or orders of hierarchical superiors which have been violated by the public official;

d) the legal basis under which disciplinary sanction is applicable;

e) the reason why it was imposed another penalty than that proposed by the disciplinary committee, in the case stipulated under paragraph (2), if applicable;

f) the period in which the disciplinary sanction may be appealed;

g) the competent court to which administrative act ordering the disciplinary sanction can be challenged.

(4) In order to sanction provided in paragraph (3) the report of the disciplinary committee is attached, under penalty of absolute nullity.

(5) The sanctioning order shall be communicated within 5 calendar days after the deadline provided in paragraph (1) to:

a) Directorate for Human Resources and Payroll;

b) disciplinary committee that drafted and submitted the report;

c) public official whose action was notified as disciplinary offence.

(6) The person who filed the complaint will be notified about the conclusions established in the report of the discipline committee and the sanctioning measures ordered, if necessary.

Art. 71. - The civil servant dissatisfied with the disciplinary sanction implemented may challenge it, under the law, to the competent administrative court.

Art. 72. - The perpetration by contractual staff of violations stipulated in art. 63 is sanctioned as follows:

a) written warning;

b) demotion, with granting the salary according to the position in which demotion was ordered for a period not exceeding 60 calendar days;

c) reduction of wages by 5-10% over a period of 1- 3 months;

d) disciplinary termination of the individual employment contract.

Art. 73. - The provisions of art. 31-40 of this Code shall apply also to contract staff.

Art. 74 - Notification of offences committed by civil servants and contract staff that are considered disciplinary offences can be made, without limitation, by:

a) accounts counsellor for civil servants or contract staff, as applicable, included in the coordinated department;

b) general secretary for subordinate managers and for civil servants and contract staff, at the request of the heads of office, heads of departments and directors, under which the persons concerned are;

c) Director of the chamber of accounts for civil servants and contract staff included in the territorial chamber structure;

d) other persons within the Court of Accounts, or outside it.

Art. 75. - (1) The disciplinary sanctions provided in art. 64 for civil servants, are deregistered by law as follows:

a) within 6 months since the implementation, the disciplinary sanction referred to in art. 64 a);

b) within 1 year after the deadline expiry for which the sanctions provided in art. 64 b) - d) were applied;

c) within 7 years of implementation, the disciplinary sanction provided in art. 64 e).

(2) The President of the Court of Accounts orders disciplinary sanction deregistration by an order issued in writing at the request of the civil servant.

Art. 76 - In cases where the acts committed by civil servants and contractual staff meet the constitutive elements of crimes, the competent criminal prosecution bodies will be notified under the law.

Art. 77. - From the date of criminal prosecuting, civil servants and contract staff are suspended by law from their office. In case of final conviction, civil servants and contract staff are dismissed by law, and in the event of an acquittal, the suspension shall cease.

Art. 78. - (1) Taking into account the provisions of Law no. 7/2004 on the Code of Conduct for civil servants and with the purpose of the effective application of the provisions of this Code relating to public officials and contract staff, the President of the Court of Accounts shall appoint, by order, a public servant of the Directorate for Human Resources and Payroll for ethics advice and monitoring compliance with rules of conduct.

(2) The public servant referred to in paragraph (1) has the following responsibilities:

a) provides advice and assistance to civil servants and contract staff on compliance with the rules of conduct;

b) monitors the implementation of this Code's provisions;

c) prepares quarterly reports on compliance with the rules of conduct by public officials and contract staff.

(3) The reports referred to in paragraph (2) c) approved by the President of the Court of Accounts shall be communicated to civil servants and contract staff and shall be submitted quarterly, as appropriate, to the terms and in standard form set by guidelines by the National Agency of Civil Servants.

CHAPTER IV

Transitional and final provisions

Art. 79. - The provisions of this Code shall be also completed with the provisions of Law no. 53/2003 - Labor Code, republished, with subsequent amendments and supplements, of the Law no. 188/1999 on the Statute of civil servants, republished, with subsequent amendments and supplements, of the Law no. 7/2004 on the Code of Conduct for civil servants, republished, of Law no. 477/2004 on the Code of Conduct for contractual staff of public authorities and institutions, of Law no. 161/2003 on certain measures to ensure transparency in the exercise of public dignities, public functions and the business

environment, preventing and sanctioning corruption, with subsequent amendments and supplements, of Law no. 303/2004 on the statute of judges and magistrates as well as of other legal provisions in force that may apply to specific of positions covered by this Code.

Art. 80 - This Code shall enter into force on July 1, 2014.

Art. 81. - (1) This Code shall be notified to the staff of the Court of Accounts, by dissemination of the Department I "Methodology, professional training, audit and control assessment, programming, reporting, synthesis and IT" to all the departments and chambers of accounts as well as to the General Secretariat within 15 business days from the date of approval by the Plenum.

