



Deutscher Bundestag

Code of Conduct
for Members
of the German Bundestag

Compiled documentation

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Compiled documentation

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1. Introduction

The **Code of Conduct for Members of the German Bundestag** and the **Implementing Provisions** by which the Code of Conduct is fleshed out require every Member of the Bundestag to provide the President (Speaker) of the Bundestag with certain items of information (Rule 1(1) to (3), Rule 2 and Rule 4(2), (5) and (6) of the Code of Conduct). These items relate to:

- activities pursued prior to acceptance of the mandate,
- activities pursued alongside the exercise of the mandate, including any income from such activities,
- shareholdings in companies,
- agreements on future activities or allowances,
- donations and other benefits received in respect of political activity, and
- gifts received from guests or hosts.

For this reason, at the start of the electoral term every Member is sent a **declaration form** containing explanatory notes. This form must be completed within three months and submitted to the President. Any changes and additions to the reported information in the course of the electoral term must be declared by the Member on his or her own initiative. This declaration is also subject to a time limit of three months from the date on which the notifiable situation began (Rule 1(6) of the Code of Conduct and paragraph 1 of the Implementing Provisions). Provision is made in Rule 8 of the Code of Conduct for penalties, in the form of a reprimand, publication of a printed paper or a fine, for infringements of declaration requirements.

In accordance with Rule 3 and Rule 4(3) and (5) of the Code of Conduct, most of the declared items of information are published on the web pages and in the Official Handbook of the German Bundestag, although income is indicated only in the form of ten income brackets. More details are available in the **Notes on the publication of declarations made under the Code of Conduct** that are reproduced below.

The purpose of the declaration and publication is to disclose facts “which may indicate combinations of interests with implications for the exercise of the said mandate”, to quote section 44a(4) of the **Members of the Bundestag Act**. For combinations of interests that are not evident from the information published in accordance with Rule 3 of the Code of Conduct, Rule 6 of the Code contains a special rule whereby committee members who deal on a remunerated basis with a matter that is on the agenda of the committee for deliberation must disclose any combination of interests before such deliberation, unless it is already evident from the published information.

Accordingly, the Code of Conduct, the Implementing Provisions and sections 44a and 44b of the Members of the Bundestag Act, on which they are based, are also known as the ‘transparency rules’.¹

¹ See, for example, Federal Administrative Court, in *Neue Zeitschrift für Verwaltungsrecht (NVwZ)*, 2010, pp. 837-843, especially p. 838, paragraph 16.

This does not mean, however, that they merely lay down disclosure obligations.

Under section 44a(2) of the Members of the Bundestag Act, for example, every Member is absolutely prohibited from accepting any pecuniary benefits “for the exercise of his or her mandate”, especially those “which are only granted in the expectation that the interests of the payer will be represented and asserted in the Bundestag”. The same applies in connection with secondary activities to Members’ acceptance of a benefit for which they have not provided a commensurate service. The acceptance of donations, that is to say allowances designed to support political activity, may also be inadmissible in certain circumstances (Rule 4(4) of the Code of Conduct and section 25(2) of the Political Parties Act). In principle, however, the receipt of donations is permitted (fourth sentence of section 44a(2) of the Members of the Bundestag Act). Where a donation is made to a political party, however, the Member must forward it without delay to the party, obtaining a receipt for the forwarded amount (paragraph 10(2) of the Implementing Provisions and the third sentence of section 25(1) of the Political Parties Act). If a direct donation is made to a Member, he or she must fulfil not only the reporting obligation under Rule 4(2) of the Code of Conduct but also the accounting obligation under Rule 4(1) of the Code.

Where secondary activities are performed, it should be remembered that the exercise of the Member’s mandate must be central to his or her activity (first sentence of section 44a(1) of the Members of the Bundestag Act), that Members must not accept any benefits without rendering an appropriate service in return (third sentence of section 44a(2) of the Members of the Bundestag Act) and that no reference may be made to membership of the Bundestag in the context of Members’ occupational and business affairs (Rule 5 of the Code of Conduct). This no-reference rule is supplemented by the **principles governing the use of the federal eagle emblem**, which specify that headed paper bearing the eagle emblem may be used only ‘in mandate-related matters’ but not in connection with private matters. These principles go even further than Rule 5 of the Code, in that they prohibit the use of the eagle emblem in all private matters, including those with no occupational or business connection.

Lastly, it should be pointed out that any Member harbouring doubts about the scope of his or her obligations under the Code of Conduct is bound by Rule 7 of the Code to clarify the position by asking the President. The contacts for this purpose are the staff of the Code of Conduct section of Division PM 1.

The subject index printed at the end of the Code should make it easier to locate specific provisions.

2. Members of the Bundestag Act

– Excerpt –

Act on the Legal Status of Members of the German Bundestag (Members of the Bundestag Act – *Abgeordnetengesetz*), in the version promulgated on 21 February 1996 (Federal Law Gazette I, p. 326), as amended by the Act of 8 November 2011 (Federal Law Gazette I, p. 2218).

Section 44a

Exercise of the mandate

- (1) The exercise of the mandate of a Member of the Bundestag shall be central to his or her activity. Without prejudice to this obligation, activities of a professional or other nature alongside the exercise of the mandate are permissible in principle.
- (2) For the exercise of his or her mandate, a Member of the Bundestag may not accept any allowance or other pecuniary benefit besides those for which the law provides. In particular, it is inadmissible to accept money or allowances with monetary value which are only granted in the expectation that the interests of the payer will be represented and asserted in the Bundestag. It is also inadmissible for a Member of the Bundestag to accept money or allowances with monetary value if he or she does not render an appropriate service in return. The foregoing provisions shall be without prejudice to the receipt of donations.²
- (3) Allowances or pecuniary benefits which are inadmissible under paragraph 2 above or their monetary equivalent shall be payable to the federal budget. The President shall assert this entitlement by means of an administrative act, provided that a period of three years has not elapsed since the receipt of the allowance or pecuniary benefit. Loss of membership of the Bundestag shall not affect this entitlement. Details shall be regulated in the Code of Conduct pursuant to section 44b of this Act.
- (4) Activities predating the acceptance of the mandate as well as activities and income concurrent with the exercise of the mandate which may indicate combinations of interests with implications for the exercise of the said mandate shall be disclosed and published in accordance with the Code of Conduct (section 44b). If disclosable activities or income are not reported, the Presidium may impose an administrative penalty of up to half of the annual Member's remuneration. The President shall affirm the penalty by means of an administrative act. The foregoing provisions shall be without prejudice to section 31 of the present Act. Details shall be regulated in the Code of Conduct pursuant to section 44b of this Act.
- (5) [...]

Section 44b

Code of Conduct

The Bundestag shall lay down its own Code of Conduct, which must include provisions relating to

1. cases in which there is an obligation to disclose activities pursued prior to membership of the Bundestag and activities pursued concurrently with the exercise of the mandate;

² For detailed provisions governing donations, pecuniary benefits and gifts received as a guest or host, see Rule 4 of the Code of Conduct.

2. cases where there is a duty to disclose the type and amount of income where a specified minimum amount is exceeded;
3. the duty to keep separate account and disclose donations where specified minimum amounts are exceeded;
4. the publication of particulars in the Official Handbook and on the Internet;
5. procedure, as well as the rights and duties of the Presidium and President, in respect of decisions under section 44a(3) and (4) of this Act.

3. Code of Conduct for Members of the German Bundestag

Annex 1 to the Rules of Procedure of the German Bundestag of 2 July 1990 (Federal Law Gazette I, p. 1237), as amended by the Notification of 18 June 2013 (Federal Law Gazette I, p. 1644).

Rule 1

Obligation to provide information

- (1) A Member of the Bundestag shall be obliged, in respect of the period prior to his or her membership of the Bundestag, to inform the President in writing of
1. the occupation he or she last practised;
 2. activities as member of a board of management, supervisory board, administrative board, advisory board or other body of a company or of an enterprise operated in another legal form;
 3. activities as member of a board of management, supervisory board, administrative board, advisory board or other body of a corporation or institution under public law.³
- (2) Moreover, a Member of the Bundestag shall be obliged to inform the President in writing of the following activities engaged in or taken up, or contracts binding on him or her, during membership of the Bundestag:
1. remunerated activities⁴ engaged in alongside the exercise of his or her office, either by virtue of being self-employed or by virtue of being a salaried employee. These include, for example, continuing an occupation engaged in prior to membership of the Bundestag, as well as consultancy, representation, the provision of expert opinions, or writing or lecturing activities. There shall be no obligation to inform the President of the provision of expert opinions or of writing or lecturing activities where the income agreed upon does not exceed the sum of €1000 per month or €10,000 per year. The same exemption shall apply to activity as a member of the Federal Government, as a Parliamentary State Secretary and as a Minister of State;
 2. activities as member of a board of management, supervisory board, administrative board, advisory board or other body of a company or of an enterprise operated in another legal form;⁵
 3. activities as member of a board of management, supervisory board, administrative board, advisory board or other body of a corporation or institution under public law;⁶
 4. activities as member of a board of management or other managerial or advisory body of a club, association or similar organisation, or of a foundation of not exclusively local importance;⁷
 5. the existence or making of agreements whereby the Member of the Bundestag is to be assigned certain activities or receive pecuniary benefits during or after membership of the Bundestag;⁸

³ See paragraph 2 and the first sentence of paragraph 3 of the Implementing Provisions.

