



Information on the acceptance of benefits as well as the prevention and the controlling of corruption at the Albert Ludwig University of Freiburg

Basically, the following applies:

Employees (including trainees and apprentices) have to absolutely avoid giving the impression to be amenable to personal benefits when exercising their duty. In case of doubt, it has to be decided against the acceptance of a grant.

Directive on the prevention and controlling of corruption

1. What is corruption?

The term corruption includes statutory offences such as bribery in particular acceptance of a benefit, corruptibility, granting of an undue advantages and related offences such as obstruction of punishment in office, misappropriation, money laundering, fraud as well as breaches of duty in which office bearers use their official position and the authority granted to them to unlawfully obtain for himself or a third party material or immaterial advantages (grants).

2. Who is in danger?

In danger are particularly those institutions and their employees that place orders, conclude contracts and apply for, receive and manage subsidies in direct contact with third parties outside of the university.

3. What are the consequences of corrupt behaviour?

Corrupt behaviour can have consequences under criminal law (criminal charge, fine or prison sentence), disciplinary or labour law consequences resulting in discharge/dismissal as well as civil actions leading to the repayment for damages.

4. What can I do to prevent corruption?

- a. Keep up to date, take education courses, look for advice, question procedures, document processes
- b. Make work transparent, uncover and modify harmful structures, use the dual-review principle,
- c. Separate official and private matters
- d. In case of doubt, either always inform about the benefits/advantages or do not accept them
- e. Payments exceeding bagatelle sums must not be accepted in cash but always have to be transferred to the corresponding university account.
- f. Observe the special regulations concerning the procurement of third-party funds as well as the procedures concerning their granting.

5. What can I do in case of suspected corruption?

- Talk to your immediate superior
- Call the trusted lawyer of the ministry of science, research and art (Vertrauensanwalt des Ministeriums für Wissenschaft, Forschung und Kunst). Send him your information on suspicious facts about criminal acts related to corruption and he will verify the credibility and criminal relevance.
- In case of doubt you can also consult the legal department (Justizariat).

Please read the detailed directive under:

www.zuv.uni-freiburg.de/service/korruptionspraevention

Directive on the acceptance of benefits, gifts and other advantages

1. Benefits, gifts and rewards

Benefits are advantages putting the recipient or a third party named by him materially or immaterially in a better position to which he is not legally entitled. These include the handout of cash, material assets or non-cash benefits.

Examples:

Vouchers, free admission tickets, invitations with entertainment, free services, invitations to educational and representational trips, bonus miles acquired on business trips.

2. Obligation to inform the employer, requirement to apply for approval

According to criminal and public sector employment law it is generally forbidden for university employees to demand or accept or allow himself to be promised benefits within the frame of his official function. All forms of benefits have to be reported. Gifts may be exceptionally accepted if the superior or the employer has approved of the acceptance **before** since a manipulation of the employee is not to be expected. If the prior approval cannot be applied for, approval must be asked for immediately afterwards. Cash benefits **cannot** be approved of without exception.

3. Exceptions

Excepted are tokens with a low market value (value limit 25 €) that are given out of courtesy as a favour and are accepted in accordance with common law. In these cases, it is not necessary to ask for approval. It is not necessary to report them.

Examples:

Promotional gifts, such as calendars, ball-point pens, gifts from other employees or colleagues of the usual value, e.g. on the occasion of a birthday or jubilee, customary and reasonable entertainment on the occasion of official events

4. Invitations to professional events

The focus of professional events is on the communication and the exchange of professional information in the form of speeches, discussions etc. Members of the university are generally authorized to accept invitations to professional events as long as their participation serves official interests.

5. Invitations to other events

Participation in yearly summer festivals, annual receptions, opening events, jubilees or similar events is acceptable for employees who are due to their post appointed to represent the university or the corresponding section on the occasion of such an event, provided the event allows it. In addition, accepting invitations to other events, such as cultural or sports events can be permitted in individual cases if there is a plausible reason and any type of influence on the employee's exercise of duty is avoided.

Please read the detailed directive under:

<http://www.zuv.uni-freiburg.de/formulare/handreichung-zur-annahme-von-zuwendungen.pdf/view/?searchterm=Handreichung>

Note on the English version: The official language is German, in case of doubt, the German version shall prevail.