

CODE OF CONDUCT FOR ITA - Italian Trade & Investment Agency

APPROVED BY THE RESOLUTION
OF THE BOARD OF DIRECTORS
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21

INDEX

ART. 1 – PURPOSE AND SCOPE	3
ART. 2 –ADDRESSEES	3
ART. 3 – GENERAL PRINCIPLES	4
ART. 4 – GIFTS, PAYMENTS AND OTHER BENEFITS	5
ART. 5 – PARTICIPATION IN ASSOCIATIONS AND ORGANIZATIONS	6
ART. 6 – CONFLICTS OF INTEREST AND DUTY OF ABSTENTION	7
ART. 7 – CORRUPTION PREVENTION	9
ART. 8 – TRANSPARENCY AND TRACEABILITY	10
ART. 9 – CONDUCT IN PRIVATE RELATIONSHIPS	11
ART. 10 – CONDUCT ON DUTY	11
ART. 11 – PUBLIC RELATIONSHIPS	13
ART. 12 – CONFIDENTIALITY	14
ART. 13 – SPECIAL PROVISIONS FOR MANAGERS OF ITALIAN OFFICES AND FOREIGN OPERATIONAL UNITS	
ART. 14 – CONTRACTS & OTHER NEGOTIATION TECHNIQUES	17
ART. 15 – SUPERVISION, MONITORING & TRAINING ACTIVITIES	18
ART. 16 – DISCIPLINARY RESPONSABILITIES DUE TO CODE OBLIGATION VIOLATIONS	19
ART. 17- TEMPORARY, ADJUSTMENT AND FINAL PROVISIONS	20

ART. 1 – PURPOSE AND SCOPE

- 1) This Code of Conduct is adopted by ITA - Italian Trade Agency for promoting and internationalising Italian companies abroad in compliance with the supreme principles of the Italian Constitution which provide that public functions are to be carried out with discipline and honour, with impartiality and at the exclusive service of the Nation and pursuant to Art. 54, paragraph 5, of Italian Legislative Decree (D.lgs.) n. 165 of March 30 2001, as well as pursuant to the Italian Presidential Decree (DPR) of April 16, 2013 n. 62 (Italian Code of Conduct for Public Employees) and the law of November 6 2012, n. 190 (Provisions for the prevention and repression of corruption and illegality in public administration) taking into account the Three-year Corruption Prevention and Transparency Plan of ITA - Italian Trade Agency 2020-2022 adopted with a resolution of the Board of Directors 507/2020, of the Procedure for the management of reports of illegal conduct within ITA - Italian Trade Agency (Whistleblowing), adopted with a resolution of the Board of Directors 522/2020 and the "Guidelines on Codes of Conduct for Public Administrations" approved by the Anti-Corruption National Authority for Public Administration Evaluation and Transparency (hereinafter ANAC) with resolution no. 177/2020.
- 2) This Code integrates and specifies the provisions of the Italian Code of Conduct for Public Employees, based on the peculiarities of the activity carried out by ITA - Italian Trade Agency,
- 3) The violation of the good conduct obligations provided for by the "Italian Code of Conduct for Public Employees" and by this Code, including those relating to the implementation of the Corruption Prevention Plan, is a source of disciplinary responsibility, ascertained at the outcome of the related procedure disciplinary, in compliance with the principles of proportionality and graduality of the sanctions. Violations will be assessed on the basis of the disciplinary provisions established by law and by the National Collective Bargaining Agreement (hereinafter CCNL) in force.
Please note that, unless otherwise specified, in listing the penalties related to single behavioural acts, the reference to Articles 60, 61 and 62 relates to the CCNL non-executive personnel, Central Functions Section for the 2016-2018 three-year period; the reference to Art. 36 relates to the CCNL Managers of the Central Functions Section for the 2016-2018 three-year period.
- 4) For matters not covered by this Code, the provisions of Italian Presidential Decree (DPR) April 16, 2013 n. 62 (Italian Code of Conduct for Public Employees) and Italian Legislative Decree (D.lgs.) n. 165/2001 (General provisions on the organization of work in the departments of public administration) apply.

ART. 2 –ADDRESSEES

- 1) The addressees of the provisions of this Code, unless otherwise specified, are:
 - a) permanent employees pursuant to Italian Legislative Decree (D.lgs.) 165/2001 (managerial and non-managerial staff), both with permanent contracts and with fixed-term contracts, in service at the Italian offices of ITA - Italian Trade Agency, or at operational offices abroad;
 - b) personnel belonging to other Administrations in a managing, secondment or temporary position who work at ITA - Italian Trade Agency. For the purposes of this Code, they are considered equal to the employees referred to in subheading a);
 - c) non-occasional collaborators or consultants, office and role holders who collaborate directly with top management;
 - d) collaborators, in any capacity, of companies supplying goods or services and carrying out work for ITA - Italian Trade Agency;

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- e) staff hired to meet the operational needs of ICE Operating Units abroad if the provisions of this Code are not in conflict with local law;
 - f) those who work at ITA - Italian Trade Agency as interns, trainees, contractors and in any other type of employment.

In the entrustment acts or when entering into contracts of collaboration, consultancy, goods or services, the Administration includes provisions or clauses for the dissolution or termination of employment, should any obligations of this Code be violated.

ART. 3 – GENERAL PRINCIPLES

- 1) The addressees of this Code, as identified under Art. 2, abide by the Italian Constitution with discipline and honour, and align their conduct to the principles of good performance and impartiality of the administrative action. They carry out their tasks complying with the law, pursuing the public interest and not abusing their position or powers. Furthermore, they prevent any action or behaviour that violates or may lead one to believe violated the provisions of laws, regulations or those found in this Code.
- 2) Furthermore, addressees comply with the principles of integrity, correctness, good faith, proportionality, objectivity, transparency, equality, and good sense and act in an independent and impartial manner, abstaining in the event of a conflict of interest.
- 3) They do not use information they have due to their office for personal purposes, they avoid situations and behaviours that might impede the proper carrying out of their duties or damage the interests or image of the public administration. Privileges and any public power are exercised solely for the general interest purposes for which they have been conferred.
- 4) Addressees respect professional secrecy and the principle of confidentiality, committing to protecting any piece of confidential information, both private and public, they have become aware of while carrying out their functions – even after their duty has ended. They only refer to documents and files they are entitled to access and use them according to their office duties.
- 5) Addressees carry out their duties aiming administrative action at maximum cost-effectiveness, efficiency and effectiveness. The management of public resources for the purpose of carrying out administrative activities must be cost-effective, while not compromising the quality of the results.
- 6) In their relations with the recipients of the administrative action, they ensure full equality of treatment under equal conditions, also refraining from arbitrary actions that have negative effects on the recipients of the administrative action or that involve discrimination based on sex, nationality, ethnic origin, genetic characteristics, language, religion or belief, personal or political beliefs, belonging to a national minority, disability, social or health conditions, age and sexual orientation or other factors.
- 7) All addressees of this Code have the right to carry out their work in an environment that is serene and conducive to the development of interpersonal relationships based on the principles of equality, mutual fairness and respect for human freedom and dignity, as well as free from any type of inappropriate behaviour and unwanted discrimination. Physical and moral harassment, behaviours that are abusive, aggressive, persecutory or damaging to the dignity of the person, bullying and any other form of discrimination based on personal beliefs, disabilities, factors such

as political, trade union, cultural, ethnic, religious, or sexual orientation, territorial or of other origin are absolutely inadmissible and, in compromising the motivational drive, as well as confidence and morale, negatively affect work climate and performance.