⁴ See paragraphs 3 to 5 and 8 of the Implementing Provisions.

⁵ See the first sentence of paragraph 3 of the Implementing Provisions.

⁶ See the first sentence of paragraph 3 of the Implementing Provisions.

⁷ See the first sentence of paragraph 3 as well as paragraph 5 of the Implementing Provisions.

⁸ See paragraph 6 of the Implementing Provisions.

6. interests held in a private corporation (*Kapitalgesellschaft*) or a partnership (*Personengesellschaft*), if this results in considerable economic influence on the company. The limits of the obligation to declare interests shall be laid down by the President in the implementing provisions to be issued pursuant to paragraph (4).⁹
- (3) In respect of activities or contracts for which an obligation to provide information pursuant to paragraph (2), numbers 1 to 5, exists, the amount of income derived therefrom¹⁰ shall also be declared if it exceeds the amount of €1000 within one month or the amount of €10,000¹¹ within one year. Calculations to determine whether the ceilings are exceeded shall be based on the gross amounts¹² due for an activity, including expenses, compensation and benefits in kind.
- (4) The President shall, after providing the Presidium and the chairpersons of the parliamentary groups with the opportunity to comment, issue implementing provisions on the content and scope of the obligation to provide information.
- (5) The obligation to provide information shall not include the declaration of facts concerning third parties in respect of whom the Member can invoke a statutory right to refuse to give evidence or a duty not to disclose confidential information. In such cases, the President may stipulate in the implementing provisions that the obligation to provide information must be fulfilled such that the rights set out in the first sentence are not infringed. To this end, the President may, in particular, include provisions requiring the naming of the economic sector concerned, rather than details of the client concerned.¹³
- (6) Declarations of interest pursuant to the Code of Conduct must be submitted to the President within three months of becoming a Member of the German Bundestag, or when changes or additions occur during the electoral term.¹⁴

⁹ See paragraph 7 of the Implementing Provisions.

¹⁰ Under the third sentence of section 44a(2) of the Members of the Bundestag Act, it is “inadmissible for a Member of the Bundestag to accept money or allowances with monetary value if he or she does not render an appropriate service in return”; see also the second sentence of Rule 8(5) of the Code of Conduct.

¹¹ In the case of activities in which a Member engages throughout the year, income need not be declared unless it exceeds the amount of €10,000 in a calendar year. Membership of a body within the meaning of Rule 1(2)(2) to (2)(4) is a typical all-year activity. The three-month period within which the obligation to provide information must be fulfilled begins as soon as the €10,000 threshold is exceeded.

¹² According to paragraph 3(3) of the Implementing Provisions, gross income comprises all “monetary earnings plus the value of benefits in kind”. The amount of VAT that the Member may have to pay must not be deducted but must be included in the declared amount. In the conditions described in the second sentence of paragraph 4(1) of the Implementing Provisions, dividends paid out by a business may also constitute notifiable income.

¹³ See paragraph 8 of the Implementing Provisions.

¹⁴ See paragraph 1 of the Implementing Provisions.

Rule 2

Lawyers¹⁵

- (1) Members of the Bundestag who, for a fee, represent the Federal Republic of Germany in court or out of court shall inform the President of this representation if the fee exceeds a minimum amount specified by the President.
- (2) Members of the Bundestag who, for a fee, represent a third party in court or out of court against the Federal Republic of Germany shall inform the President of this representation if the fee exceeds a minimum amount specified by the President.
- (3) Paragraphs (1) and (2) shall apply *mutatis mutandis* in respect of the representation of a party in court or out of court, particularly for or against federal corporate bodies, institutions or foundations under public law.

Rule 3

Publication¹⁶

The information furnished pursuant to Rule 1, paragraph (1), number 1, and paragraph (2), numbers 1 to 6, shall be published in the Official Handbook and on the website of the German Bundestag. For information furnished pursuant to Rule 1, paragraph (3), on income, each published case shall be placed in one of ten categories. Category 1 applies to one-off or regular monthly income between €1000 and €3500, category 2 to income up to a ceiling of €7000, category 3 to income up to €15,000, category 4 to income up to €30,000, category 5 to income up to €50,000, category 6 to income up to €75,000, category 7 to income up to €100,000, category 8 to income up to €150,000, category 9 to income up to €250,000 and category 10 to income over €250,000. Regular monthly income is labelled as such. Where irregular income from an activity is declared during a calendar year, the annual sum shall be calculated and the category of income shall be published for the year concerned.

Rule 4

Donations

- (1) A Member of the Bundestag shall keep separate account of donations of money and all kinds of gifts of pecuniary value (donations) made available to him or her for his or her political activities.¹⁷

¹⁵ See paragraph 9 of the Implementing Provisions.

¹⁶ See the Notes on Publication set out in Part 7 of this compilation.

¹⁷ The fourth sentence of section 44a(2) of the Members of the Bundestag Act establishes the principle that it is permissible to accept donations. A distinction must be made between donations and allowances that do not serve to support political activity but are made privately to a Member. Under the first sentence of section 44a(2) of the Act, such pecuniary benefits cannot be accepted if they are granted to a Member “for the exercise of his or her mandate”. That would be the case, for instance, if such benefits were “only granted in the expectation that the interests of the payer will be represented and asserted in the Bundestag”, to quote the second sentence of section 44a(2) of the Act. It ultimately boils down to the way in which the intentions of the payer must be interpreted by a Member who appraises the situation rationally. The value of the benefit may play a significant part in this appraisal, even if there is no *de minimis* limit. Private benefits

- (2) A donation the value of which exceeds €5000 in one calendar year shall be notified to the President, with the name and address of the donor and the total amount donated being stated.¹⁸
- (3) Donations the value of which individually or, in the case of several donations from the same donor, taken together, exceeds €10,000 in one calendar year shall be published by the President in the Official Handbook and on the website of the German Bundestag together with an indication of the amount and origin.
- (4) In respect of donations to a Member of the Bundestag, Section 25, paragraphs (2) and (4), of the Political Parties Act¹⁹ shall apply *mutatis mutandis*.
- (5) Gifts of pecuniary value received
1. in connection with interparliamentary or international activities, or
 2. in connection with participation in events for the purpose of imparting political information, presenting the positions of the German Bundestag or of its parliamentary groups or representing the German Bundestag shall not be deemed to be donations within the meaning of this provision; however, they shall be declared pursuant to paragraph (2) and published pursuant to paragraph (3).²⁰
- (6) Gifts of pecuniary value which a Member of the Bundestag receives as a guest or host in connection with his or her mandate shall be notified and handed to the President; the Member may apply to keep the gift if he or she pays the Federal Cash Office a sum equivalent to its value. Notification is not required if the material value of the gift does not exceed a sum laid down in the implementing provisions issued by the President (Rule 1, paragraph (4)).²¹
- (7) The President shall, in consultation with the Presidium, take a decision on the use of declared gifts which Members have received as guests as well as of donations unlawfully accepted.

that have no connection whatsoever with the mandate, such as birthday gifts from relatives, or are recognisably driven by motives that bear no relation to the exercise of the Member's mandate, such as discounts that are commonly offered by traders to encourage customer loyalty or to attract new business, are clearly outside the scope of both section 44a(2) of the Act and Rule 4 of the Code of Conduct.

¹⁸ See paragraph 10 of the Implementing Provisions.

¹⁹ Reproduced in Part 5 of this compilation.

²⁰ Rule 4(5) covers benefits such as the payment or reimbursement of a Member's travel expenses by a third party. Two or more such benefits from the same person in the course of a calendar year must be added together. The rule does not cover the reimbursement of expenses by third parties in the framework of authorised official trips or travel on behalf of a parliamentary group, since these payments, in accounting terms, represent benefits granted to the Bundestag or the relevant parliamentary group. In these cases the trip must have been authorised, and the reimbursed expenditure must be of the same type and amount that would have been reimbursed by the Bundestag or the relevant parliamentary group.

²¹ See also paragraph 11 of the Implementing Provisions.

Rule 5

Reference to membership ²²

In occupational or business matters no reference shall be made to membership of the Bundestag.

Rule 6

Disclosure of interests as a committee member

Every Member of the Bundestag in receipt of remuneration for his or her activities in connection with a subject to be debated in a committee of the Bundestag shall, prior to the deliberations, disclose as a member of that committee any link between these interests and the subject to be debated where this is not evident from the information published pursuant to Rule 3.

