

CODE OF CONDUCT OF THE EMPLOYEES OF THE CALOUSTE GULBENKIAN FOUNDATION

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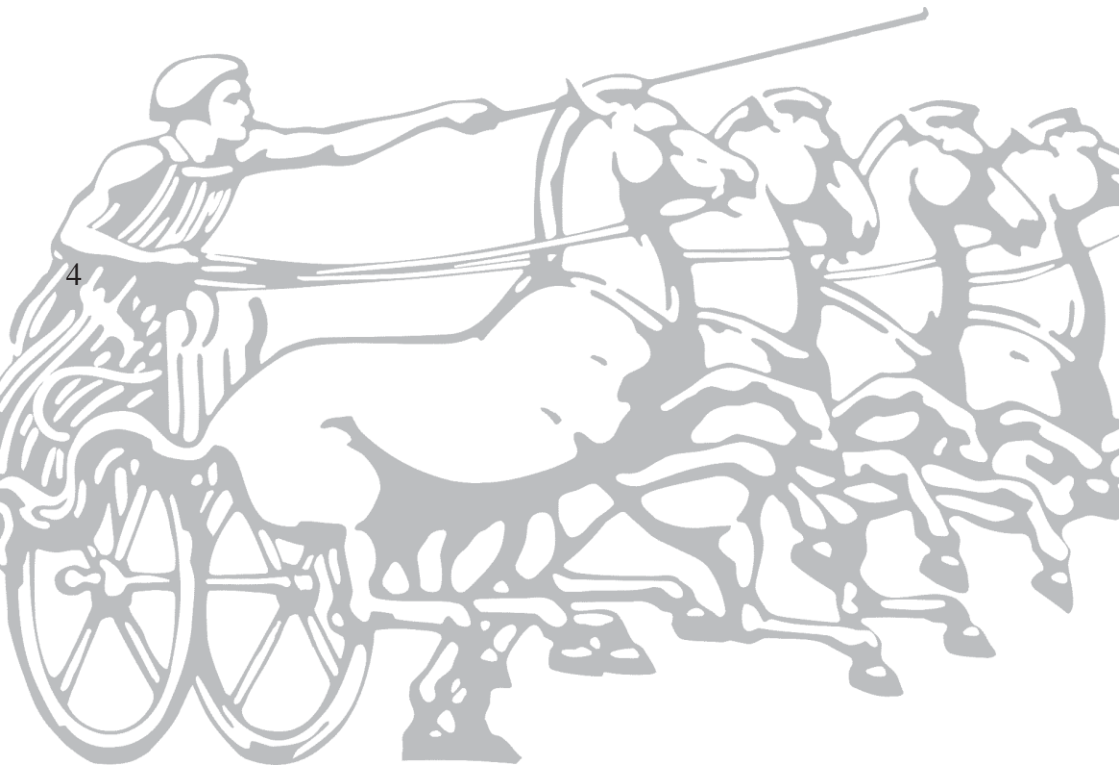


FUNDAÇÃO
CALOUSTE GULBENKIAN

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Foreword

The duties of transparency and accountability which devolve upon the Calouste Gulbenkian Foundation as a private institution of national interest enjoin that the conduct of its employees be guided by ethical and deontological rules which comprise the highest possible standards of moral and professional behaviour.

As such, the Board of Directors of the Foundation approved, at its Plenary Meeting held on 13 December 2006, the Code of Conduct of the Employees of the Calouste Gulbenkian Foundation.

Three years after this Code came into force, the Board decided to reflect upon its application conforming to a lasting institutional improvement.

The current revised version results from a developed reflection and was approved at the Plenary Board Meeting held on 7 May 2010. It should be recalled that the objective of the this Code of Conduct is to set the rules and main principles of the ethical and professional conduct of the employees of the Calouste Gulbenkian Foundation, and that it is applicable to all its employees in their relations, whether amongst themselves or with third parties. Thus, the Code is intended to become a reference as to the standard of conduct required from the Foundation in its relations with the public, contributing towards the consolidation of its institutional image in terms of excellence, accountability, independence and strictness.

Scope of Applicability

Article 1

Personal scope

1. This Code of Conduct, hereinafter referred to as Code, is applicable to all the Foundation's employees in the performance of the professional duties which may at any time be attributed to them by the Board of Directors, within the limits deriving from their respective service contracts and the applicable legislation.
2. The Code equally binds, wherever applicable, the members of the Board of Directors, without prejudice to the specific rules of conduct to which these are subject, resulting from the greater responsibilities attributed to them and which are recorded in a separate document.
3. The Code shall only be applicable to the Foundation's artistic staff in that which is not incompatible with the special nature of artistic work and with their specific precepts and usages.

Article 2

Material scope

1. Considering the Foundation's specific activities and its statutory objectives, this Code incorporates the set of general ethical principles and professional conduct applicable to all the Foundation's employees in their relations, whether amongst themselves or with third parties and a reference as to the standard of conduct required from the Foundation in its relations with the public.
2. The rules and principles established in this Code are subsidiary and complementary to the provisions contained in the Staff and Career Plan Regulation with respect to the relations between the Foundation and its employees.