- 8) Harassment of a sexual nature and any type of conduct that is unwelcome by the recipient, having the purpose or effect of violating the dignity of the worker and creating an intimidating, hostile, degrading, humiliating or offensive work climate are prohibited. The Administration immediately puts in place impartial and timely measures to stop both the harassing behaviour, both verbal and non-verbal, and any retaliatory conduct, direct or indirect, implemented following the complaint by the victim, who is guaranteed the absolute confidentiality and implementation of the protections established by law.
- 9) Addressees shall ensure their utter collaboration and availability in the relations with both their co-workers at ITA - Italian Trade Agency, and other public administrations, ensuring the exchange and conveying of information or data in any format, including through electronic transmission, in compliance with the applicable laws.
- 10) Permanent and fixed-term executives, including holders of managerial positions pursuant to Art. 19 paragraph 6 of Italian Legislative Decree (D.lgs.) 165/2001, as well as the Heads of Operating Units abroad, are subject to compliance with the obligations set forth in Art. 13 of Italian Presidential Decree (DPR) 62/2013 (Special provisions for managers).
- 11) If, pending the initiation of the disciplinary procedure, a *fumus boni iuris* is found regarding the existence of negligent, imprudent or even conscious conduct or statements, which may, if proven, cause reputational damage to ITA - Italian Trade Agency, the Administration may temporarily assign the interested party to in-house tasks which pertain exclusively to ITA - Italian Trade Agency. In the case of staff working abroad, temporary return to Italy may be arranged.
- 12) Unless it constitutes a more serious fault, for the violation of the provisions of point 7 of this Article, the disciplinary sanction of suspension from service with deprivation of remuneration up to a maximum of 10 days (Art. 62 paragraph 4 of the CCNL) is applied and, in the event that such infractions are committed by the holder of a managerial position, for a minimum of 3 days up to a maximum of 6 months (Art. 36 point 8 CCNL). For the violation of obligations referred to in point 8 of this Article, where the fault is not serious in nature or there is no recurrence, the disciplinary sanction of suspension of service with deprivation of salary from a minimum of 11 days to a maximum of 6 months is also applied to managers, and where instead there is recurrence in the two-year period or when the fault is particularly serious in nature, the sanction of dismissal with notice (Art. 62, paragraph 9, point 1, letter d) and Art. 36, paragraph 9, point A letter e).

ART. 4 – GIFTS, PAYMENTS AND OTHER BENEFITS

1. The addressees identified in Art. 2 of this Code do not ask or solicit, for themselves or for others, gifts or other benefits. They also do not accept, for themselves or for others, gifts or other benefits, except those that are modest in value made occasionally in the context of normal courtesy relations and/or in the context of international customs.
2. In any case, they do not ask or accept, for themselves or for others, gifts or other benefits, not even modest in value by way of compensation for carrying out or for having performed an act of their office,

in particular from subjects who may benefit from decisions or activities related to the office, nor by subjects towards whom they are or are about to be called to carry out or exercise activities or powers of the offices they hold.

3. In any case, regardless of the circumstance that the fact may constitute a crime, gifts received or other benefits, even if modest in value, must not be capable of compromising the independence of judgment, impartiality and integrity of the work.
4. Addressees under Art. 2 do not accept direct or indirect gifts or other benefits, for themselves or third parties, from a direct dependent, excepting items that are modest in value. Furthermore, they do not offer direct or indirect gifts or other benefits to their managers, excepting items that are modest in value.
5. For the purposes of this Article, gifts or other benefits of modest value made occasionally as part of custom are understood to be those of a value not exceeding 150 Euros, also in the form of a discount, in relation to the single calendar year.
6. The employee does not accept collaborative assignments from private parties who have, or have had in the previous two years, a significant economic interest in decisions or activities related to the office which they belong to. In any case, the employee who intends to accept collaborative assignments, even free of charge, abides by the current legislation on the assignment of extra-institutional assignments.
7. The gifts and, when possible by their nature, the other benefits received at any rate outside the cases permitted by this Article, are immediately made available, by the same employee by whom they have been received, to the Administration for restitution or to be donated to institutional purposes or to be used for humanitarian or charitable initiatives.
8. In order to preserve the Administration's reputation and impartiality, the Managers of the Organizational Unit monitor the proper implementation of this Article and the Office for Disciplinary Procedures (hereinafter UPD) has the right to carry out random checks.
9. For the violations referred to in the obligations of this Article, the sanction applied is from the minimum of verbal or written reprimand to the maximum of the fine of an amount equal to four hours of pay (Art. 62, paragraph 3 letter a) CCNL 2016-2018) or, in cases of relapse or that are more serious in nature, the sanction of suspension from service with deprivation of salary up to a maximum of 10 days (Art. 62, paragraph 4, letter b) CCNL) and a minimum of 11 days up to a maximum of 6 months in the case of serious damage suffered by ITA - Italian Trade Agency, by users or by third parties (Art. 62, paragraph 8, letter e) CCNL); if the perpetrator of the offense holds a managerial position, the pecuniary sanction is applied from a minimum of Euro 200 to a maximum of Euro 500 (Art. 36, paragraph 4 CCNL) and, if there is recurrence in the two-year period or when the fault is serious in nature, the sanction of the suspension from service with deprivation of salary from a minimum of three days to a maximum of 6 months (Art. 36, paragraph 8, letter a) CCNL). In relation to the seriousness of the violation of the obligations provided for in this Article, if the value of the gift or other benefits is not modest in nature and there is an immediate correlation of the latter with the performance of an act or activity typical of the office, the sanction of dismissal with notice applies (Art. 62 paragraph 9, point 1, letter f) CCNL employees and Art. 36 paragraph 9 point A letter d) CCNL managers).