(2)The heads of the departments and those of chambers of accounts and those of the General Secretariat will discuss the content of the present Code with the entire subordinated staff, within 20 business days of the date of receipt. Upon completion of training, the external public auditors and persons treated as external public auditors function will complete a statement of acknowledgment and observance of the Code provisions, according to the model prescribed in Annex no. 6. The staff of the General Secretariat will sign in the lists the acknowledgment of the Code provisions.

(3)Within 3 business days from the date of expiration of the deadline stipulated in paragraph (2), each specialty department and chamber of accounts will send the Directorate for Human Resources and Payroll the originals of the Statement of acknowledgment and observance of the Code provisions to be included in the professional record of every external public auditor. Superiors in the General Secretariat will submit lists of subordinated staff and signatures of every employee, confirming the acknowledgment and learning the Code content, to the Human resources and payroll department.

(4)Copies of the statements provided in paragraph (2) will be submitted to the Ethics Committee, electronically, attached to the briefings on ethical issues related to the month in which the training on the Code's provisions has been made.

(5)The refusal of a person to sign the Statement of acknowledgment and observance of the Code provisions or to sign in the acknowledgment list, if necessary, under paragraph (2), it is considered disciplinary offence and is punishable under the provisions of the present Code. If external public auditors, referral of the President of the Court of Accounts regarding the refusal is made by the persons referred to in art. 28 paragraph (1) a) and b) of this Code.

(6)Within 15 business days from the date of enrollment of a person in a external public auditor vacant provision, the provisions of this Code are brought to his knowledge, under signature, by the director of the specialty department or to the director of the chamber of accounts, where appropriate, the provisions of paragraphs (2) - (5) being also applicable in this situation.

(7)If the amendment and completion of this Code, the procedure provided in paragraph (1) - (5) is followed similarly, except that the activities provided in the Department I will be carried out by the Ethics Committee.

Art. 82 - Code of Ethical Conduct of the Court of Accounts' staff is published in booklet form and is posted both on the internal portal and on the website of the Court of Accounts.

Art. 83. - (1) Raising knowledge and awareness by the external public auditors of norms, principles and ethical values set out in the Code is achieved mainly through both individual study, based on the internal rules of the Court of Accounts and materials / documentaries made available / sent by the Ethics Committee and by attending continuous and initial training courses which are organized in the institution.

(2) Assessment of the level of knowledge of rules of ethics or integrity issues is made by the directors, at least every six months, using questionnaires for the assessment of external public auditors that are made available to them for completion at the end of training in the month in which these evaluations are made on the office day, to specialty structures, or by trainers at the end of continuous and initial professional training courses.

(3) Every six months, the Ethics Committee submits to external public auditors on their email address, notes by which ethical obligations are reminded.

Art. 84. - Annexes 1 to 6 are an integral part of this Code.

COURT OF ACCOUNTS

Department...../Directorate..... Chamber
of Accounts.....

No..... Date.....¹

Independence Statement

The undersigned....., acting as a.....
(manager, deputy manager, head of unit, head of office or external public auditor), holder
of work ID card no., have been authorized to perform
(coordinate)..... (name of the action) to the entity , in the
period

In accordance with Law No. 94/1992 on the organization and functioning of the
Court of Accounts, republished, Audit Standards of the Court of Accounts, the Statute of
external public auditor, as well as those of the Code of Ethics and Professional Conduct
of staff of the Court of Accounts,

knowing the Penal Code provisions on false statements, hereby declare the following:

1. **I had/I have not had**^(*) in the last 24 months, employment/work relationships or any
other kind of contractual relationship with the entity subject to verification. *(*)
Please select the applicable alternative; detail the affirmative response)*
2. **I am/I am not**^(*) indebted, materially or otherwise, to the employees of the audited
entity, who could thus obtain from me favors or who would benefit from special
treatment during verification.
() Please select the applicable alternative; detail the affirmative response)*
3. **I have used/I have not used**^(*) in the last 24 months, in my personal interest or in
the interest of my family members, spouse, relatives or in-laws up to and including
the second degree, any movable or immovable property situated in the patrimony
of the entity subject to verification.
() Please select the applicable alternative; detail the affirmative response)*
4. **I have/I have not**^(*) spouse, relative or in-law up to the second degree, inclusively,
within the entity subject to verification.
() Please select the applicable alternative; detail the affirmative response)*
5. My spouse or first-degree relatives **have/have not**^(*) executed contracts - including
for legal assistance, consultancy or civil - in the last 24 months nor such contracts
are ongoing with the entity subject to verification.
() Please select the applicable alternative; detail the affirmative response)*

¹ Complete with the registration number/date in the Register of independence statements of external public
auditors, constituted according to art. 17 para. (4) of the Code.