Rule 7

Request for further information

In cases of doubt the Member of the Bundestag shall be obliged to ascertain, by requesting further information from the President, what his or her duties resulting from this Code of Conduct are. ²³

Rule 8 Procedure

- (1) If there are indications that a Member of the Bundestag has failed to meet his or her obligations pursuant to the Code of Conduct, the President shall in the first instance gain a statement from the Member concerned and then set in motion a factual and legal investigation. The President may demand further information from the Member concerned to explain and clarify the situation and may ask the chairperson of the parliamentary group to which the Member concerned belongs to state his or her position.
- (2) If, having examined the facts, the President believes that the case in question constitutes a less serious case, or a case of minor negligence (e.g. failure to declare information before the relevant deadline), the Member concerned shall receive an admonishment. Where this is not the case, the President shall inform the Presidium and the chairpersons of the parliamentary groups of the result of the investigation. Having heard the Member concerned, the Presidium shall then state whether a failure to comply with the Code of Conduct has taken place. A statement by the Presidium that a Member of the Bundestag has failed to meet his or her obligations pursuant to the Code of Conduct shall, notwithstanding further sanctions pursuant to Section 44a of the Members of the Bundestag Act, be published as a printed paper. A statement that no such offence has been committed shall be published at the request of the Member of the Bundestag.

²² See also Part 6 of this compilation, which sets out the principles governing the use of the federal eagle emblem.

²³ The staff of Division PM 1 who are responsible for the Code of Conduct section are available to offer advice.

- (3) If there are indications that a member of the Presidium or the chairperson of a parliamentary group has failed to meet his or her obligations, the Member of the Bundestag concerned shall not attend meetings in the framework of these proceedings. In place of the chairperson of the parliamentary group concerned, his or her deputy shall be heard pursuant to paragraph (1) and informed pursuant to paragraph (2). If there are indications that the President has failed to meet his or her obligations, his or her deputy shall proceed in accordance with the provisions of paragraphs (1) and (2).
- (4) After hearing once again the Member who has failed to meet his or her reporting obligations, the Presidium may decide to impose a coercive fine. The level of the fine shall depend on the gravity of the case in question and the degree of fault. The fine may not exceed fifty per cent of the annual remuneration for Members. The President shall implement the decision of the Presidium. At the request of the Member in question, he or she shall be allowed to pay the fine in instalments. Section 31, third and fourth sentences of the Members of the Bundestag Act shall apply *mutatis mutandis*.
- (5) In cases covered by Section 44a, paragraph (3), of the Members of the Bundestag Act, the President shall, after hearing the Member concerned, set in motion a factual and legal investigation. The examination of whether an appropriate service has been rendered in return within the meaning of Section 44a, paragraph (2), third sentence, of the Members of the Bundestag Act shall be based on the levels of remuneration which could typically be expected; an examination of whether the benefits received and the service provided are obviously out of proportion shall assist in this. Measures pursuant to this paragraph can only be taken within three years of receipt of the gift or pecuniary benefits. The President may ask the Member to provide additional information to explain and clarify the facts of the case and ask the chairperson of the parliamentary group to which the Member belongs for a statement. If the President believes that an impermissible remuneration as defined by Section 44a, paragraph (2), of the Members of the Bundestag Act has been paid, he or she shall inform the Presidium and the chairpersons of the parliamentary groups of the result of the investigation. After hearing the Member concerned, the Presidium shall ascertain whether an infringement of Section 44a, paragraph (2), of the Members of the Bundestag Act has taken place. The President shall assert this entitlement by means of an administrative act, in line with Section 44a, paragraph (3), of the Members of the Bundestag Act. Notwithstanding further sanctions pursuant to Section 44a of the Members of the Bundestag Act, the statement indicating that a Member of the Bundestag has infringed his or her duties under the Members of the Bundestag Act shall be published as a printed paper. The statement that an infringement has not taken place may be published at the request of the Member of the Bundestag. Paragraph (3) shall apply *mutatis mutandis*.

4. Provisions Implementing the Code of Conduct for Members of the German Bundestag

As promulgated on 18 June 2013 (Federal Law Gazette I, p. 1645).

1. Form and time limits for declarations

- (1) Declarations under the Code of Conduct shall be submitted to the President within a period of three months following the acquisition of membership of the German Bundestag (Rule 1(6) of the Code of Conduct). The appropriate printed forms shall be used for that purpose.
- (2) All changes and additions in the course of the electoral term shall be declared in writing within three months from the date on which the notifiable situation began (Rule 1(6) of the Code of Conduct).
- (3) For the declaration of notifiable income, this period shall begin no later than the date of receipt of the income.

2. Activities predating membership of the Bundestag

- (1) Activities within the meaning of Rule 1(1) of the Code of Conduct which have not been engaged in for at least the past two years at the time when membership of the German Bundestag is acquired shall be disregarded in the context of the declaration requirement.
- (2) In the declaration of occupational activities predating membership made under Rule 1(1)(1) of the Code of Conduct, notifications of gainful employment other than self-employment must contain details of the employer (name and registered office) and of the type of activity; in the case of self-employment as a trader, the type of business activity and the registered office of the company must be indicated; where a liberal profession or other independent occupation is practised, the precise description of the occupation and the location or registered office at which it is practised must be declared.

3. Notifiable details of clients, enterprises, organisations and event organisers

- (1) The declaration of occupational activities predating membership made under Rule 1(1)(2) and (1)(3) of the Code of Conduct and the declaration of occupational activities concurrent with membership made under Rule 1(2)(1) to (2)(4) of the Code must indicate the type of activity and the name and registered office of the client, enterprise or organisation. In the case of lecturing activity within the meaning of Rule 1(2)(1) of the Code of Conduct, the event at which the lecture was delivered must also be indicated, as must the name and registered office of the event organiser, unless the organiser and the client are one and the same.
- (2) Clients of freelance professionals and self-employed persons are to be declared only if the gross income from one or more contracts with the client in question exceeds the amounts referred to in the first sentence of Rule 1(3) of the Code of Conduct.
- (3) Gross income within the meaning of the second sentence of Rule 1(3) of the Code of Conduct comprises monetary earnings plus the value of benefits in kind.

4. Activity as a partner in a business; administration of Member's own property

- (1) Where a Member of the Bundestag engages, as a partner in a business, in a remunerated activity within the meaning of Rule 1(2)(1) of the Code of Conduct on the basis of a contract concluded by the business with a third party, the type of activity, the name and registered office of the business and the name and registered office of the client shall be declared if, in the particular instance, the Member of the Bundestag is cooperating personally in the performance of the contract. Dividends paid out by the business are notifiable income within the meaning of section 1(3) of the Code of Conduct. Paragraph 3(2) of these Implementing Provisions shall apply *mutatis mutandis*.²⁴
- (2) Administration of the Member's own property is not an occupation or remunerated activity within the meaning of the Code of Conduct.

5. Parliamentary and party functions

- (1) Parliamentary functions need not be declared.²⁵
- (2) Functions in political parties are to be declared only if they are performed for remuneration.²⁶

6. Agreements on future activities and pecuniary benefits

In declarations pertaining to agreements whereby the Member of the Bundestag is to be entrusted with a particular activity or receive pecuniary benefits in the circumstances described in Rule 1(2)(5) of the Code of Conduct, the main features of the agreements must be communicated.

²⁴ Typical cases in which paragraph 4(1) would apply are those of lawyers who are partners in a firm of solicitors or managing partners who are not remunerated for their activity on behalf of their firm and receive no remuneration from its clients either but share in the firm's profits

²⁵ Examples of parliamentary functions are the chairmanship of a parliamentary group, the office of Parliamentary Secretary (Whip), the chairmanship of working parties and committees and membership of the parliamentary Presidium. Functions performed in institutions outside the Bundestag are not parliamentary functions within the meaning of paragraph 5(1), even if they are performed in pursuance of a decision taken by the Bundestag or a parliamentary group or in bodies consisting entirely of Members of Parliament, such as the parliamentary advisory boards of voluntary associations. Such functions may be notifiable under Rule 1(2)(1) to (2)(4) of the Code of Conduct.

²⁶ Functions in organisations which are merely affiliated to political parties but are independently established, for example in the form of a registered association, may be notifiable under Rule 1(2)(4) of the Code of Conduct, however, even if they are performed without remuneration.

7. Shareholdings in enterprises

- (1) The reporting obligation under Rule 1(2)(6) of the Code of Conduct relates only to a shareholding in a company whose purpose is to operate an enterprise. An enterprise within the meaning of the said provision is a permanent organisational entity in which goods are produced or services provided with the intention of making a profit.
- (2) A shareholding in such a private corporation (*Kapitalgesellschaft*) or partnership (*Personengesellschaft*) must be declared if the Member of the Bundestag possesses more than 25% of the voting rights.

8. Right to refuse to give evidence or duty not to disclose confidential information

The declaration by a Member of the Bundestag who can cite a statutory right to refuse to give evidence or a statutory or contractual duty not to disclose confidential information need not contain the information on the client required by paragraph 3 and the first sentence of paragraph 4(1) of these Implementing Provisions. In these circumstances, it is sufficient to indicate the type of activity involved in the fulfilment of the individual contract or brief.

9. Reporting obligation for lawyers under Rule 2 of the Code of Conduct

The reporting obligation for lawyers under Rule 2 of the Code of Conduct does not apply if the Member does not represent the client personally or the fee does not exceed €1,000.

10. Donations

- (1) Two or more donations from the same donor must be declared if they exceed a total annual amount of €5,000.
- (2) A donation that a Member of the Bundestag accepts as a party donation and forwards to his or her political party, obtaining a receipt for the forwarded amount,²⁷ need not be declared. These circumstances are without prejudice to the accountability of the political party.