ART. 5 – PARTECIPATION IN ASSOCIATIONS AND ORGANIZATIONS

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1. In compliance with current legislation on the right of association, the addressees referred to in Art. 2 paragraph 1 letters a), b), c), e), f) communicate in writing, within 15 days of registration, to the manager of the office to which they belong their membership in associations, clubs or organizations, regardless whether they be confidential in nature or not, whose areas of interest or activity may interfere with the carrying out of office work. This paragraph does not apply to membership of political parties or trade unions or bodies or associations whose membership can lead to surmise regarding the health conditions or religious or sexual orientation of the members.
 2. They do not participate in associations, clubs or other bodies of any kind if, for the purposes of membership, they require the swearing, observance or promise of observance of principles, ideologies, duties or obligations in contrast with the principles of administrative action, contractual obligations, obligations established by the "Italian Code of Conduct for Public Employees" and the rules of conduct provided for by this Code.
 3. Assessing whether the associative activity interferes with the carrying out of work is the responsibility of the hierarchically superior manager who, in the event of interference, must express themselves by communicating their assessment to the employee and informing the Personnel Office within 30 days from the employee's communication.
 4. Public employees do not force other employees to join associations or organizations, nor do they exert pressure to do so by promising career advantages or disadvantages.
 5. For violations of the obligations referred to in this Article, the sanction is applied from the minimum of verbal or written reminder to the maximum of the fine of an amount equal to four hours of pay (Art. 62, paragraph 3 letter a) CCNL 2016-2018) or, in particularly serious cases, the sanction of suspension from service with deprivation of remuneration up to a maximum of 10 days (Art. 62, paragraph 4, letter b CCNL) and from a minimum of 11 days up to a maximum of 6 months in the case of serious damage suffered by ITA - Italian Trade Agency, by users or by third parties (Art. 62, paragraph 8, lett. and CCNL); if the perpetrator of the offense holds a managerial position, the pecuniary sanction is applied from a minimum of Euro 200 to a maximum of Euro 500 (Art. 36, paragraph 4 CCNL) and, if there is recurrence in the two-year period or when the fault is serious in nature, the sanction of the suspension of the service with deprivation of salary from a minimum of three days to a maximum of 6 months.

ART. 6 – CONFLICTS OF INTEREST AND DUTY OF ABSTENTION

1. This Code's addressees, identified under Art. 2, clause 1, letters a), b), c), e), and f) shall prevent conflicts of interest, by abiding by the duty of abstention, when applicable.
2. Given the peculiar activity of ITA - Italian Trade Agency, the addressees referred to in Art. 2, paragraph 1 letters a), b), c), e) and f), apart from the activities necessary for the performance of their work, cannot collaborate or receive assignments - even sporadic or occasional - both free of charge and on payment from Associations or other representative bodies pertaining to categories that produce of goods or services, including consortia and exhibition bodies, as well as foreign ones, or with companies related or connected to them, including foundations and NGOs, that fall within the scope of activities of ITA - Italian Trade Agency.
3. Without prejudice to the obligations of transparency provided for by laws or regulations, the addressees of this Article, at the time of assignment to the office or at the time of signing the contract as well as following transfer and/or rotation in another office of the administration (Headquarters/

Milan/Abroad), inform in writing the Head of the Operating Unit or their hierarchical superior, of all relationships, direct or indirect, of collaborations with private individuals paid in any way, which they have or have had in the last three years. In particular, they specify whether the spouse or cohabitant still has financial relationships with the person with whom they have had the aforementioned collaborative relationships. They also specify whether such relationships have occurred or exist with subjects who have interests in activities or decisions relating to the office, limited to the practices entrusted to them; the same disclosure obligation also exists in the event that the concrete or potential situation of conflict of interest arises during a constant relationship; in this case, the interested parties are required to promptly inform their respective hierarchical superiors.

4. The addressees of this Article refrain from taking or contributing to decisions as well as from carrying out acts that may directly or indirectly involve the financial and non-financial interests of themselves, of their spouse, cohabitants, relatives or kin up to the 2nd degree, or of subjects or organizations with whom they have habitual relations or, on the contrary, with which they have a pending cause or serious enmity or significant credit or debt relations, of subjects or organizations of which they are guardians, trustees, attorneys or agents, or bodies, associations, even unrecognized, committees, companies or establishments of which they are directors or managers or managers. The conflict may concern interests of any kind, including non-patrimonial ones, as arising from the intent of wanting to acquiesce to political, trade union or superior pressure.
5. They also abstain in any other case in which there are reasons of convenience and communicate in writing the will to abstention and the related reasons to the Head of the Office to which they belong, to the hierarchical superior who evaluates - acquiring further information where necessary - the opportunity of abstention and decides on the same, possibly identifying another person who will replace the abstainer. In cases of abstention, the Personnel Office and, for reference, the Transparency and Corruption Prevention Manager must be informed. It is up to the Administration to carry out checks, even on a sample basis, on the existence of any situations of conflict of interest, and, in the event that these are found, the Entity may order, in addition to the obligation to abstention, taking into account the structural nature or not of this conflict, also the extent of ordinary rotation or the transfer of functions or duties.
6. Employees appointed as members of Competition Commissions for the selection of personnel, in conjunction with the acceptance of the appointment, make a declaration in which they certify that they are not in one of the situations of conflict of interest referred to in this Article.
7. According to Art. 20 of Italian Legislative Decree (D.lgs.) 39/2013, when ITA - Italian Trade Agency is conferring a managerial or top administrative responsibility post, the interested party submits a declaration certifying the non-existence of causes of non-transferability; this declaration is a condition for the assignment to come into effect. While in office, the interested party **promptly** informs the Administration of any causes of assignment incompatibility, and in any case annually submits a declaration on the non-existence of the aforementioned. The causes of non-transferability and incompatibility are listed in the same Italian Legislative Decree (D.lgs.) 39/2013.
8. The specific provisions on *antipantouflage* referred to in art. 53, paragraph 16-ter of Italian Legislative Decree (D.lgs.) 165/2001 also apply.
9. Unless the fact constitutes a more serious disciplinary offense, for violations of this Article the sanction is applied from the minimum of verbal or written reprimand to the maximum of the fine of an amount equal to four hours of pay (Art. 62, paragraph 3 letter a) CCNL 2016-2018) or, in

particularly serious cases, the sanction of suspension from service with deprivation of remuneration up to a maximum of 10 days (Art. 62, paragraph 4, letter b) CCNL) and from a minimum of 11 days up to a maximum of 6 months in the case of serious damage suffered by ITA - Italian Trade Agency, by users or by third parties (Art. 62, paragraph 8, letter e) CCNL); if the perpetrator of the offense holds a managerial position, the pecuniary sanction is applied from a minimum of Euro 200 to a maximum of Euro 500 (Art. 36, paragraph 4 CCNL) and, if there is recurrence in the two-year period or when the fault is particularly serious in nature, the sanction of the suspension of the service with deprivation of salary from a minimum of three days to a maximum of 6 months.