6. **I was/I was not*)** involved in developing and implementing the internal management control system of the entity/structure subject to verification.
 (*) *Please select the applicable alternative; detail the affirmative response)*
7. **I provided/I have not provided*** financial and accounting services in the last 24 months to the entity/structure to be verified.
 My spouse or my-first degree relatives **have provided/have not provided*)** financial-accounting services in the past 24 months to the entity/structure to be verified.
 (*) *Please select the applicable alternative; detail the affirmative response)*
8. **I was/I was not a part*)** in the last 24 months, in one or more actions pending before courts of law, in which the entity verified was a party.
 (*) *Please select the applicable alternative; detail the affirmative response)*
9. **I have/I do not have*)** to report, in addition to sections 1-8 of this statement, other circumstances provided by law, the Code of Ethics and Professional Conduct of staff of the Court of Accounts, and other internal regulations and rules of the Court of Accounts, which may affect my independence and objectivity and could limit my ability to exercise the control/audit that I am to realize/coordinate of the entity subject to verification.
 (*) *Please select the applicable alternative; detail the affirmative response)*

If, during verification, any personal incompatibility occurs, external or organizational or other circumstances stipulated by the Code of Ethics and Professional Conduct of the staff of the Court of Accounts, including political pressure from interest groups, internal or external to the entity, which might affect my ability to work and develop the control/audit report objectively, I undertake to inform my supervisor, by drafting an Independence Statement in addition to that submitted before commencement of mission.

I certify that the above statement is true and accurate in all aspects.

Date.....
 Signature.....

ACKNOWLEDGED,
 (Supervisor)

Full name.....
 Signature.....
 Date.....

NOTE: This statement shall be attached necessarily to the control/audit mission file.

COURT OF ACCOUNTS

Department..... /Directorate.....

Chamber of Accounts.....

REGISTER
of Independence Statements of external public auditors

Number and date	Full name of the external public auditor	Entity verified	Period of verification	Special situations reported in the independence statement YES/NO²	Notes³
<i>0</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>

²If filling out with YES, state the section in the Independence Statement at which external public auditors have reported a particular situation (e.g. YES – Section 4).

³State the date on which external public auditors have submitted the independence statement to the Ethics Committee (e.g. submitted on). If in column 4 is specified YES, explain how the supervisors have solved the situation (e.g., external public auditor was replaced by and subsequently designated to verify)

COURT OF ACCOUNTS
Department..... /Directorate.....
Chamber of Accounts.....
No.../ Date.....

ENDORSED BY¹
Councilor of Accounts

To,
The Ethics Committee

NOTIFICATION
on ethical issues related to month..... /year

This notification was prepared in accordance with art. 20 of the Code of Ethics and Professional Conduct of the staff of the Court of Accounts and refers to month..... /year.....

According to the Activity Plan of the Court of Accounts, in the reported period, a number of..... control /audit missions were initiated; in accordance with art. 17 of the Code, the external public auditors have filed a number of independence statements, entered in the Register of independence statements of external public auditors; an excerpt of the Register is attached herewith.

Concerning compliance by external public auditors with the provisions of the Code of Ethics and Professional Conduct of the staff of the Court of Accounts, please note that during the reporting period there were/there were not any situations of noncompliance* with the ethical principles and values set out in the Code.

Please note, in relation to the control/audit actions triggered during the reporting period, that I have/I have no conflicts of interest* with one or more entities subject to verification. In addition, I am/I am not in one or more of the situations* contained in sections 1-8 of the independence statement.

(Chambers of Accounts shall include the paragraph below in the notification)

Please note that the deputy manager of the chamber of accounts has/has no conflicts of interest* with one or more entities subject to verification in the reporting period. Moreover, the deputy manager is/is not in one or more of the situations* contained in sections 1-8 of the independence statement.

MANAGER,
Full name

Signature

Date.....

¹ It applies only to the specialized directorates at central level.

* Please select the applicable alternative; detail the affirmative response.

COURT OF ACCOUNTS
 Department..... /Directorate.....
 Chamber of Accounts.....

EXCERPT
From the Register of independence statements of external public auditors
month..... /year

Number and date	Full name of the external public auditor	Entity verified	Period of verification	Special situations reported in the independence statement YES/NO ¹	Note ⁶
0	1	2	3	4	5

¹ If filling out with YES, state the section in the Independence Statement at which external public auditors have reported a particular situation (e.g. YES – Section 4).
² State the date on which external public auditors have submitted the independence statement to the Ethics Committee (e.g. submitted on). If in column 4 is specified YES, explain how the supervisors have solved the situation (e.g., external public auditor was replaced by ... and subsequently designated to verify).