11. Gifts

- (1) Gifts received by a Member as a guest or host need not be reported if the material value of the gift does not exceed €200.
- (2) If a request has been received from a Member of the Bundestag to retain a surrendered gift in exchange for an equivalent payment, the President establishes

²⁷ See also the third sentence of section 25(1) of the Political Parties Act (reproduced in part 5 below).

the value of the gift, generally on the basis of market value. The amount to be paid to the Federal Cash Office is this established value less the amount of €200.

12. Destruction of submitted documentation

Documents relating to declarations under the Code of Conduct which a Member of the Bundestag has submitted are destroyed at the end of a period of five years following the end of his or her membership of the Bundestag, unless the former Member has asked for the documents to be made over to him or her.

13. Entry into force; termination

These Implementing Provisions shall enter into force on the date of the first sitting of the 18th electoral term of the German Bundestag. At the same time, the Implementing Provisions as promulgated on 30 December 2005 (Federal Law Gazette (2006) I, p. 10) and amended by the promulgation of 12 November 2010 (Federal Law Gazette I, p. 1614) shall cease to apply.

5. Political Parties Act

– Excerpt –

Political Parties Act (*Gesetz über die politischen Parteien*), as promulgated on 31 January 1994 (Federal Law Gazette I, p. 149) and amended by the Act of 23 August 2011 (Federal Law Gazette I, p. 1748).

Section 25

Donations

- (1) Political parties are entitled to accept donations. Donations of up to 1,000 euros may be made in cash. Party members who receive donations on behalf of their party shall immediately pass them on to an Executive Committee member who, under the party statutes, is responsible for the party's financial matters. Donations shall be considered acquired by a party when an Executive Committee member responsible for the party's financial matters or a full-time staff member of that party has obtained power of disposal over them; donations that are returned to the donor immediately after their receipt shall not be deemed as having been acquired by the party.
- (2) The following shall be excluded from the right of political parties to accept donations:
1. donations from public corporations, parliamentary parties and groups and from parliamentary groups of municipal councils (local assemblies);
 2. donations from political foundations, corporate entities, associations of persons and from estates which under the statutes, the foundation charter or other dispositions governing the constitution of such entities, and by the actual business conducted by such entities, are exclusively and directly intended for non-profit, charitable or church purposes (Sections 51 to 68 of the German Fiscal Code (*Abgabenordnung, AO*));
 3. donations from sources outside the territorial scope of this Act unless:
 - a) these donations accrue directly to a political party from the assets of a German as defined by the Basic Law, of a citizen of the European Union, or of a business enterprise, of whose shares more than 50 per cent are owned by Germans as defined by the Basic Law or by a citizen of the European Union or whose registered office is located in a Member State of the European Union;
 - b) they are donations transferred to parties of national minorities in their traditional settlement areas from countries which are adjacent to the Federal Republic of Germany and where members of their ethnic group live; or
 - c) it is a donation not exceeding 1,000 euros made by a foreigner;
 4. donations from professional organizations, which were made to the latter subject to the proviso that such funds be passed on to a political party;
 5. donations from enterprises that are fully or partly in public ownership or are managed or operated by public agencies if the state's direct participation amounts to more than 25 per cent;
 6. any donations exceeding 500 euros each, which are made by an unidentified donor or which evidently are passed on as a donation by unnamed third parties;
 7. donations evidently made in the expectation of, or in return for, some specific financial or political advantage;
 8. donations solicited by a third party against a fee to be paid by the political party and amounting to more than 25 per cent of the value of the solicited donation.

- (3)** If the total amount of donations made, and contributions paid by elected representatives/officials, to a political party or to one or more of its regional/local branches exceeds 10,000 euros in any one calendar year (accounting year), they shall be recorded, together with the names and addresses of the donors and the total amount, in the statement of accounts. Single donations in excess of 50,000 euros shall be reported immediately to the President of the German Bundestag. The latter shall in a timely manner publish the donation, together with the donor's name, as a Bundestag printed paper.
- (4)** Political parties shall hand over any donations that are not allowed under paragraph 2 above to the President of the German Bundestag at once or no later than the time of the submission of the statement of accounts for the respective year (Section 19a para. 3).

6. Principles governing the use of the federal eagle emblem

Paragraphs 1 to 3 were promulgated by means of a circular dated 10 December 1984 from the President of the Bundestag, following deliberations in the Presidium on 14 November and in the Council of Elders on 29 November 1984 regarding the use of headed paper displaying the federal eagle emblem; paragraphs 4 and 5 were promulgated by means of a circular dated 30 January 1997 from the President of the Bundestag to add supplementary information on paragraphs 1 to 3 from the Committee on the Scrutiny of Elections, Immunity and the Rules of Procedure.

1. The use of the federal eagle emblem in letters by Members and parliamentary groups of the Bundestag is permitted. Political parties are not permitted to display the federal eagle emblem on their correspondence.
2. Accordingly, the use of the federal eagle emblem is permissible only for persons or institutions that are Members or subdivisions of the German Bundestag and perform parliamentary functions in that capacity. If political parties, which are not parts of the Bundestag as such and do not perform exclusively parliamentary functions, are not permitted to use the federal eagle emblem, it is all the more logical that individuals who do not possess a mandate may not display the national emblem even if they belong to a particular political party or work in the service of a particular parliamentary group.
3. The senders shown on letters bearing the federal eagle emblem must be either named Members of the Bundestag or a named parliamentary group. The only persons who may sign such letters are:
 - the Member of Parliament whose name is shown in the letterhead;
 - a member of staff with the indication *In Auftrag* (p.p.), showing that the letter is signed on behalf of the Member named in the letterhead;
 - one or more Members in the case of correspondence from a parliamentary group in which the letterhead displays only the name of the group alongside the federal eagle emblem.
4. The federal eagle emblem may be used in mandate-related correspondence only. Mandate-related activities are not confined to matters on the parliamentary agenda; they also include, for example, activities relating to the expressive, teaching and informing functions of Parliament. Canvassing support for political views and positions may also be regarded as mandate-related.
5. The federal eagle emblem must not be used in correspondence concerning the private affairs of a Member of the Bundestag. In order to avoid any misinterpretation, it is advisable that organisational precautions be taken in every Member's office at the seat of Parliament and in constituencies with a view to precluding any inadvertent use of letterheads with the federal eagle emblem in matters that are not mandate-related.

7. Notes on the publication of declarations made under the Code of Conduct

Rules 3 and 4(3) of the Code of Conduct for Members of the German Bundestag stipulate that information furnished in accordance with the Code is to be published on the website and in the Official Handbook (Part II) of the Bundestag. The Bundestag website is continuously updated; additions to Part II appear at half-yearly intervals.

If a Member of the Bundestag so wishes, a link to individual explanations of the reported information on the Member's homepage may be inserted under the heading of Veröffentlichungspflichtige Angaben ('Disclosable information').

The information contained in the published declarations is broken down into the following categories:

- **Occupational activity predating membership of the Bundestag**
(Rule 1(1)(1) of the Code of Conduct; paragraph 2 of the Implementing Provisions)
- **Remunerated activity during the term of the mandate**
(Rule 1(2)(1) of the Code of Conduct; paragraphs 3, 4, 5 and 8 of the Implementing Provisions)
- **Functions in enterprises**
(Rule 1(2)(2) of the Code of Conduct; paragraph 3 of the Implementing Provisions)
- **Functions in public corporations and institutions**
(Rule 1(2)(3) of the Code of Conduct; paragraph 3 of the Implementing Provisions)
- **Functions in clubs, associations and foundations**
(Rule 1(2)(4) of the Code of Conduct; paragraphs 3 and 5 of the Implementing Provisions)
- **Agreements on future activities or pecuniary benefits**
(Rule 1(2)(5) of the Code of Conduct; paragraph 6 of the Implementing Provisions)
- **Shareholdings in private corporations or partnerships**
(Rule 1(2)(6) of the Code of Conduct; paragraph 7 of the Implementing Provisions)
- **Donations and other benefits for political activity**
(Rule 4 of the Code of Conduct; paragraph 10 of the Implementing Provisions).

The published declarations show only those categories for which information has been reported. The information within each category is presented in alphabetical order.

Income which must be declared, that is to say income exceeding €1,000 in any month or €10,000 in any year, is published in the form of one of ten income brackets, as defined below:

- Category 1: income over €1,000 up to €3,500
- Category 2: income up to €7,000
- Category 3: income up to €15,000
- Category 4: income up to €30,000
- Category 5: income up to €50,000
- Category 6: income up to €75,000
- Category 7: income up to €100,000
- Category 8: income up to €150,000
- Category 9: income up to €250,000
- Category 10: income over €250,000

The information contains an indication of the client from whom and the activity for which the income was received. In the case of a statutory right to refuse to give evidence or a statutory or contractual duty not to disclose confidential information, under Rule 1(5) of the Code of Conduct and paragraph 8 of the Implementing Provisions the publication of the name and registered office of the client may be replaced by the use of an anonymised form, such as ‘client No 1’, ‘customer No 2’ or ‘party No 4’.