ART. 7 – CORRUPTION PREVENTION

1. The addressees of this Code comply with the measures necessary for the prevention of illicit acts in the Administration. In particular, they comply with the requirements contained in the Three-Year Plan for the Prevention of Corruption and Transparency (hereinafter PTPCT) and collaborate with the Head of the Prevention of Corruption and Transparency, also communicating any situations of critical or significant risk not covered by Italian Law (Legge) n. 190/2012 and the mapping of the risk areas contained in the PTPCT. They also notify the Administration, without delay, as soon as they become aware of them, of the existence of provisions for registration in the criminal records registry or for indictment in criminal proceedings which concern them. The violation of this provision entails the implementation of a sanction from the minimum of verbal reprimand to the maximum of suspension from service with deprivation of remuneration up to a maximum of 10 days, increasing by degrees the entity of the sanction in relation to the general criteria referred to in Disciplinary code (Art. 62 co. 3 lett. H) and co. 4 lett. a); if the holder of a managerial position contravenes this obligation, a pecuniary sanction from a minimum of Euro 200 to a maximum of Euro 500 is applied (Art. 36 paragraph 4 letter d).
2. The Head of the Organizational Unit respects and monitors collaborator compliance with the rules and measures contained in the PTPCT, granting utter collaboration to the Prevention Corruption and Transparency Manager (hereinafter RPCT). They also transmit the culture of adherence to the values and principles contained in the Code to the addressees, disseminating its knowledge.
3. Without prejudice to the obligation to report to the judicial authority, where applicable, the addressees of this Article report any illegal facts, acts or conduct, of which they have become aware, to the Head of the Prevention of Corruption and Transparency and/or, if they deem it appropriate, to their hierarchical superior, who adopt all legal precautions so that the anonymity of the whistle-blower is protected and their identity is not unduly revealed, both in the case of reporting to the Manager and in the case of *whistleblowing* reports pursuant to Art. 54-bis of Italian Legislative Decree (D.lgs.) 165/2001. If the *whistleblowing* reports concern the RPCT, the reports must be sent to ANAC.
4. The Administration guarantees every measure of confidentiality, including IT, by anonymizing the data, to protect the employee who reports an offense. In order to protect the employee who reports an offense, both the RPCT and the members of any working group used by the RPCT in order to carry out its functions of verification and analysis of *whistleblowing* reports received are subject to the most complete confidentiality obligation, both towards the reporting party and the reported person, as well as any other person who, by law, may be involved in the process initiated by the report. Against them, in the event of non-compliance

with the obligation, a particular form of disciplinary responsibility is envisaged, without prejudice to the more serious penalties provided for by law.

5. The protections granted by law to the *whistle-blower* are applied exclusively in cases of reports coming from recognizable and identifiable subjects, whose confidentiality is protected. On the other hand, anonymous reports, if they are adequately substantiated and presented in great detail such as to bring out situations and facts that can be connected to specific contexts, will in any case be treated as ordinary reports outside the *whistleblowing* discipline. Reports, even if sent anonymously in the first instance, may be subsequently integrated with the personal details of the *whistle-blower* in order to acquire legal protection.
6. With regard to *whistleblowing* reports, the addressees of the legislation pursuant to Italian Legislative Decree (D.lgs.) 165/2001 must follow the procedure referred to in the Resolution of the Board of Directors of ITA - Italian Trade Agency n. 522 of July 15 2020, as implemented with the Service Communications n. 75 of August 10 2020 and n. 83 of September 15 2020.

Unless the fact constitutes a more serious disciplinary offense, also pursuant to art. 55- sexies of Italian Legislative Decree (D.lgs.) 165/2001 and Italian Legislative Decree (D.lgs.) no. 39/2013, for violations of this Article, the penalty is applied from the minimum of verbal or written reprimand to the maximum of a fine of an amount equal to four hours of pay (Art. 62, paragraph 3 letter a) CCNL 2016-2018) or, in particularly serious cases, the sanction of suspension from service with deprivation of salary up to a maximum of 10 days (Art. 62, paragraph 4, letter b) CCNL) and a minimum of 11 days up to a maximum of 6 months in the event of serious damage suffered by ITA - Italian Trade Agency, by users or by third parties (Art. 62, paragraph 8, letter e) of the CCNL); if the perpetrator of the violation holds a managerial position, the pecuniary sanction is applied from a minimum of Euro 200 to a maximum of Euro 500 (Art. 36, paragraph 4 CCNL) and, where there is recurrence in the two-year period or when the fault is particularly serious in nature, the sanction of suspension of service with deprivation of salary from a minimum of three days to a maximum of 6 months.

ART. 8 – TRANSPARENCY AND TRACEABILITY

1. The addressees identified in Art. 2 of this Code ensure or collaborate in the fulfilment of the transparency obligations envisaged by the public administrations according to the regulatory provisions in force, providing the utmost collaboration in the processing, retrieval and transmission of data subject to the obligation of publication on the institutional website of ITA - Italian Trade Agency, in order to allow the monitoring of administrative activity by citizens and users.
2. They report any need to update and correct information, data and documents subject to publication relating to their sphere of competence.
3. The traceability of the decision-making processes adopted must, in all cases, be guaranteed through adequate, paper or electronic, documentary support which allows the decision-making process to be replicable and in compliance with the procedures envisaged, within the limits of the provisions of the law on archiving and conservation of documentary proceedings.
4. Every year the Head of Corruption Prevention and Transparency updates the Three-year Plan for the Prevention of Corruption and Transparency, which contains within it the Section "Transparency", in order to further promote the culture of legality.

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5. For the violations referred to in the obligations of this Article, the sanction is applied from the minimum of verbal or written reprimand to the maximum of the fine of an amount equal to four hours of pay (Art. 62, paragraph 3 letter a) or, in particularly serious cases, the sanction of suspension from service with deprivation of salary up to a maximum of 10 days (Art. 62, paragraph 4, letter b) CCNL) and from a minimum of 11 days up to a maximum of 6 months in the case of serious damage suffered by ITA - Italian Trade Agency, by users or by third parties (Art. 62, paragraph 8, letter e) CCNL); if the perpetrator of the violation holds a managerial position, the pecuniary sanction is applied from a minimum of Euro 200 to a maximum of Euro 500 (Art. 36, paragraph 4 of the CCNL) and, if there is a particularly serious recurrence in the two-year period, the sanction of the suspension of the service with deprivation of salary from a minimum of 3 days to a maximum of 6 months.

ART. 9 – CONDUCT IN PRIVATE RELATIONSHIPS

1. In private relationships, the addressees pursuant to Art. 2 do not engage in conduct that could damage the image of the Administration.
2. In extra-curricular relationships, especially if with public officials, the addressees of this Article do not exploit or mention the position they hold in the Administration to obtain benefits.
3. In private relationships, without prejudice to what is established in the following Art. 12, the employee respects professional secrecy by keeping news and information they have become aware of in the context of the activity they were carrying out confidential and refrains from offensive public statements towards the Administration.
4. In the event that a final conviction arises for a crime which, committed outside the service and not directly related to the employment relationship, does not allow its continuation on account of its gravity, the sanction of dismissal with notice is applied. On the other hand, the sanction of dismissal without notice is applied both if the continuation of the employment relationship referred to in the previous period is not possible even provisionally and when facts or malicious acts are committed in general, even towards third parties, which although not constituting offenses of criminal relevance, are of such seriousness as not to allow the same provisional.

ART. 10 – CONDUCT ON DUTY

1. The addressees carry out their duties with promptness and commitment and strive to promote organizational well-being by basing their conduct, in addition to the fundamental principles set out in Art. 3, also on the principles of correctness, politeness and willingness in interpersonal relationships, also in the sharing of skills and information between colleagues.
2. Without prejudice to compliance with the terms of the administrative procedure, the addressees of this Code referred to in Art. 2, paragraph 1, letters a), b), c), e), f) - except for justified reasons - do not delay or adopt behaviours such as to affect other employees in the carrying out of activities or the adoption of decisions in their scope; in the event that they are unable to complete a task they have started, they provide the office manager and any subsequent colleague with any useful information for the continuation of the service. Likewise, in the event of a transfer to another organizational unit or office, in Italy or abroad, they facilitate the handover of their work to the new employees, taking particular care to provide any useful information in this regard and to highlight the actions that are

to be undertaken urgently and, in any case, to ensure the utmost collaboration, also by sharing any skills acquired that may prove useful for carrying out the tasks.