Regulations concerning whistleblowing activity concerning external public auditors of the Court of Accounts

Art. 1. – Establishment of regulations on whistleblowing concerning breaches or potential breaches by external public auditors has as general objective protection of the public interest, ensuring a proper working environment and strengthening ethics and integrity of the Court of Accounts. In this regard, it aims to the following:

- a) timely detection of violations of law committed by external public auditors in the line of duty and subject to whistleblowing;
- b) taking measures to prevent or, where applicable, settle the aspects notified;
- c) reducing the number of anonymous and malicious complaints;
- d) minimizing the negative consequences and possible costs that might involve producing of breaches notified;
- e) maintain and improve the reputation of the institution.

Art. 2. - (1) Whistleblowing is a notification made in good faith by external public auditors concerning any offence involving a violation of law, internal specialized regulations, ethical and professional conduct.

(2) An external public auditor who submits a notification according to paragraph (1) acts as a whistleblower.

(3) Reporting by external public auditors who act as whistleblowers of illegalities or facts that according to legislation in force or internal regulations are considered as disciplinary offences, misdemeanors or crimes, constitutes whistleblowing.

Art. 3 - (1) The whistleblowing protection is governed by the principle of good faith, according to which the whistleblower is protected, being sure of the reality of facts or that the act constitutes a violation of law and internal regulations of the Court of Accounts.

(2) A whistleblower is not usually affected directly by the danger or illegality notified and usually does not have a personal interest in resolving the complaint. An external public auditor who is a whistleblower is not required to prove the illegality, but has a duty to provide any evidence in support of his/her claims and to show good faith.

Art. 4 - (1) Whistleblowing made by external public auditors, alternatively or cumulatively, may be submitted to the following:

- a) President of the Court of Accounts;
- b) Vice President of the Court of Accounts;
- c) Councilors of Accounts;
- d) Managers of specialized departments;
- e) Managers/Deputy Managers of the chambers of accounts;
- f) Ethics Committee.

(2) Persons stipulated in paragraph (1) sections c) - e) review the complaints received from external public auditors who act as whistleblowers in the public interest and take measures within the powers provided by law and internal regulations. If the breaches/actions notified cannot be solved at the level of that structure, they are submitted, accompanied by a viewpoint, to the President of the Court of Accounts to order the measures required.

(3) If the notification was addressed by the specialized structure to which it was submitted, its management submits copies of all documentation to the Ethics Committee, for keeping records of these cases, their inclusion in quarterly or annual activity reports of the Committee, for information of the Plenum.

(4) Persons and structures in paragraph (1) should create a positive environment for addressing such complaints. In this regard, any complaint will be considered carefully and the external public auditor who is a whistleblower will not be subject retaliation or other negative consequences of any kind, under any circumstances, even if the complaint is proved unfounded subsequently; however, the whistleblower must have been convinced of the existence of an offence at the time of referral.

Art. 5 - Every act representing harassment, intimidation, and retaliation, committed on an external public auditor following the submission of a notification concerning the activity of other external public auditor, in executing or management position shall be sanctioned according to legal provisions in force.

Art. 6 – The whistleblower who reports misconduct committed by an external public auditor may submit written notification to the management of the specialized structure in which the other auditor is operating. If there are objective reasons for which it cannot address the management, it may address directly the Ethics Committee, by mail at: comitet.etica@rcc.ro or by letter to the mailbox that is available in the premises where he/she works, in building A of the headquarters of the Court of Accounts.

Art. 7 - (1) The whistleblower who states in the referral his/her identification data benefits from the protection of his/her identity, meaning that those who handle such data, including the disciplinary committee or similar body, are obliged to respect confidentiality.

(2) Failure to respect the privacy concerning the identification data of the whistleblower is a disciplinary offence punishable under this Code and legislation in force.

Art. 8 - Anonymous notifications are usually not taken into account; however, if the notified cases are duly proven and the facts are violations of legislation in force, it shall proceed to their verification.

Art. 9 - Whistleblowing filed in accordance with this Appendix follow the settlement procedure in the Code of Ethics of external public auditors and the Regulation on the organization and deployment of the activity of solving petitions addressed to the Court of Accounts.

**RULES
OF ORGANISATION AND FUNCTIONING
OF THE ETHICS COMMITTEE**

General provisions

Art. 1. – This Regulation of organization and functioning of the Ethics Committee is part of the Code of ethics and Professional Conduct of the staff of the Court of Accounts.

Art. 2. - (1) Ethics Committee, hereinafter "the Committee", is a working group, subordinated to the Plenum of the Court of Accounts.

(2) The Committee was established in order to:

- a) monitor how external public auditors conform and comply with the Statute and Code provisions;
- b) actively promote ethical behavior within the institution;
- c) raise awareness by external public auditors regarding the principles and ethical values and integrity;
- d) prevent the occurrence of any violations of the Statute and Code;
- e) ensure the internal framework for ethics advice.

