



## English Summary of decision 2015:2 by the IMM Ethics Committee

Stockholm 2015-01-15

### The matter

A supplier to companies within the banking and insurance sector invites a group of selected employees, from a number of client companies, to spend a full day, free of charge, at an amusement park together with their families. The invitation includes free entrance, free food and drink, and free rides. The invited employees could both be in the position where they could be decision makers in relation to the supplier as well as other employees.

The supplier will have advertising surfaces at the amusement park where information on the supplier's products will be available.

### The questions in the matter are the following;

1. Is it in line with the Code of Business Conduct to invite selected representatives from client companies (banking and insurance sector), to spend a full day with their families, free of charge at the amusement park?
2. Does it affect the assessment of the Ethics Committee if the invitation instead would go out to all employees of several client companies?

The Ethics Committee bases its assessment on the company's description.

### Considerations

The Ethics Committee finds that the described benefit is covered by the IMM Business Code of Conduct as in point A 1 and that the company is such as covered by point A 2.

What the Committee has to decide is whether the visit at the amusement park is consistent with point B 6 of the Code of Business Conduct. Point B 6 refers to the provision of benefits to other categories of persons where special restrictiveness must be observed. Examples of such categories are described as private banking, finance- and insurance companies.

According to B 6, all benefits that are behavior-changing, that are affecting or are likely to affect the receiver's decisions or ways of fulfilling their work, shall be deemed improper.



The question whether a benefit is improper must be determined in the light of all relevant circumstances of the case.

The factors to be considered in this assessment are as follows;

#### The value of the benefit

The risk of influencing one's behavior is increasing by the financial or sentimental value of the benefit as well as the frequency of benefits to an employee or contractor. In this specific case the value of the offer to the employee and its family members is of noticeable value.

#### The position of the recipient

The recipient's type of employment or assignment is important. If the invited employee is a decision maker in relation to the supplier, restrictiveness should be applied.

#### The nature of the benefit

The risk that a benefit is to be deemed improper increases the weaker the link is to the work tasks of the recipient. Thus, it is important whether the benefit has a clear connection to and forms a natural and useful part of the work carried out by the recipient or not. There is no clear link between the visit at the amusement park and the receiver's work.

#### The group of recipients and the forms for offering the benefit

A benefit containing access to an event should, in principle, be aimed at an undefined group of people, rather than at specifically chosen individuals. In this case, the invitation has been provided to selected individuals within client companies. There is no indication that employers have been informed or given the opportunity to influence the selection. The obligation of transparency is therefore not fulfilled.

What the Ethics Committee also has to consider is whether it would have any effect on the assessment if all employees of several companies had been invited. That all employees at several companies would receive an invitation does not make it acceptable according to the Code of Business Conduct.



### Overall Assessment

The Ethics Committee overall assessment is that the offer of a day at an amusement park could affect one's behavior and that the offer - as it is described - is non compatible with the Code of Business Conduct.

### THE DECISION BY THE ETHICS COMMITTEE

The offer of a full day at an amusement park is, as it has been described for the Ethics Committee, not in line with the Code of Business Conduct.