3. The same are required to register their presence in service by using the time card (badge) or other tool made available to the Administration, strictly refraining from engaging in fraudulent behaviour, also with the aid of third parties, intended to mislead the administration regarding compliance with the hours of service. They therefore avoid absences and undue exits during service hours and use the breaks permitted by custom and habit with moderation and common sense; moreover, they use the leave of absence from work, however named, and justify absences in compliance with the conditions provided for by the law, regulations, collective agreements and the internal provisions of ITA - Italian Trade Agency. Finally, during absence due to illness or injury, they do not carry out activities that delay psycho-physical recovery.
4. All addressees of this Article are required to use the material, equipment, telephone and electronic transmission services available to them for office reasons in compliance with the constraints set by the Administration; with regard to IT applications, they are required to scrupulously adopt the security policy provisions, so as not to compromise the functionality and protection of the IT systems. In particular, they do not use the telephone and computer equipment, photocopiers and other equipment they have for office reasons for personal reasons, they do not send e-mail messages unrelated to the activity of the office, or which are threatening or insulting, do not make inappropriate comments that may offend the person and/or damage the image of ITA - Italian Trade Agency, nor do they browse Internet sites with indecent and offensive content.

Furthermore, the addressees of this Code identified by Art. 2, lett. a), b), c), e) and f) refrain from expressing not only in person, but also in social networks and social media of any type (messaging systems and sharing multimedia material, blogs, forums), statements and content that are defamatory, offensive, aggressive, slanderous, disparaging and/or damaging to the image of the employer, their institutional activity and colleagues. Without prejudice to the right to express evaluations and disseminate information to protect trade union rights, the addressees of this Article comply with this precept also in the release of public statements. The seriousness of these violations is proportionate to the degree of responsibility in carrying out the assigned tasks.

Finally, they do not create profiles, groups, pages or similar referable or ascribable to ITA - Italian Trade Agency. This provision and the previous one, relating to insulting messages and the like, apply whether such activities are carried out inside or outside the workplace, during or outside the working hours, and whether the information or communication systems used belong to the Administration, to the addressees, or are permanently or temporarily available for any reason.

5. They use the Administration's means of transport, when made available to them, only for the carrying out of office duties, refraining from transporting third parties, except for office reasons.
6. The addressees implement a careful, efficient and economical use of resources, also paying attention to frugal conduct, such as the proper use of lights, water, air conditioning systems, printers and photocopiers, thanks to the progressive tendency to dematerialize documents. They also give constant attention to energy efficiency and optimal waste management through recycling and comply with the absolute prohibition of using personal electrical equipment.

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7. Personnel, both permanent and local, serving abroad must pattern their conduct both in private and in the office and in public to the most rigorous principles of discipline, correctness and decorum imposed by the greater duties deriving from their own representative functions or of the office to which they belong and in compliance with local laws and customs and traditions.
 8. The addressees of the provisions of this code, in the context of the performance of their work, shape their conduct, their verbal expressions and the care of their person, as well as the maintenance of the workstation, in addition to the criteria above, also to the principles of sobriety and decorum proper to the image of the Administration and in keeping with the function performed and the working environment. The same principles must be observed with regard to any images or photographs that mark the profile of the work e-mail account.
 9. The employee or manager, belonging to the same or to a different public administration of the accused, who is aware for office or service reasons of information relevant to an ongoing disciplinary procedure, gives the utmost collaboration, if requested, to the aforementioned Disciplinary Proceedings Office and makes exhaustive and truthful declarations useful for defining the proceeding itself.
 10. For the violations referred to in point 3, third sentence of this Article, for offensive demonstrations against the Administration, by any express means, for acts or conduct and harassment harmful to the dignity of the person or aggressive, slanderous or defamatory towards other employees, users or third parties, as well as in the event of serious arbitrary abandonment of the workplace, the disciplinary sanction of suspension from service with deprivation of pay up to a maximum of 10 days applies (Art. 62 paragraph 4 CCNL) and, in the event that the holder of a managerial position commits such infringements, from a minimum of 3 days up to a maximum of 6 months (Art. 36 point 8 CCNL).

For the violation referred to in point 9 of this Article, even if committed by a manager, the suspension from the service with deprivation of remuneration is applied, commensurate with the seriousness of the offense alleged to the employee, up to a maximum of fifteen days; in the event of recidivism and, in the event that a manager commits the infringement even in the case of a particularly serious violation, the sanction of dismissal with notice is applied (Art. 62 paragraph 9 point 1 letter b) and Art. 36 paragraph 9 point A letter b). For the violations referred to in point 3, first sentence of this Article, the sanction of dismissal without notice is also applied to managers (Art. 62, paragraph 9 point 2 and Art. 36, paragraph 9 point B, letter a) of the respective CCNL).

Unless they constitute more serious violations, to all other violations of this Article, as well as to the non-compliance with service provisions, also in terms of sick leave, and working hours (where the cases considered in Art. 55-quater, paragraph 1, letter a) of Italian Legislative Decree (D.lgs.) no. 165/2001), the penalty of a minimum of verbal or written reprimand to a maximum of a fine equal to four hours of pay and, for managers, the penalty of a minimum of Euro 200 to a maximum of Euro 500 is applied (Art. 62 paragraph 3 and Art. 36 paragraph 4).

In any case in which the conduct provided for in this article integrates the cases referred to in Art. 55-quater of Italian Legislative Decree (D.lgs.) n. 165/2001, the sanction of dismissal with or without notice is applied in accordance with the provisions of Art. 62 paragraph 9, points 1 and 2 and by Art. 36 paragraph 9 points A and B of the respective CCNL for non-managerial and managerial personnel.

ART. 11 – PUBLIC RELATIONSHIPS

1. The addressees referred to in Art. 2, paragraph 1, letters a), b), c) e), f) of this Code, in the relationship with the public, and more generally with all the recipients of the administrative action, in Italy and abroad, operate with a spirit of service, correctness, courtesy and willingness, also in responding to correspondence, telephone calls and e-mails: in such cases, if requested, they identify themselves, the office to which they belong and the person in charge of the same.

They carry out their duties as completely and accurately as possible, ensuring equal treatment, on equal terms, between users, especially when it comes to companies that use the services of ITA - Italian Trade Agency, also taking into account the cultural differences, so as to avoid potentially inappropriate or offensive behaviour or expressions; they ensure compliance with the quality standards set by the Administration, positively promoting its image, ensuring the continuity of the service and providing information on the methods of service in a clear and comprehensive manner. When they provide the information or explanations requested, including in relation to their own operations and those of other collaborators on whom the coordination or management function is performed, they comply with the rules on professional secrecy and on the protection of personal data.