Powers of the Ethics Committee

Art. 3 - (1) The main responsibilities of the Committee are:

- a) ensure the internal framework necessary to ethical advise for external public auditors;
- b) communicate or process cases of breaching the rules of ethical conduct and integrity in the Court of Accounts
- c) conduct awareness and assessment of the specialized personnel with the rules of ethics and integrity;
- d) sends questionnaires to entities in which the actions have been completed, collects responses from them and introduces them in INFOPAC application for processing data and obtain statistical statements in accordance with the provisions of Regulation on the application of Performance indicators system;
- e) offers, at the request of the external public auditors, advice and guidance in understanding and clarifying all aspects and requirements included in the Code;
- f) supports the executive management and the Plenum in solving certain problems and situations occurred or notified about violations of the Code, the Statute of the external public auditor and other regulations and internal rules of the Court of Accounts, which can be settled amicably;
- g) submits to the Plenum and executive management breaches of internal rules and regulations of the Court of Accounts concerning ethical conduct and integrity of external public auditors, including those that are reported to the Committee by whistleblowers, as warnings in the public interest, according to Law No. 571/2004 on protection of personnel in public authorities, public institutions and other units that signal violations of the law;

h) submits quarterly to the Plenum reports prepared based on centralization of directors briefings on ethical issues in the specialty departments and directors of chambers of accounts;

i) submits to the Plenum a half-yearly report on the opinion of the entities subject to auditing by the Court of Accounts after analyzing the collected data;

j) submits annually an activity report to the Plenum. The annual report presents situations and cases analyzed, solutions suggested and adopted, other relevant issues arising from the evaluation of independence statements, disciplinary commissions reports and other documents and proposals for improvement of the Code's provisions. The annual report shall be submitted to the Plenum until March 1 of the year following the year for which it has been elaborated.

(2) For the effective exercise of submission of the questionnaire mentioned in paragraph (1) d), directors of the specialized structures shall ensure that contact details of the entities verified, including their e-mail, they are entered in INFOPAC application, immediately after completion of verification actions.

Activity of the Ethics Committee

Art. 4 - (1) The Committee carries out, mainly, the following activities:

- a) receives notifications of situations or actions for violation of legal provisions, of the Code, of the external public auditor Statute, and of other regulations and internal rules of the Court of Accounts concerning only issues of ethical conduct and integrity;
- b) prepares viewpoints or case reports on complaints received, which presents to the Plenum for approval;
- c) examines the situations reported by superiors and external public auditors on matters of ethics and integrity in actions arising from control / audit actions, in terms of implementation and compliance of the Statute and Code;
- d) prepares analyzes and summaries on the observance of the provisions of the Statute and the principles and ethical values stipulated in the Code, to be submitted to the Plenum;
- e) elaborates documentary materials / brochures / posters on rules, principles, values and ethical conduct set out in the Statute and Code, to be used as reference documents in training sessions of external public auditors conducted periodically at the headquarters of the specialized structures or before initiating verification actions and as course support in continuous and initial professional training sessions that are organized in the Court of Accounts;
- f) drafts and updates questionnaires by which to verify the level of awareness and knowledge by external public auditors of the rules, principles, values and ethical conduct, and the areas and issues of ethics and integrity that require extra effort of guiding and training;
- g) supports professional and initial training courses on ethics and integrity issues that are held within the Court of Accounts;
- h) prepares together with designated departments and other structures within the Court of Accounts, the report on ethics and integrity assessment of external public auditors and of the Court of Accounts' staff, using tools and methods similar to those generally accepted in the INTOSAI community;
- i) submits to external public auditors at their e-mail address, letters in electronic format, by which reminds them ethical significance obligations as well as contact details of the

Committee (its composition, the e-mail of members as well as that of the Committee, the place in which has a space for meetings, mailbox, and so on) in order to ensure ethical advice;

- j) communicates in a timely manner to the management of specialized structures and external public auditors all decisions / ethical significance documents received from the Plenum and from the executive management for the implementation / observance by the external public auditors;
- k) receives a copy of the reports prepared by the committees of prior disciplinary research, centralizes them, and for ethical and integrity issues proposes measures to prevent the occurrence of similar violations and makes proposals of amending and supplementing the Statute and Code, if applicable ;
- l) monitors the independence statements and informs the Plenum on: outstanding issues that are encountered in the auditors 'activity; cases and problems that occur frequently; special risk areas regarding violations of the independence, objectivity, conflict of interest and so on, from the part of external public auditors and entities subject to verification to the Court of Accounts;
- m) receives and analyzes briefings on ethical issues submitted by the directors of the central and territorial specialized structures and prepares based on these documents, quarterly reports for the Plenum;
- n) deals by default on any problem that presents a possible risk of breach of the Code's provisions and presents to the Plenum a case report for approval.