Regular monthly income over €1,000 is indicated as such, e.g. ‘monthly, Category 2’. The same applies to regular annual income, e.g. ‘annual, Category 2’. Regular monthly income of less than €1,000 is still subject to declaration as ‘annual, Category 3’ if it adds up to an annual amount in excess of €10,000, as in the case of a monthly income of €900.

In the case of one-off income, the year in which the income accrued is indicated before the monetary category, e.g. ‘2010, Category 2’. Two or more irregular items of income from one or more contracts with a single client in the course of a calendar year are added together, and the annual total from that source is shown as the appropriate category, e.g. ‘client 1, 2010, category 3’.

Partners in a partnership or private corporation who perform work for their company which is typically remunerated, for example as a partner in a law firm or as a managing partner, but are not paid for this work by their company must declare the share of company profits paid out to them in dividends (paragraph 4 of the Implementing Provisions). These are labelled as 'profits' in the declaration, e.g. '2011, category 3, profits'. Other income from shares in private corporations or partnerships need not be declared or published (see Rule 1(3) and Rule 3 of the Code of Conduct). Clients are listed by partners if the partner has worked personally on the performance of the contract concluded by his or her company with the client in question, for example as a lawyer.

The income figure is determined by the gross amounts paid to the Member, including expenses, compensation and the value of benefits in kind. No deduction is made for the Member's own expenditure, business expenses and other costs of any kind. The amount of income from an activity does not mean the taxable income.

The voluntary nature of an activity is made clear, if the Member of the Bundestag so wishes, by the appendage of the word 'voluntary'. To be classed as voluntary, the activity must not be associated with the receipt of any income other than that which serves merely to reimburse expenses. In this case, it is possible for a published income category to be accompanied by the word 'voluntary'.

8. Form for declaration of interests under the Code of Conduct



German Bundestag
18th electoral term

Submitted by:

_____, MdB

First name and surname

Confidential

To the President
of the German Bundestag
Division PM 1, Code of Conduct Section

**Declarations of interests under the Code of Conduct for Members of the German Bundestag
– Declaration form –**

Declarations under the Code of Conduct for Members of the German Bundestag are to be submitted on this form **within three months** following acquisition of membership of the Bundestag (Rule 1(6) of the Code of Conduct and paragraph 1 of the Implementing Provisions). The declaration requirement is underpinned by sanctions under Rule 8 of the Code of Conduct.

The form takes you, point by point, through the items of information that must be declared.

This form and the relevant regulatory instruments as well as further details on the publication of the content of declarations can be accessed through the Intranet. You will find them by selecting *Abgeordnete* ('Members') then *Verhaltensregeln* ('Code of Conduct').

Form last updated: October 2013



1. Activities engaged in within the last two years before membership of the 18th Bundestag

If you were already a Member of the Bundestag throughout the last two years of the 17th electoral term, you need not complete items 1.1 to 1.3 and can go straight to section 2.

1.1 Most recent occupational activity

(Rule 1(1)(1) of the Code of Conduct and paragraph 2 of the Implementing Provisions)

Please complete the applicable fields:

<u>Employment other than self-employment:</u> Type of activity	Employer's name and registered office
<u>Self-employment as a trader:</u> Type of business	Company name and registered office
<u>Liberal professions and other independent occupations:</u> Precise description of the occupation	Place of practice

In accordance with Rule 3 of the Code of Conduct, the above details are published on the Internet and in the Official Handbook.

1.2 Previous activities as a member of a board of management, supervisory board, administrative board, advisory board or other body of a company or of an enterprise operated in another legal form

(Rule 1(1)(2) of the Code of Conduct; paragraph 2(1) and the first sentence of paragraph 3(1) of the Implementing Provisions)

Type of activity (e.g. member of the board of management)	Name	Enterprise	
			Registered office
1.			
2.			
3.			

These details are not published.



1.3 Previous activities as a member of a board of management, supervisory board, administrative board, advisory board or other body of a public corporation or institution

(Rule 1(1)(3) of the Code of Conduct; paragraph 2(1) and the first sentence of paragraph 3(1) of the Implementing Provisions)

Type of activity (e.g. member of the board of management)	Name	Public corporation or institution	
			Registered office
1.			
2.			
3.			

These details are not published.



2. Remunerated activities concurrent with the mandate
(Rule 1(2)(1) and Rule 1(3) of the Code of Conduct; paragraphs 3 to 5 and paragraph 8 of the Implementing Provisions)

2.1 Activity No 1:

<p>Type of activity:</p> <p>..... (e.g. 'lecture', 'legal practice', 'clerical employment', 'consultancy', 'managing a company')</p> <p>.....</p> <p><i>Note 1: Activity as a member of the Federal Government, as a Parliamentary State Secretary or as a Minister of State and parliamentary functions need not be declared. Party functions must be declared if they are performed for remuneration.</i></p> <p><i>Note 2: There is no obligation to declare the provision of expert opinions or writing or lecturing activities where the income agreed upon does not exceed the sum of €1,000 in any month or €10,000 in any year.</i></p> <p><i>Note 3: In the case of independent activity, such as that of a lawyer operating as a sole practitioner, the place or registered office where the activity is performed should be declared and, where appropriate, the business name.</i></p> <p><i>Note 4: Profit-sharing partners who perform work for their company that is typically remunerated, for example as a partner in a law firm or as a managing partner, but are not paid for this work by their company must declare this activity, indicating the name and registered office of the company. There is no obligation to declare activity consisting purely in the administration of your own property.</i></p>
<p>Client/Employer:</p> <p>..... (Name, registered office)</p> <p>.....</p> <p><i>Note 5: Clients of independent professionals and other self-employed persons need not be specified unless income from one or more contracts with the client in question exceeds a monthly total of €1,000 or an annual total of €10,000.</i></p> <p><i>Note 6: If you invoke a right to refuse to give evidence or a statutory or contractual duty not to disclose confidential information, for example as a lawyer, an anonymised form of identification, such as 'party No 1', 'client No 1' or 'customer No 1', will suffice.</i></p> <p><i>Note 7: Profit-sharing partners (see Note 4 above) specify their company's clients in their declaration if they have worked personally on the performance of the contract concluded by their company with the client in question and if the income earned by the company from that client exceeded the sum of €1,000 in any month or €10,000 in any year.</i></p>
<p>Income exceeding €1,000 per month or €10,000 per annum:</p> <p>(a) regular <u>monthly</u> income in equal amounts: (monthly amount)</p> <p>(b) regular <u>annual</u> income in equal amounts: (annual amount)</p> <p>(c) <u>other</u> income (one-off or irregular payments): (amount, year of receipt)</p> <p>.....</p> <p><i>Note 8: The declared amount must be the exact gross total, including expenses, compensation and benefits in kind, which means that any VAT you might have to pay should be included in the amount.</i></p> <p><i>Note 9: Profit-sharing partners (see Notes 4 and 7 above) declare the share of the profits paid out to them in dividends and label such amounts as 'profits'.</i></p>
<p>Specific declarations in the case of lectures:</p> <p>(a) Event at which the lecture was delivered:</p> <p>.....</p> <p>(b) Organiser (unless organiser and client are one and the same):</p> <p>..... (Name, registered office)</p>



2.2 Activity No 2:

Type of activity: (e.g. 'lecture', 'legal practice', 'clerical employment', 'consultancy', 'managing a company')
Client/Employer: (Name, registered office)
Income exceeding €1.000 per month or €10.000 per annum: (a) regular <u>monthly</u> income in equal amounts: (monthly amount) (b) regular <u>annual</u> income in equal amounts: (annual amount) (c) <u>other</u> income (one-off or irregular payments): (amount, year of receipt)
Specific declarations in the case of lectures: (a) Event at which the lecture was delivered: (b) Organiser (unless organiser and client are one and the same): (Name, registered office)

2.3 Activity No 3:

Type of activity: (e.g. 'lecture', 'legal practice', 'clerical employment', 'consultancy', 'managing a company')
Client/Employer: (Name, registered office)
Income exceeding €1.000 per month or €10.000 per annum: (a) regular <u>monthly</u> income in equal amounts: (monthly amount) (b) regular <u>annual</u> income in equal amounts: (annual amount) (c) <u>other</u> income (one-off or irregular payments): (amount, year of receipt)
Specific declarations in the case of lectures: (a) Event at which the lecture was delivered: (b) Organiser (unless organiser and client are one and the same): (Name, registered office)

In accordance with Rule 3 of the Code of Conduct, the above details are published on the Internet and in the Official Handbook, the income details being expressed in the form of categories.



3. Activities concurrent with the mandate as a member of a board of management, supervisory board, administrative board, advisory board or other body of a company or of an enterprise operated in another legal form

(Rule 1(2)(2) and Rule 1(3) of the Code of Conduct; paragraph 3 of the Implementing Provisions)

Caution: These activities are to be declared **even if** they are not associated with the receipt of any income.