If they are not competent by position or subject, they direct the person concerned to the competent official or office of the Administration or, if they are aware of it, to another Administration competent by subject or function. In the operations to be carried out and in the handling of the processes, employees respect, unless otherwise required for service or different order of priority established by the Administration, the chronological order and do not refuse services which they are required to carry out, except for specific reasons.

2. The addressees of this Article do not disclose the outcome of their own or of others' decisions or actions pertaining to the office, outside of the permitted cases. They provide information and news relating to administrative acts or operations, in progress or concluded, and issue copies and extracts of acts or documents in compliance with the provisions of the law and regulations regarding access to administrative documents, simple and generalized civic access, as well as with regard to transparency.
3. In guiding and assisting customers, they observe the provisions of the "Customer Service Charter" and the Quality Management System of ITA - Italian Trade Agency and enhance the peculiarities and excellence of the Italian System.
4. If they do not constitute a more serious violation, for the violations referred to in the obligations of this Article, the penalty is applied from the minimum of verbal or written reprimand to the maximum of a fine of an amount equal to four hours of pay (Art. 62, paragraph 3 letter a) and b) CCNL 2016-2018) or, in the event of recidivism or particularly serious cases, the sanction of suspension from the service with deprivation of remuneration up to a maximum of 10 days (Art. 62, paragraph 4, letter b) CCNL) and from a minimum 11 days up to a maximum of 6 months in the case of serious damage suffered by ITA - Italian Trade Agency, by users or by third parties (Art. 62, paragraph 8, letter e) CCNL); if the perpetrator of the violation holds a managerial position, the pecuniary sanction is applied from a minimum of Euro 200 to a maximum of Euro 500 (Article 36, paragraph 4 letters a) and b) CCNL) and, if there is recurrence in the two-year period or when the fault is particularly serious in nature, the sanction of suspension of the service with deprivation of remuneration from a minimum of three days to a maximum of 6 months (Article 36, paragraph 8, letter a) CCNL).

ART. 12 – CONFIDENTIALITY

1. The addressees of this Code do not disclose information that they have become aware of for work reasons and comply with the most stringent precautions to protect confidentiality and professional secrecy. In particular, they do not provide anyone, including mass media, confidential information on the content of activities, decisions to be taken and measures relating to ongoing proceedings, before they have been officially approved and formally communicated to the parties. They are also required not to use confidential information for purposes not related to the carrying out of their business and to pay due diligence and attention in order to prevent their inadvertent disclosure. The interested parties referred to in Art. 2, in carrying out their business, process personal data as defined by EU Regulation 2016/679 of 27 April 2016, General Data Protection Regulation (hereinafter GDPR) on the basis of the criteria of lawfulness, correctness and transparency, purpose limitation, data minimization, storage limitation, security, integrity and confidentiality of the same.

The subjects who, having access to databases internal or external to ITA - Italian Trade Agency, may become aware of confidential or personal information relating to their employees, collaborators, suppliers or customers, act in such a way as to guarantee secrecy and confidentiality of such information, if it is not already in the public domain, (by way of example contractual conditions or terms, income or financial information, strategies, activities and operational plans in progress and future, legal disputes in progress, debt recovery activities) and abstain, therefore, from the dissemination, both free of charge and for consideration, of such data to possible competitors of the owners of the same as well as to third parties such as, for example, financial companies, banks and law firms.

Particular caution must, in any case, be adopted in documents intended for external use, specifically those intended for inspection, supervisory, control bodies or authorities, or those required by regulatory provisions.

Furthermore, in no case do they disclose to unauthorized subjects the access codes to computer or electronic transmission systems (by way of example, the Revenue and Collection Agency, the Revenue Agency, National Institute for Social Security [hereinafter INPS]) which they have the access to on account of their work.

2. Addressees who, in the name of the Administration, have relations with other Administrations, Authorities or Bodies, including EU and international, in Italy or abroad, are required not to report and not to use, outside the mandate of representation received, the information acquired as a result of such relationships or in any case classified as confidential.
3. Employees who, in a personal capacity, participate in conferences, seminars or debates, publish writings, studies, articles or give interviews on institutional matters, even if they do not explicitly mention the qualification held within ITA - Italian Trade Agency, must be authorized in advance by their hierarchical superior. They must also specify that the opinions expressed are of a personal nature and are in no way binding to ITA - Italian Trade Agency.
4. Employees registered in the order of journalists and holders of copyright who, in a personal capacity, publish writings, studies, articles or give interviews on institutional matters, even if they do not explicitly mention the qualification held within ITA - Italian Trade Agency, must inform their hierarchical superior in advance. They must also specify that the opinions expressed are of a personal nature and are in no way binding to ITA - Italian Trade Agency.
5. In any case, all communications relating to one's working activity addressed to the Italian and international media must be shared, in advance, with the Manager of the Communication Office

External and Institutional Relations. On the other hand, communications with local media are entrusted to the heads of the individual offices.

6. For violations of the obligations of this Article, the sanction is applied from the minimum of verbal or written reprimand to the maximum of the fine of an amount equal to four hours of remuneration (Art. 62, paragraph 3 CCNL) and the penalty of suspension from service with deprivation of remuneration up to a maximum of 10 days in the event of recidivism or in particularly serious cases, (Article 62, paragraph 4, letters a) and b). In the event of serious damage suffered by ITA - Italian Trade Agency or by third parties, the duration of this sanction is instead from 11 days to 6 months (Article 62, paragraph 8, letter e) of the CCNL). If a manager commits the infringement, a pecuniary sanction is applied from a minimum of Euro 200 to a maximum of Euro 500 (Art. 36 paragraph 4 letter f) CCNL) and, in cases which are not serious in nature or where there is no recidivism in the two-year period, the sanction of suspension of service with deprivation of salary from a minimum of 3 days up to a maximum of 6 months.

ART. 13 – SPECIAL PROVISIONS FOR MANAGERS OF ITALIAN OFFICES AND FOREIGN OPERATIONAL UNITS

1. This Article, without prejudice to the implementation of the other provisions of the Code, applies to Office Managers in Italy, including holders of executive positions pursuant to Art. 19 paragraph 6 of Italian Legislative Decree (D.lgs.) 165/2001, and of Operating Units abroad, which diligently perform the functions in their scope on the basis of the conferment of assignment, pursue the assigned objectives and adopt an organizational conduct appropriate to the carrying out of the assignment.
2. Without prejudice to the provisions of the PTPCT, the Manager, before taking up their duties, communicates to the Administration the shareholdings and other financial interests that may place them in conflict of interest with the public function they perform and declare whether they have relatives and extended family up to the second degree, spouse or cohabitant who carry out political, professional or economic activities that put them in frequent contact with the office to be managed or who are involved in decisions or activities related to the office. The declaration is made, in compliance with the obligation to update one's condition, upon the occurrence of one or more of the above-mentioned cases.
3. The Manager displays a loyal and transparent attitude and adopts exemplary and impartial conduct in relations with colleagues, collaborators and recipients of administrative action. They are required to ensure compliance with the regulations in force regarding professional secrecy, confidentiality and protection of personal data, transparency and access to administrative activity, information to users, self-certification and protection from accidents and safety at work, as well as a ban on smoking. They also ensure that the assigned resources are used exclusively for institutional purposes and, in no case, for personal needs.
4. They see to organizational well-being in the structure they are in charge of, favouring the establishment of cordial and respectful relationships between collaborators, takes initiatives aimed at the circulation of information, training and updating of staff, inclusion and valorising differences in gender, age and personal condition.
5. The same is responsible for creating the conditions for a harmonious, respectful climate based on employee motivation, preventing attitudes attributable to bullying and/or the occurrence of events of harassment.