(2) The Committee does not have authority to consider complaints whose object is the violation by external public auditors of internal regulations on fulfilment of professional tasks and responsibilities specific to the control / audit activity. These notifications are sent promptly to the President of the Court of Accounts for acknowledgment and ordering of the measures required.

The composition and constitution of the Ethics Committee

Art. 5 - The Committee consists of 9 members, in the following componse:

- a) two external public auditors who hold management positions in central and territorial structure;
- b) an advisor of the President, assimilated to the external public auditor, appointed by the President;
- c) a legal adviser assimilated to external public auditor, appointed by the accounts counselor of who leads the Legal Department;
- d) five external public auditors.

Art. 6 - Members of the Committee shall be appointed by the Plenum of the Court of Accounts for a term of 3 years, which can be renewed.

Art. 7 - (1) Persons who candidate to be part of the Committee must be people with an intact reputation, behaving honestly, to have at least 5 years of work experience in the external public auditor position or assimilated, and to professional assessments of the past 3 years to have obtained "very good" rating.

(2) For the nominations referred to in art. 5 a) and d) may submit nominations:

- a) management of the specialized departments and directors of the chambers of accounts;

- b) external public auditors in their own name, regardless of the position held, if proposed by at least 10 colleagues, external public auditors, based on a list containing their signatures;
- c) trade union associations which include external public auditors.

(3) At least 15 days before the expiry of the mandate of the Committee members, the submission of candidacies will be asked in order to submit a new committee. The deadline for submission of applications shall be the date of expiry of the Committee members' mandate.

(4) The Plenum shall appoint a team of three accounts counselors that will centralize and analyze applications received for membership in the Committee. Within 10 business days from the deadline stipulated in article 7 paragraph (3), the team will prepare a report which will include proposals for approval by the Plenum of the new members of the Committee.

(5) In case of vacancy of a member position, the period for which the new member will be appointed is in addition to the mandate of which it replaces.

Art. 8 – In the first meeting of the Committee, the President shall be elected by secret vote from among its members.

Duties of the Ethics Committee members

Art. 9 - President of the Committee has the following main duties:

- a) coordinates the current work of the Committee and the technical secretariat;
- b) receives the documents submitted to the Committee after their registration in the input-output register;
- c) sends, as a rule, on the email address of the Committee members, all documents received, in a scanned electronic format, pdf respectively, for acknowledgment and consultation;
- d) determines the place, date and time of the Committee meetings and leads discussions thereof;
- e) proposes the agenda for the Committee meetings;
- f) proposes the reporting team and sets the deadline for submission of the draft document to be prepared, respectively, the case report, perspective, information note, progress reports, documentary, and so on ;
- g) signs the minutes of all meetings and all documents prepared by the Committee;
- h) transmits to the President of the Court of Accounts, Plenum, executive management and management of the central and territorial structures, where appropriate, the documents prepared by the Committee;
- i) notifies the Plenum on the unjustified absence of a member from the Committee meetings, a maximum of five times, and in case of vacancy of a member's seat on the Committee;
- j) represents the Committee in front of the President and Plenum and the specialized central and territorial structures;
- k) presents in some debates, seminars or trainings, both at headquarters and in the regions, together with one or more members of the Committee, the provisions of the Code or of the Statute of external public auditor and monitoring results and periodic analyzes regarding the compliance of their provisions; may also present the provisions

of the ethical signification standards within the INTOSAI standards and those contained in the Court of Account's own standards.

(2) In the absence of the Committee's President, his duties are performed by a Board member designated for this purpose by the President.

Art. 10 - The members of the Committee have the following responsibilities:

- a) to attend regular and extraordinary meetings of the Committee established by its President;
- b) to express in the Committee's meetings, opinion and vote on the materials subject to debate;
- c) to observe the confidentiality of deliberations and information which they have acquired as a result of participation in the activities and works of the Committee, including of the discussions with the persons invited to its debates;
- d) not to make public the documents received or prepared by the Committee and not to publicly express their opinion on the work and activity of the Committee;
- e) to perform with maximum responsibility the duties established by the Committee and its President and to prepare promptly and in the established period of time the documents allocated for settlement;
- f) to notify the Committee and its president of violating the Code or the Statute of external public auditor. In this situation must retire by resignation from membership of the Committee;
- g) to sign the minutes of the meeting in which it participates.

Art. 11. - (1) The current activity and secretariat of the Committee shall be provided by one or more persons from the General Secretariat, at the General Secretary 's proposal; person / persons designated form "Technical Secretariat".