3.1 Activity No 1:

Enterprise: (Name, registered office)
Type of activity: (e.g. 'Member of the Supervisory Board') <i>Note 1:</i> The body need not possess decision-making powers or be referred to in the company statutes. Even membership of an advisory board must be declared. <i>Note 2:</i> If no income is associated with the activity or if the income merely takes the form of a reimbursement of expenses, the word 'voluntary' may be added after the type of activity, if you so wish. An activity may not be described as voluntary, however, unless it has an altruistic purpose, such as providing community services of general interest; in other words, it should not be a purely trading company. Moreover, income must not be camouflaged as reimbursement of expenses if it is actually payment for the performance of work. This means that any lump-sum allowance for time dedicated to voluntary duties must be considerably lower than the normal rate of remuneration for such activities. <i>Note 3:</i> Ex officio activities may be published with the appendage 'ex officio' if you so wish. This does not apply to functions that are performed on the basis of an election or assignment by the Bundestag or any of its parliamentary groups.
Income exceeding €10,000 per annum: (a) regular <u>monthly</u> income in equal amounts: (monthly amount) (b) regular <u>annual</u> income in equal amounts: (annual amount) (c) <u>other</u> income (one-off or irregular payments): (amount, year of receipt)
<i>Note 4:</i> The declared amount must be the exact gross total , including expenses, compensation and benefits in kind, which means that any VAT you might have to pay should be included in the amount. <i>Note 5:</i> Since the activities of such bodies are normally performed throughout the year, only the annual limit of €10,000 is relevant.



3.2 Activity No 2:

Enterprise: (Name, registered office)
Type of activity: (e.g. 'Member of the Supervisory Board')
Income exceeding €10.000 per annum: (a) regular <u>monthly</u> income in equal amounts: (monthly amount) (b) regular <u>annual</u> income in equal amounts: (annual amount) (c) <u>other</u> income (one-off or irregular payments): (amount, year of receipt)

3.3 Activity No 3:

Enterprise: (Name, registered office)
Type of activity: (e.g. 'Member of the Supervisory Board')
Income exceeding €10.000 per annum: (a) regular <u>monthly</u> income in equal amounts: (monthly amount) (b) regular <u>annual</u> income in equal amounts: (annual amount) (c) <u>other</u> income (one-off or irregular payments): (amount, year of receipt)

In accordance with Rule 3 of the Code of Conduct, the above details are published on the Internet and in the Official Handbook, the income details being expressed in the form of categories.



4. Activities concurrent with the mandate as a member of a board of management, supervisory board, administrative board, advisory board or other body of a public corporation or institution

(Rule 1(2)(3) and Rule 1(3) of the Code of Conduct; paragraph 3 of the Implementing Provisions)

Caution: These activities are to be declared **even** if they are not associated with the receipt of any income.

4.1 Activity No 1:

Public corporation or institution: (Name, registered office)
Type of activity: (e.g. 'Member of the Administrative Board', 'Member of the County Assembly (<i>Kreistag</i>)', 'Member of the Municipal Council (<i>Gemeinderat</i>)') <i>Note 1:</i> The body need not possess decision-making powers or be referred to in the company statutes. Even membership of an advisory board must be declared. <i>Note 2:</i> If no income is associated with the activity or if the income merely takes the form of a reimbursement of expenses, the word 'voluntary' may be added after the type of activity, if you so wish. This description, however, may be used only if income presented as reimbursement of expenses is not actually camouflaged payment for the performance of the activity. This means that any lump-sum allowance for time dedicated to voluntary duties must be considerably lower than the normal rate of remuneration for such activities. <i>Note 3:</i> Ex officio activities may be published with the appendage 'ex officio' if you so wish. This does not apply to functions that are performed on the basis of an election or assignment by the Bundestag or any of its parliamentary groups.
Income exceeding €10,000 per annum: (a) regular <u>monthly</u> income in equal amounts: (monthly amount) (b) regular <u>annual</u> income in equal amounts: (annual amount) (c) <u>other</u> income (one-off or irregular payments): (amount, year of receipt)
<i>Note 4:</i> The declared amount must be the exact gross total , including expenses, compensation and benefits in kind, which means that any VAT you might have to pay should be included in the amount. <i>Note 5:</i> Since the activities of such bodies are normally performed throughout the year, only the annual limit of €10,000 is relevant.



4.2 Activity No 2:

Public corporation or institution: (Name, registered office)
Type of activity: (e.g. 'Member of the Administrative Board', 'Member of the County Assembly (<i>Kreistag</i>)', 'Member of the Municipal Council (<i>Gemeinderat</i>)')
Income exceeding €10,000 per annum: (a) regular <u>monthly</u> income in equal amounts: (monthly amount) (b) regular <u>annual</u> income in equal amounts: (annual amount) (c) <u>other</u> income (one-off or irregular payments): (amount, year of receipt)

4.3 Activity No 3:

Public corporation or institution: (Name, registered office)
Type of activity: (e.g. 'Member of the Administrative Board', 'Member of the County Assembly (<i>Kreistag</i>)', 'Member of the Municipal Council (<i>Gemeinderat</i>)')
Income exceeding €10,000 per annum: (a) regular <u>monthly</u> income in equal amounts: (monthly amount) (b) regular <u>annual</u> income in equal amounts: (annual amount) (c) <u>other</u> income (one-off or irregular payments): (amount, year of receipt)

In accordance with Rule 3 of the Code of Conduct, the above details are published on the Internet and in the Official Handbook, the income details being expressed in the form of categories.



5. **Activities concurrent with the mandate as a member of a board of management or other managerial or advisory body of a club, association or similar organisation, or of a foundation of not exclusively local importance**

(Rule 1(2)(4) and Rule 1(3) of the Code of Conduct; paragraph 3 of the Implementing Provisions)

Caution: These activities are to be declared **even if** they are not associated with the receipt of any income.

5.1 **Activity No 1:**

Club, association, foundation, etc.: (Name, registered office)
Type of activity: (e.g. 'Member of the Board of Management', 'Member of the Parliamentary Advisory Council')
<i>Note 1: The body need not possess decision-making powers or be referred to in the company statutes. Even membership of an advisory board must be declared.</i>
<i>Note 2: If no income is associated with the activity or if the income merely takes the form of a reimbursement of expenses, the word 'voluntary' may be added after the type of activity, if you so wish. This description, however, may be used only if income presented as reimbursement of expenses is not actually camouflaged payment for the performance of the activity. This means that any lump-sum allowance for time dedicated to voluntary duties must be considerably lower than the normal rate of remuneration for such activities.</i>
<i>Note 3: Ex officio activities may be published with the appendage 'ex officio' if you so wish. This does not apply to functions that are performed on the basis of an election or assignment by the Bundestag or any of its parliamentary groups.</i>
<i>Note 4: Party functions need not be declared unless they are performed for remuneration.</i>
Income exceeding €10,000 per annum:
(a) regular <u>monthly</u> income in equal amounts: (monthly amount)
(b) regular <u>annual</u> income in equal amounts: (annual amount)
(c) <u>other</u> income (one-off or irregular payments): (amount, year of receipt)



5.2 Activity No 2:

<u>Club, association, foundation, etc.:</u> (Name, registered office)
<u>Type of activity:</u> (e.g. 'Member of the Board of Management', 'Member of the Parliamentary Advisory Council')
<u>Income exceeding €10,000 per annum:</u> (a) regular <u>monthly</u> income in equal amounts: (monthly amount) (b) regular <u>annual</u> income in equal amounts: (annual amount) (c) <u>other</u> income (one-off or irregular payments): (amount, year of receipt)

5.3 Activity No 3:

<u>Club, association, foundation, etc.:</u> (Name, registered office)
<u>Type of activity:</u> (e.g. 'Member of the Board of Management', 'Member of the Parliamentary Advisory Council')
<u>Income exceeding €10,000 per annum:</u> (a) regular <u>monthly</u> income in equal amounts: (monthly amount) (b) regular <u>annual</u> income in equal amounts: (annual amount) (c) <u>other</u> income (one-off or irregular payments): (amount, year of receipt)

In accordance with Rule 3 of the Code of Conduct, the above details are published on the Internet and in the Official Handbook, the income details being expressed in the form of categories.



6. Agreements on the assignment of activities or the receipt of pecuniary benefits during or after membership of the Bundestag

(Rule 1(2)(5) and Rule 1(3) of the Code of Conduct; paragraph 6 of the Implementing Provisions)

The declaration should cover the main features of the agreement, that is to say its subject and the name and registered office of the other party. You are still bound to declare this information if the agreement was concluded before you entered the Bundestag. As soon as the activity begins, you are bound to declare it under Rule 1(2)(1) to 1(2)(4) of the Code of Conduct.

Subject of the agreement	Agreement concluded with	
	Name	Registered office
1.		
2.		
3.		
4.		

Income already received in excess of €1.000 in any month or €10.000 in any year:

Number of agreement in above list:

- (a) regular monthly income in equal amounts:
(monthly amount)
- (b) regular annual income in equal amounts:
(annual amount)
- (c) other income (one-off or irregular payments):
(amount, year of receipt)

*Note: The declared amount must be the **exact gross total**, including expenses, compensation and benefits in kind, which means that any VAT you might have to pay should be included in the amount.*

In accordance with Rule 3 of the Code of Conduct, the above details are published on the Internet and in the Official Handbook, the income details being expressed in the form of categories.



7. Shareholdings in private corporations or partnerships

(Rule 1(2)(6) of the Code of Conduct; paragraph 7 of the Implementing Provisions)

A shareholding must be declared if the Member of the Bundestag possesses more than 25% of the voting rights in a company whose purpose is to operate an enterprise. An enterprise in this sense is a permanent organisational entity in which goods are produced or services provided with the intention of making a profit.