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6. The Manager carries out the evaluation of the personnel assigned to the structure which they are in charge of with impartiality and respecting the indications and the prescribed times.
Heads of offices in Italy and abroad are required to ensure compliance with the provisions of this Article. In particular, they are required to check the legitimate use of leave of absence from work and ensure the proper attendance recording. They are also required to detect any infringements of their collaborators, promptly proceeding to adopt the relevant measures within their competence or promptly reporting to the Office for Disciplinary Proceedings the infringements which fall within the competence of the latter.
 7. They also promote knowledge of the Code among the human resources assigned and work to ensure that they conform their conduct to the principles and obligations set out in this Code and in the PTPCT.
 8. The Manager - if they become aware of an offense - promptly undertakes the necessary actions, activates and concludes, if it pertains to them, the disciplinary procedure or promptly reports the offense to the Disciplinary Proceedings Office, cooperating if necessary. They also see to, in the cases provided for by law, promptly forwarding a complaint to the criminal judicial authority and/or reporting to the Court of Auditors for the respective competences; in any case they take into account the violations ascertained for the purposes of the employee's individual assessment. In the event that they receive a report of an offense from an employee, they take all legal precautions so that the whistle-blower is protected and their identity is not unduly revealed.
 9. Within the limits of their possibilities, they prevent news that are not true regarding the organization, activity and employees from spreading. They favour the dissemination of knowledge of good practices and good examples in order to strengthen the sense of trust in the Administration.
 10. They observe the general rules on incompatibility and non-transferability established by Italian Legislative Decree (D.lgs.) n. 165/2001 and subsequent modifications and by Italian Legislative Decree (D.lgs.) n. 39/2013. It monitors compliance with the rules on incompatibility, conflicts of interest, overlapping of jobs, external work assignments by its collaborators.
 11. In Operating Units abroad, the Manager complies in a correct and punctual manner to all obligations, including administrative and accounting requirements, in order to ensure transparency in the management of the office. Furthermore, they supervise personnel safety measures in accordance with national and local regulations.
 12. Where the cases considered in art. 55-sexies, paragraph 3, of Italian Legislative Decree (D.lgs.) no. 165/2001 do not recur, the sanction of suspension from service with deprivation of remuneration from a minimum of 3 days up to a maximum of 6 months is applied in the event of tolerance of irregularities in the service, acts of indiscipline, improper conduct or particularly serious mistreatment, by the personnel in respect of whom management powers are exercised (Art. 36, paragraph 8 letter d) CCNL). The suspension from service with deprivation of remuneration for up to a maximum of three months, with the failure to award the resulting remuneration for an amount equal to that due for twice the duration of the suspension, applies in the cases provided for by art. 55-sexies, paragraph 3-except for the most serious cases, indicated therein, pursuant to Art. 55-quater, paragraph 1, letter f-ter) and paragraph 3-quinquies-e by Art. 55-septies, paragraph 6, of Italian Legislative Decree (D.lgs.) no. 165/2001.

ART. 14 – CONTRACTS & OTHER NEGOTIATION TECHNIQUES

1. Regarding public contracts, the addressees observe the provisions of Italian Legislative Decree (D.lgs.) 50/2016 (Italian Code of public contracts) and subsequent modifications and integrations, in particular, on the subject of conflict of interest, Art. 42, which refers to Italian Presidential Decree (DPR) 62/2013, and Art. 80, paragraph 5, letter d) of the same Decree, as well as the ANAC Guide Lines n. 15/2019 bearing "Identification and management of conflicts of interest in procedures for awarding public contracts"

Furthermore, the addressees, both in Italy and abroad, ensure the moral integrity, reputation and good name of the counterparty and assess, where possible, whether they have undertaken Social Responsibility initiatives - Corporate Social Responsibility - such as the improvement of employees' working conditions, development of sustainable products and processes, environmental safety, fight against corruption or if they have adopted their own Code of Ethics inspired by the principles of the United Nations Global Compact.

In the conclusion of agreements and negotiations and in the stipulation of contracts on behalf of the Administration, as well as in the execution phase of the same, the addressees referred to in Art. 2, paragraph 1, letter a), b), c), e), and f), do not resort to the mediation of third parties, nor do they correspond or promise any benefit by way of intermediation, nor to facilitate or have facilitated the conclusion or the execution of the contract. This provision does not apply to cases where it is necessary to operate through professional intermediation.

2. They do not conclude, on behalf of the Administration, procurement, supply, service, financing and insurance contracts with companies with which they have entered into contracts or received other benefits from on a private basis in the previous two years, with the exception of those concluded in accordance with Art. 1342 of the Italian Civil Code.

In the event that the Administration concludes procurement, supply, service, financing or insurance contracts with companies with which the employees have concluded private contracts or received other benefits in the previous two years, they refrain from participating in the adoption of the decisions and activities relating to the execution of the contract, drawing up a written report of this abstention to be kept in the records of the office.

3. Furthermore, if they conclude agreements or negotiations or enter into contracts in a private capacity, with the exception of those concluded pursuant to Art. 1342 of the Italian Civil Code, with individuals or private legal entities with whom they have concluded, in the previous two years, procurement, supply, service, financing and insurance contracts on behalf of the Administration, they inform their superior in writing.
4. If the Manager finds themselves in the situations referred to in points 2 and 3, they shall inform the Senior Manager responsible for personnel management in writing.
5. If they receive oral or written complaints on the work of the office or on that of their collaborators from natural or legal persons participating in negotiation procedures in which the Administration is part, they shall immediately inform, as a rule in writing, their hierarchical or functional superior.
6. Unless they constitute more serious shortcomings, for violations of the obligations referred to in this article, the disciplinary sanction of suspension from service with deprivation of remuneration up to a maximum of 10 days is applied (Article 62 paragraph 4 letter b) CCNL) and, if the offense is committed by a manager, from a minimum of 3 days up to a maximum of 6 months (Article 36, paragraph 8 CCNL).