(2) Technical secretariat of the Committee performs mainly the following duties:

- a) receives and records in the register of evidence of the Committee documents addressed to him, both by mail and electronically;
- b) presents to the President documents to be included in the draft of the agenda of the Committee's meetings, as well as those to be distributed to its members;
- c) shall convene the Committee members and any other persons, at the request of its President;
- d) is responsible for the preparation and signing of the minutes of the meeting by all participants;
- e) receives and archives in the Committee's database statements of independence of the external public auditors and the briefings of the directors, on ethical issues. Also makes these documents available to the Committee's teams of rapporteurs, electronically or by mail, in order to draft reports or periodic notifications based on these materials;
- f) after registration in the records registry, sends to the Plenum of the Court of Accounts, documents prepared by the Committee or current correspondence addressed to the structures or other persons within the Court of Accounts;
- g) fulfils, at the request of the President, other tasks necessary for the smooth conduct of the Committee's work.

The convocation and the agenda of the Ethics Committee meetings

Art. 12. - (1) The Committee shall meet monthly in regular session on the last Thursday of the month and, whenever necessary, in extraordinary sessions. Convening

for extraordinary meetings is made by the technical secretariat at the request of Committee's President with at least 2 days prior to conducting the meeting.

(2) In the case of materials submitted by the Plenum or the executive management and the settlement of which is urgently required, the Committee shall meet in extraordinary session within 3 days of their receipt.

(3) Convening of the Committee members at the meetings can be done both by telephone and by e-mail.

Art. 13 - The draft agenda is drawn up by the Technical Secretariat at the proposal of the President and is disseminated electronically to the members of the Committee at least 2 days before the date of the meeting, together with its annex-documents electronically, Word or pdf.

Conduct of the meetings of the Ethical Committee

Art. 14. - (1) Participation of Committee members in meetings is mandatory. To ensure the quorum of the meetings, at least 4 members must be present.

(2) During the period in which the members participate in the works and activities of the Committee, they are exempt from job duties, without decrease of wages. (3) A member unreasonably absent from five meetings shall be dismissed by the Committee by a decision of the Plenum. Plenum notification in such cases is made by the President of the Committee, after documented finding of this situation in the ordinary meeting of the Committee.

Art. 15 - (1) All decisions and documents of the Committee shall be adopted by a simple majority of votes, by open vote. In case of a tie, the President's vote is decisive.

(2) Members of the Committee are obliged to express their opinion and vote for or against, abstaining from voting not being allowed. In the event of a negative vote, the Committee's member who has a different opinion drafts and signs the separate opinion, presenting the reasons on which it is based. The separate opinion shall be attached to the minutes of the meeting.

Art. 16. - (1) At the beginning of meetings, the President of the Committee checks the quorum and if the meeting can be held, submits the draft agenda for the approval.

(2) After approval of the agenda, members of the Committee may propose after justification the supplementation of the agenda with other materials or written complaints, their inclusion for debate being approved by vote. This procedure applies if members notify the Committee with various problems or situations they became aware of after distributing the draft agenda, which can not be timely submitted to the technical secretariat in order to be considered.

Art. 17. - (1) The items appearing on the agenda, including the tasks received from the Plenum, as well as the other materials and referrals dealt with by the Committee, after analysis and debate, shall be fulfilled by the reporting teams formed by at least two members of the Committee.

(2) At the meeting, the President of the Committee proposes the rapporteurs team and establishes by mutually agreement with it, the deadline in which the draft document must be submitted in order to be prepared, respectively, the case report, perspective, information note, progress report, documentary and others.

(3) In order to expeditiously fulfill the tasks received from Plenum there may be cases in which they are sent for solving to one of the Committee members, as rapporteur, with his consent.

(4) The draft reports as well as the other documents drawn up by rapporteur teams are registered on the agenda of the meetings, and after discussion and adoption by vote, according to art. 15 of this Regulation shall be submitted under the signature of the President, to the Plenum, specialized structure or persons concerned, as appropriate.

Art. 18. - (1) The Committee may invite to its sessions the persons who have sent letters or requests for review and solutioning. It may also invite other persons in the Court of Accounts, who have the possibility to support the Committee with data and information or may provide explanations to clarify matters which are subject to complaints received by the Plenum, from the external public auditors and from other persons concerned and in cases where the Committee is noticed on its own initiative.

(2) Discussions with the persons concerned are confidential and do not constitute a prior disciplinary investigation, this activity not falling within the duties of the Committee.

Usually, discussions with these individuals take place in meetings of the Committee.

(3) Invitations to participate in meetings of the Committee, for persons referred to in paragraph (1) shall be made by the President of the Committee, by the care of Technical Secretariat.