Company name	Company's registered office
1.	
2.	
3.	
4.	

In accordance with Rule 3 of the Code of Conduct, the above details are published on the Internet and in the Official Handbook, the income details being expressed in the form of categories.

8. Representing either party in or out of court in an action brought by or against the Federal Republic of Germany or a federal corporate body, institution or foundation subject to public law.

(Rule 2 of the Code of Conduct; paragraph 9 of the Implementing Provisions)

You are bound to declare your execution of a brief to represent the Federal Republic of Germany, or a third party opposing the Federal Republic of Germany, in or out of court. The same applies *mutatis mutandis* to representation in or out of court of a federal corporate body, institution or foundation subject to public law or of a party opposing one of the above. This declaration requirement applies only if the fee exceeds €1,000 and you have personally executed the brief.

.....

.....

.....

These details are not published.



9. Donations and other benefits received for political activity

(Rule 4(2) and (5) of the Code of Conduct; paragraph 10 of the Implementing Provisions)

You are bound to declare every donation, whether in the form of a monetary donation or an allowance of monetary value, that is made to you for your political activity if it exceeds the amount of €5,000. This declaration requirement also applies if the aggregate value of two or more donations from the same donor within the same calendar year exceeds that amount. You are not required to declare any party donation that you receive and forward to your political party, obtaining a receipt for the forwarded amount.

Under Rule 4(5) of the Code of Conduct, allowances of monetary value that you receive in connection with interparliamentary or international activities or for participation in events held for the purpose of imparting political information, presenting the positions of the German Bundestag or of its parliamentary groups or representing the German Bundestag must be declared if they exceed the amount of €5,000. A typical example of the application of this provision is the **payment of your travel expenses by third parties.**

Name and address of the donor	Total amount of benefit and calendar year
1.	
2.	
3.	

Under Rule 4(3) and (5) of the Code of Conduct, the amounts and sources of donations and benefits exceeding €10,000 are published on the Internet and in the Official Handbook.

10. Gifts received as a guest or host

(Rule 4(6) of the Code of Conduct; paragraph 11 of the Implementing Provisions)

Gifts you have received as a guest or host in connection with your mandate must be declared and surrendered if their value exceeds €200. You may, however, apply to retain the gift by paying the monetary equivalent minus the sum of €200 to the Federal Cash Office.

.....

.....

.....

These details are not published.



11. Further notes and Member's personal signature

11.1 Link to Member's own homepage

If you so wish, your details that are published on the website may contain the following addition, which includes an embedded link to your personal homepage: *"Individual items of information published here are explained on [name of Member]'s homepage at [link to homepage]"*.

Please complete the following if appropriate:

I wish the above addition to be appended to my details

The address of my personal homepage is:

.....

11.2 Privacy notes

The declarations you make under the Code of Conduct will be stored in a database and will be deleted five years after your membership of the Bundestag ends. The documents you have submitted will also be destroyed at that time unless you ask for them to be made over to you (paragraph 12 of the Implementing Provisions).

The declarations you make under the Code of Conduct will be stored and processed exclusively for the purposes of the Code of Conduct. Data will not be exchanged with any other areas of the administration. The declaration of activities or income under the Code of Conduct is therefore no substitute for a notification under other provisions of the Members of the Bundestag Act, such as the statement of reckonable income within the meaning of section 29 of the said Act. On the contrary, each of the notification requirements must be fulfilled separately.

11.3 Changes and additions in the course of the electoral term must be declared in writing within three months from the date on which the notifiable situation began. In the case of notifiable income, this three-month period begins on the date of receipt.

(Rule 1(6) of the Code of Conduct; paragraph 1(2) and (3) of the Implementing Provisions)

11.4 Member's personal signature

.....

(Date)

.....

(Signature)

9. Subject index

The following index shows, in bold type, the names of the chapters in which the listed terms occur and the numbers of the sections, paragraphs or other subdivisions of statutory instruments in which the terms are to be found. Where terms are listed in the user's notes for the declaration form, they are indicated by their note number, e.g. 'Note 3'.

Acceptance, prohibition of: **Intro.**; of monetary payments: **Members of the Bundestag Act 44a(2)**; of donations: **Members of the Bundestag Act 44b(3)**, **Code of Conduct 4(4)** and **Political Parties Act 25(2)**

Accounting for donations: **Intro.**, **Members of the Bundestag Act 44b(3)** and **Code of Conduct 4(1)**

Activities concurrent with a mandate: see *Secondary activities*

Activities predating membership of the Bundestag: **Intro.**, **Members of the Bundestag Act 44a(4)** and **44b(1)**, **Code of Conduct 1(1)**, **Implementing Provisions 2** and **3**, **Notes on publication** and **Declaration form 1**

Administrative board, activity as a member of: **Code of Conduct 1(1)(2)**, **1(1)(3)**, **1(2)(2)**, **1(2)(3)**, **1(3)** and **3**, **Implementing Provisions 2(1)** and **3(1)** and **Declaration form 1.2**, **1.3**, **3.1** and **4.1**

Administrative fines: **Intro.**, **Members of the Bundestag Act 44a(4)** and **Code of Conduct 8(4)**; see also *Penalties*

Admonishment: see Reprimand

Advisory board, activity as a member of: **Code of Conduct 1(1)(2)**, **1(1)(3)**, **1(2)(2)**, **1(2)(3)**, **1(3)** and **3**, **Implementing Provisions 1** and **3(1)** and **Declaration form 1.2**, **1.3**, **3.1**, **4.1** and **5.1**

Agreements on future activities or pecuniary benefits: see *Future activities or pecuniary benefits*

Associations: see *Clubs and associations*

Benefits: **Intro.**, **Members of the Bundestag Act 44a(2)** and **(3)**, **Code of Conduct 1(2)(6)**, **4** and **8(5)** and **Declaration form 6**, **9** and **10**; see also *Donations and Pecuniary benefits*

Board of management, activity as a member of: **Code of Conduct 1(1)(2)**, **1(1)(3)**, **1(2)(2)**, **1(2)(3)**, **1(2)(4)**, **1(3)** and **3**, **Implementing Provisions 2(1)** and **3(1)** and **Declaration form 1.2**, **1.3**, **3.1**, **4.1** and **5.1**

Boards and similar bodies, activity as a member of: **Code of Conduct 1(1)(2)**, **1(1)(3)**, **1(2)(2)**, **1(2)(3)**, **1(2)(4)**, **1(3)** and **3**, **Implementing Provisions 2(1)** and **3(1)**, and **Declaration form 1.2**, **1.3**, **3.1**, **4.1** and **5.1**

Brackets: see *Income categories*

Clients, indication of: **Implementing Provisions 3**, **4(1)** and **8**, **Notes on publication** and **Declaration form 2.1**, notes **5**, **6** and **7**

Clubs and associations, activity for: **Code of Conduct 1(2)(4)**, **1(3)** and **3**, **Implementing Provisions 3(1)**, **Notes on publication** and **Declaration form 5.1**

Code of Conduct for Members of the German Bundestag: **Intro.**, **Members of the Bundestag Act 44a(3)(3)**, **(4)(1)** and **(4)(5)** and **Code of Conduct**

Combination of interests: **Intro.**, **Members of the Bundestag Act 44a(2)(2)** and **(4)(1)**; in committee: **Code of Conduct 6**

Companies: see *Enterprises*

Confidential information: see Non-disclosure obligations

Contracting parties: see *Clients*

Core activity of Members of the Bundestag **Intro.**, **Members of the Bundestag Act 44a(1)**

Declaration forms for submitting declarations of interests under the Code of Conduct: **Implementing Provisions 1** and **Declaration form**

Declaration requirements: see *Reporting obligations*

De minimis limit: see *Thresholds for declaration or publication*

Donations to Members: Intro., Members of the Bundestag Act 44a(2)(4) and 44b(3), Code of Conduct 4, Implementing Provisions 10, Political Parties Act 25(2)and (4), Notes on publication and Declaration form 9; see also *Accounting* and *Benefits*

Donations, prohibition of acceptance: see *Acceptance, prohibition of*

Duty not to disclose confidential information: see *Non-disclosure obligations*

Employer, indication of, when declaring paid employment: **Implementing Provisions 2(2)** and **Declaration form 1.1** and 2.1

Enterprises, shareholdings in: **Code of Conduct 1(2)(6), Implementing Provisions 7, Notes on publication and Declaration form 7;** activity for: **Code of Conduct 1(1)(1), 1(2)(2), 1(3)** and 3, **Implementing Provisions 2(1)** and 3(1), **Notes on publication and Declaration form 1.2** and 3.1

Ex officio activities: Notes on publication and Declaration form 3.1, note 3, 4.1, note 3, and 5.1, note 3

Expert opinions, provision of, while holding a mandate: **Code of Conduct 1(2)(1)** and **Declaration form 2.1**, note 2; see also *Remunerated activities*

Federal eagle emblem: see *Letterheads with federal eagle emblem*

Federal Government, activity as a member of: **Code of Conduct 1(2)(1)** and **Declaration form 2.1** (note 1)