ART. 15 – SUPERVISION, MONITORING & TRAINING ACTIVITIES

1. Pursuant to Art. 54, paragraph 6, of the Italian Legislative Decree (D.lgs.) 165/2001, the Heads of Offices in Italy and Operating Units abroad, the internal control structures and the Office for Disciplinary Proceedings supervise the implementation of this Code. In particular, the Independent Assessment Body (hereinafter OIV) of ITA - Italian Trade Agency, in addition to issuing a mandatory opinion in the process of adopting this Code, verifying that it complies with the ANAC guidelines, reports on the review carried out, also on the basis of the data provided by the RPCT and by the Proceedings Disciplinary Office, in the annual report on the overall functioning of the Evaluation, Transparency and Integrity System of internal controls and on the acknowledgement of obligations relating to transparency and integrity. The OIV also ensures coordination between the contents of this Code and the performance measurement and evaluation system, in order to attribute to the respecting of the Code a weight in the evaluation of the results achieved by the employee or office. Finally, the OIV, in exercising the function referred to in Art. 14, paragraph 4, letter e) of Italian Legislative Decree (D.lgs.) 150/2009, and in line with what is indicated in the ANAC Resolution no. 177/2020, verifies the control over the implementation and compliance with this Code by top managers, the results of which will also be considered when formulating the proposal for the annual assessment.
2. The Head of Corruption Prevention and Transparency submits the Code to the approval of the political-administrative policy body and plays a central and coordinating role for all the subjects who contribute to the preparation and updating of the Code. He ensures the dissemination of knowledge of the same within the Administration and, pursuant to art. 15, co. 3, of Italian Presidential Decree (DPR) April 16, 2013 n. 62, and as also confirmed by Annex 3 to the National Anti-Corruption Plan (hereinafter PNA) 2019, carries out an annual monitoring of its implementation and communicates the results of this to ANAC; moreover, the RPCT ensures that what emerged from the monitoring carried out, also with the contribution of the managers of the organizational units, is considered when updating the PTPCT for the purpose of preparing any new measures to combat corruption. Finally, they see to the publication of this Code on the institutional website www.ice.it and on the Intranet.
3. The activities carried out pursuant to this Article by the Office for Disciplinary Proceedings comply with any provisions contained in the Corruption and Transparency Prevention Plan adopted by ITA - Italian Trade Agency pursuant to Art. 1, paragraph 8 of Italian Law (Legge) 190/2012. The Office for Disciplinary Proceedings, in addition to the examination of the disciplinary violations referred to in Art. 55-bis and following of Italian Legislative Decree (D.lgs.) 165/2001 and the imposition of the related sanctions, sees to the updating of this Code and the Italian Legislative Decree (D.lgs.) defining of the obligations of conduct contained therein, in close connection with the RPCT.
4. The Legal Management and Human Resources Development Office informs the staff of the adoption of this Code.
5. The addressees of this Article are provided with training activities in the field of combating corruption, transparency and integrity, which allow them to attain full knowledge of the contents of this Code of Conduct, as well as an annual and systematic update on measures and provisions applicable in these areas.

ART. 16 – DISCIPLINARY RESPONSABILITIES DUE TO CODE OBLIGATION VIOLATIONS

Pursuant to the combined provisions of Art. 54, paragraph 3 of Italian Legislative Decree (D.lgs.) 165/2001 as amended by Art. 1, paragraph 44, of Italian Law (Legge) 90/2012 and Art. 16, paragraph 1 of the Italian Presidential Decree (DPR) 62/2013, the violation of the obligations provided for by the Italian Code of Conduct, including those relating to the implementation of the Corruption Prevention Plan, integrates conduct in matters contradictory to official duties and is a source of disciplinary responsibility.

Without prejudice to the cases in which the violation of the provisions contained in the same Code, as well as of the duties and obligations envisaged by the corruption prevention plan, also give rise to criminal, civil, administrative or accounting liability of the public employee, it is a source of disciplinary responsibility ascertained at the outcome of the disciplinary procedure, in compliance with the principles of graduality and proportionality of the sanctions. Serious or repeated violations of the code entail the implementation of the penalty referred to in Article 55-quater, paragraph 1 of Italian Legislative Decree (D.lgs.) 165/2001 and are applied in any case, also with reference to the assessment of the entity of the disciplinary sanction to be imposed, the provisions of Art. 16, paragraphs 2, 3 and 4 of the Italian Presidential Decree (DPR) 62/2013 as well as any other legal provision. Pursuant to Art. 55-sexies, paragraph 1 of Italian Legislative Decree (D.lgs.) 165/2001, violation of obligations concerning work performance, which lead to the condemnation of the administration to pay compensation for the damage, in any case entails, in relation to the employee who is responsible, the implementation of the suspension from service with deprivation of salary from a minimum of three days up to a maximum of three months, in proportion to the amount of compensation, unless the conditions call for the implementation of a more serious disciplinary sanction.

Dismissal with notice is also imposed in the event of multiple recidivism in any failure provided for in the Disciplinary code referred to in the CCNL or recidivism, in the two-year period, in a failure that has already resulted in the implementation of the penalty of suspension from service and pay. This sanction is also applied in case of violation of behavioural obligations not specifically included in this Code and which are of such seriousness as not to allow the continuation of the working relationship; if such violations are intentional, even if committed against third parties, and prosecution is not possible even provisionally, the sanction of dismissal without notice applies.

The observance or not of the provisions of this Code is also relevant with regard to the measurement and evaluation of the employee's individual performance, regardless of the achievement of the other objectives, and consequently affects the payment of the productivity bonus to employees and the results bonus to managers.

As regards non-managerial personnel subject to the current CCNL - Central Functions Section for the 2016-2018 three-year period - and, as compatible, all addressees referred to in Art. 2 of this Code, the violations provided for by this Code are sanctioned, upon the outcome of the disciplinary procedure carried out in contradictory matters with the addressee pursuant to Art. 55 bis of Italian Legislative Decree (D.lgs.) 165/2001, based on Articles 61 and 62 of the aforementioned CCNL.

As regards the managerial staff subject to the current CCNL Executives - Central Functions Section for the 2016-2018 three-year period - the violations provided for by this Code are sanctioned, upon the outcome of the disciplinary procedure carried out carried out in contradictory matters with the recipient pursuant to art. 55 bis of Italian Legislative Decree (D.lgs.) 165/2001, based on articles 35 and 36 of the aforementioned CCNL

ART. 17- TEMPORARY, ADJUSTMENT AND FINAL PROVISIONS

1. In consistency and in compliance with the provisions of the Three-year Corruption and Transparency Prevention Plan, this Code refers to the same Plan and the related legislation for any further provisions; although not expressly provided for, the provisions of the "Italian Code of Conduct for Public Employees" pursuant to Italian Presidential Decree (DPR) no. 62/2013.
2. This Code is published on the institutional website of ITA - Italian Trade Agency and on the Intranet; it is also sent via e-mail to the addressees referred to in the previous Art. 2; among these, the companies providing services to the Administration are required to inform their respective collaborators, in any capacity, of the behavioural obligations contained in the Code.
3. The addressees themselves must be made aware of the Code. ITA - Italian Trade Agency, simultaneously with the signing of an employment contract or at the time of the assignment, delivers and has the new hires, whatever their relationship designation, sign a copy of this Code.
4. The addressees, with any type of contract or assignment and for any reason, undertake to encourage the dissemination of the Code and promote the valorisation and compliance with the principles contained therein.
5. This Code enters into force the day after its publication on the institutional website of ITA - Italian Trade Agency.



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