(4) If outside the Committee meetings is needed that the team of rapporteurs to clarify certain aspects necessary required in the preparation of materials it may interview the persons mentioned in paragraph (1). The respective individuals will be invited to hearings under paragraph (3) provisions. The President of the Committee will be always present at the hearing.

Art. 19. - (1) At each meeting of the Committee a report of the meeting shall be prepared, where will be recorded, mainly:

- a) the date and hours between which the meeting was held;
- b) Committee members who attended and persons invited;
- c) agenda and decisions which were taken at each point. It will be recorded the vote on the items on the agenda to which the materials or decisions were adopted by vote. Where in the minutes the vote was not considered that decision or the material in question was adopted unanimously;
- d) The rapporteur team or the appointed rapporteur, where appropriate, to draw up the document established by the Committee or the one that claims the problem included at the appropriate point on the agenda.

(2) The minutes shall be prepared by the care of the Technical Secretariat and shall be signed by all Committee members attending the meeting. The minutes of the meeting shall be placed on the agenda of the next meeting of the Committee for validation.

(3) At the beginning of the meetings, at the proposal of the President, shall be appointed by rotation a member of the Committee that will record the decisions taken by the Committee in relation to each item on the agenda. The person appointed assists and supports the Technical Secretariat in finalizing the minutes of the meeting and at the preparation of notes, addresses, letters and so on, which the Committee is to send, following the debates in the meeting.

Documents subject to the Ethics Committee activity

Art. 20. - (1) The main documents subject to analysis and debate of the Committee are: statements of independence, disciplinary committees reports, briefings of directors in the specialized departments and directors of chambers of accounts, Statements of interest of the external public auditors, letters and materials submitted by external public auditors and by other stakeholders, and other relevant documents of the Court of Accounts.

(2) Statements of independence of external public auditors shall be submitted within 3 business days of the filing to the Committee, and briefings on ethical issues of the directors of the central and territorial structures within 5 business days from the end of the period subject to reporting. These documents are sent to the Committee in electronic form, in Word or pdf at the e-mail address: comitet.etica@rcc.ro.

Art. 21. - (1) The Committee may receive materials from external public auditors or other persons interested either by mail and electronically, both by the Registry of the Court of Accounts and at the email address: comitet.etica@rcc.ro being provided, at their request, the confidentiality of materials and people.

(2) To encourage the initiative of external public auditors to communicate freely, without restraint and constraint, mainly, the possible ethical dilemmas they have, some particular issues regarding conflict of interest situations they become aware of, improper conduct or violations of ethics and integrity standards, and so on, the Committee shall regularly send messages to e-mail address of external public auditors by which they will be remembered the modalities to contact the Committee. The committee may also send questionnaires to external public auditors containing a number of relevant questions on ethics and integrity from which conclusions could be drawn about various issues of interest to executive management.

Art. 22 - The Committee must communicate in a timely manner to the management of the specialized structures and external public auditors all decisions / documents with ethical significance received from the Plenum and from the executive management, in order to be implemented / disseminated so that they are known in a timely manner, to be implemented and observed by external public auditors.

Final provisions

Art. 23 - The President of the Committee may be invited to the works of the Plenum of the Court of Accounts when on its meetings agenda are recorded documents elaborated by the Committee or when debating issues regarding the Code and Statute provisions of the external public auditor.

Art. 24. - (1) For the development under the best conditions of the Committee's work, with the help of General Secretariat an adequate space shall be ensured as well as provision of furniture, IT equipment and necessary consumables.

(2) Structures of the Court of Accounts will support the work of the Ethics Committee.

Art. 25 - All documents and materials received by the Committee shall be deposited for safekeeping, as required by law, to archive of the Court of Accounts, with the help of General Secretariat.

COURT OF ACCOUNTS

COURT OF ACCOUNTS

Department..... /Directorate.....

Chamber of Accounts.....

No...../ Date.....

Statement of acknowledgment and observance of the Ethical and Professional Conduct Code provisions of the Court of Accounts staff

I, hereby, the undersigned /, acting aswithin....., confirm that on ,at the headquarters of the department / Chamber of Accounts, at a meeting I was informed that on the Salv@tor internal portal, was published the Code of Ethical Conduct of staff of the Court of Accounts, which was approved by the Plenum Decision no. dated I confirm also that the superiors presented the Code provisions and I understand that it mainly contains important information related to ethics and professional conduct I need to know and respect the work in the activity I carry out at the Court of Accounts.

I undertake to fully respect the provisions of the Code, applicable to the period in which I am employed at the Court of Accounts. After termination of the individual employment contract, I undertake to observe the obligation on confidentiality of data and information acquired in the exercise of job duties for a period of one year.

I also understand that this document or the Code, is not a contract and that it can be modified unilaterally by the Court of Accounts, and the changes to be made known to me according to the procedure provided in the first paragraph of this statement.

Date

Signature