Fines: see *Administrative fines* and *Penalties*

Form of declarations to be made under the Code of Conduct: **Code of Conduct 1(1)** and 1(2); **Implementing Provisions 1;** see also *Declaration forms*

Foundations, activity for: **Code of Conduct 1(2)(4), 1(3)(2), 1(3)** and 3, **Implementing Provisions 3(1), Notes on publication and Declaration form 5.1** and 8

Future activities or pecuniary benefits: Code of Conduct 1(2)(5), Implementing Provisions 6, Notes on publication and Declaration form 6

Gifts received as a guest or host: **Code of Conduct 4(6)** and 4(7), **Implementing Provisions 11** and **Declaration form 10**

Gross amounts: Code of Conduct 1(3), Implementing Provisions 3(2) and 3(3), **Notes on publication and Declaration form 2.1** (note 8), 3.1 (note 4), 4.1 (note 4) and 5.1 (note 5); see also *Secondary income*

Handing over gifts received as a guest or host: see *Surrender*

Implementing Provisions – Provisions Implementing the Code of Conduct: **Code of Conduct 1(2)** (6), 1(4), 1(5) and 4(6) and **Implementing Provisions**

Income categories used in the publication of income: **Intro., Code of Conduct 3** and **Notes on publication**

Income concurrent with the mandate: see *Secondary income*

Infringement procedures: see *Penalties*

Law firms, partners in: **Notes on publication** and **Declaration form 2.1**, note 4; see also *Partner*

Lawyers: **Code of Conduct 2**, **Implementing Provisions 9** and **Declaration form 8**; see also *Remunerated activities*

Lawyer's client, indication of: see *Clients*

Lecturing activity concurrent with a mandate: **Code of Conduct 1(2)(1)**, **Implementing Provisions 3(1)** and **Declaration form 2.1**; see also *Remunerated activities*

Letterheads with federal eagle emblem, use of: **Principles governing the use of the federal eagle emblem**

Managing partner: **Notes on publication** and **Declaration form 2.1**, notes 4, 7 and 9

Mandate, exercise of: **Intro.** and **Members of the Bundestag Act 44a**

Members of the Bundestag Act: Intro.

Member's own property, administration of: **Implementing Provisions 4(2)** and **Declaration form 2.1**, note 4

Minimum amounts: see *Thresholds for declaration or publication*

Minister of State, activity as: **Code of Conduct 1(2)(1)** and **Declaration form 2.1**, note 1

Non-disclosure obligations: **Code of Conduct 1(5)**, **Implementing Provisions 8**, **Notes on publication** and **Declaration form 2.1**

Occupational activity: **Intro.**, **Members of the Bundestag Act 44a(1)**, **Code of Conduct 1(1)**, 1(2) 1(3), 3 and 5, **Implementing Provisions 2**, 3 and 4; see also *Secondary activities* and *Activities predating Bundestag membership*

Parliamentary functions: **Implementing Provisions 5(1)** and **Declaration form 2.1**, note 1

Parliamentary State Secretary, activity as: **Code of Conduct 1(2)(1)** and **Declaration form 2.1**, note 1

Partner, activity as a: **Implementing Provisions 4**, **Notes on publication**, **Declaration form 2.1**, notes 4, 7 and 9; see also *Law firms, partners in*, and *Profits*

Party functions: **Implementing Provisions 5(2)** and **Declaration form 2.1**, note 1, and 5.1, note 4

Pecuniary benefits: **Members of the Bundestag Act 44b(2)(2)** and 44b(3), **Code of Conduct 1(2)** (5) and 8(5), **Implementing Provisions 6**, **Notes on publication** and **Declaration form 6**; see also *Benefits*

Penalties: **Intro.**, **Members of the Bundestag Act 44a(3)**, 44a(4)(2) to 44a(4)(5) and 44b(3) and (5) and **Code of Conduct 8**; see also *Reprimand*, *Printed paper* and *Administrative fines*

President of the Bundestag: **Intro.**, **Members of the Bundestag Act 44a(3)**, 44a(4) and 44b(5) and **Code of Conduct 1**, 2, 4, 7 and 8

Presidium of the Bundestag: **Members of the Bundestag Act 44b(5)** and **Code of Conduct 1(4)**, 4(7) and 8(2) to (5)

Printed paper in the event of a breach of the law: **Intro.** and **Code of Conduct 8(2)(4)**, 8(2)(5), 8(5) (8) and 8(5)(9); see also *Penalties*

Profits, declaring the share of company profits received in dividends, **Implementing Provisions 4, Notes on publication, Declaration form 2.1**, note 9; see also *Partner*

Publication of declarations made under the Code of Conduct: **Intro., Members of the Bundestag Act 44a(4)(1) and 44b(4), Code of Conduct 3, 4(3) and 4(5) and Notes on publication**; of a printed paper; see *Printed paper*

Public corporations, activity for: **Code of Conduct 1(1)(3), 1(2)(3), 1(3), 2(3) and 3, Implementing Provisions 2(1) and 3(1), Notes on publication and Declaration form 1.3 and 4.1**

Public institutions, activity for: **Code of Conduct 1(1)(3), 1(2)(3), 1(3), 2(3) and 3, Implementing Provisions 2(1) and 3(1) and Notes on publication 1.3 and 4.1**

Reference to membership of the Bundestag: **Code of Conduct 5**; see also **Principles governing the use of the federal eagle emblem**

Refusal to give evidence, right of: see *Non-disclosure obligations*

Remunerated activities concurrent with the mandate: **Code of Conduct 1(2)(1), 1(3), 1(3), 2 and 3, Implementing Provisions 3, 4 and 5(2), Notes on publication and Declaration form 2.1**

Reporting obligations: **Intro., Members of the Bundestag Act 44a(4), 44b(1) to (3), Code of Conduct 1, 2, 4(2), 4(5), 4(6), 6, 8(1) and 8(4) Implementing Provisions, Notes on publication and Declaration form**

Reprimand: **Code of Conduct 8(2)(1)**; see also *Penalties*

Requirement to request further information: **Intro. and Code of Conduct 7**

Secondary activities: **Intro., Members of the Bundestag Act 44a(1)(2), 44a(4), 44b(1), Code of Conduct 1, 2, 3, 5 and 6, Implementing Provisions 3(1), 4, 5 and 8, Notes on publication and Declaration form 2.1, 3.1, 4.1 and 5.1**

Secondary income: **Members of the Bundestag Act 44a(2)(3), 44a(4) and 44b(2), Code of Conduct 1(2)(1), 1(3) and 3, Implementing Provisions 1(3), 3(2), 3(3) and 4(1), Notes on publication and Declaration form 2.1, notes 8 and 9, 3.1, notes 4 and 5, 4.1, notes 4 and 5, 5.1, notes 5 and 6, and 6**

Shareholdings in enterprises: see *Enterprises*

Supervisory board, activity as a member of: **Code of Conduct 1(1)(2), 1(1)(3), 1(2)(2), 1(2)(3), 1(3) and 3, Implementing Provisions 2(1) and 3(1) and Declaration form 1.2 and 3.1**

Surrender of gifts received as a guest or host: **Code of Conduct 4(6) and (7), Implementing Provisions 11**; inadmissible donations: **Members of the Bundestag Act 44b(3), Code of Conduct 4(4),(5)(2), Political Parties Act 25(4)**; inadmissible payments or pecuniary benefits: **Members of the Bundestag Act 44a(3), 44b(5) and Code of Conduct 8(5)**

Testimony, right to withhold: see *Non-disclosure obligations*

Thresholds for declaration or publication: of income: **Members of the Bundestag Act 44b(2), Code of Conduct 1(3), Notes on publication and Declaration form 3.1, note 5, 4.1, note 5, 5.1, note 6, and 6**; of gifts received as a guest or host: **Code of Conduct 4(6), Implementing Provisions 11(1) and Declaration form 10**; of income from the provision of expert opinions and writing or lecturing activities **Code of Conduct 1(2)(1) and Declaration form 2.1, note 2**; of fees for representing either party in actions brought by or against federal institutions: **Code of Conduct 2, Implementing Provisions 9 and Declaration form 8**; of donations and other benefits for political activity: **Members of the Bundestag Act 44b(3), Code of Conduct 4(2), 4(3) and 4(5), Implementing Provisions 10(1) and Declaration form 9**; of shareholdings in enterprises: **Code of Conduct 1(2)(6), Implementing Provisions 7(2) and Declaration form 7**; of clients: **Implementing**

Provisions 3(2) and 4(1) and **Declaration form** 2.1, notes 5 and 7

Time limit for declarations made under the Conduct: **Code of Conduct** 1(6) and 8(2)(1) and **Implementing Provisions** 1

Unjustified enrichment of a Member: **Intro.**, **Members of the Bundestag Act** 44a(2)(3) and 44a(3) and **Code of Conduct** 8(5)

Voluntary activities: Notes on publication and **Declaration form** 3.1 (Note 2) 4.1 (Note 2) and 5.1 (Note 2)

Writing activity concurrent with a mandate: **Code of Conduct** 1(2)(1) and **Declaration form** 2.1, note 2; see also *Remunerated activities*

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