Article 3

Territorial scope

1. This Code is applicable to the Foundation's employees who normally render their work or services in Portuguese territory, as well as when they are deployed in foreign parts to exercise their professional duties.
2. The rules of this Code are equally applicable to the Foundation's employees who normally render their duties abroad, safeguarding however any imperative provisions deriving from local legislation.

Ethical principles and professional conduct

Article 4

General Principles

1. In line with the provisions of Article 7 of the Foundation's Staff and Career Plan Regulation, employees should act with total loyalty to the Foundation, be competent, independent and not attend to personal interests, and should avoid situations from which conflicts of interest could arise.
2. Employees must also conduct themselves so as to maintain and strengthen the public's trust in the Foundation, contributing towards its effective performance and to the assertion of an institutional stance with regard to competence and quality.

Article 5

Legitimacy

In performing their professional duties, employees should act in line with applicable legislation, specifically endeavouring that the Foundation's decisions that affect the rights of single or corporate bodies have legal grounds and that the respective contents are in line with the law

Article 6

Non discrimination

1. In the treatment of third party requests, in the preparation of processes and in decision making, employees should guarantee respect for the principles of equal treatment.
2. In the event of any difference in treatment, employees should guarantee that it is justified by objective and relevant data concerning the issue or by the guidance provided by the Foundation's Board of Directors.

3. Employees may not, objectively, practice any unjustified discrimination based on gender, colour, ethnic or social origin, on genetic characteristics, on religion or creed, on political or any other opinion, on property, on birth, on malformation, age or sexual orientation, and must abstain from practicing any type of harassment, with the objective or effect of upsetting or constraining the person, affect his/her dignity, or from creating an intimidating, hostile, degrading, humiliating or destabilizing environment.

Article 7

Proportionality

Employees must provide for decisions being taken proportionally to the intended objective, specifically avoiding restrictions to third party rights or the enforcing of charges, whenever a reasonable proportion does not exist between such charges or restrictions and the objective pursued.

Article 8

Misuse of competences

1. Employees' professional duties are solely exercised for the ends committed by the pertinent decisions of the Foundation's Board of Directors.
2. Employees must specifically abstain from the use of such professional duties for personal purposes, or for objectives lacking a legal basis or that have not been motivated by the Foundation's interests.

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Article 9

Impartiality and independence

1. Employees must be impartial and independent, abstaining from any action that may arbitrarily prejudice the public, as well as from any preferential treatment, whatever the motive.
2. Employees must ensure that their conduct is not related to personal or family interests, or by political, social or economic pressures, and must equally not take part in any decision or in any process in which either themselves or a direct or even indirect member of their families have any interests whatsoever.

3. Independence and impartiality are not compatible with the fact that an employee or one of the members of his/her family either requests, receives or accepts, from a source external to the Foundation, from a subordinate or hierarchical superior, any benefits, rewards, remuneration or offers that exceed a merely symbolic value, and which may in any way be related with the activities performed by the employee in the Foundation.

4. Employees must not solicit or receive either financial or any other type of remuneration for the exercise of any external activity unrelated to the performance of their duties, except when strictly necessary to support their expenses, unless such has been specifically authorized by the Board of Directors.

Article 10

Diligence and efficiency

Employees must comply with zeal, efficiency and the best possible means in the exercise of the professional duties attributed to them and those that may be entrusted by the Foundation, as well as being coherent in their behaviour following the decisions and guidance of the Foundation's Board of Directors.

Article 11

Confidentiality

Without prejudice to the principle of transparency comprised in the Foundation's Code of Conduct, employees may not assign, reveal, use or refer, directly or by any intermediate person, any information relating to the Foundation's activities or to the exercise of their professional duties, when these are confidential as a result of their nature, contents or considered as such by the Board of Directors, 11

Article 12

Efficiency and correctness

1. In their relations with the public, employees must show availability, efficiency, correctness and courtesy, endeavouring to ensure that, as far as possible, the public obtains the requested information.

2. In answering letters, telephone calls and e-mails, employees must endeavour to answer as rigorously, opportunely and as fully as possible the issues placed before them and should, if not responsible for the matter raised, re-direct the public to the appropriate employee.
3. Should an error occur which unjustifiably prejudices third party rights, employees must promptly notify their hierarchical superiors and endeavour to swiftly correct the negative consequences of their error.

Article 13

Environmental protection

Within the scope of the Foundation's environmental policy, employees must adopt the best practices of environmental protection, specifically promoting eco-efficient management, in order to minimize the environmental impact of their activities and a responsible use of the Foundation's resources

Conflicts of interest and incompatibilities

Article 14

Conflicts of interest

1. Employees must avoid any situation which may engender, directly or indirectly, conflicts of interest.
2. A current or potential conflict of interest exists whenever employees have a personal or private interest in any issue that may influence, in reality or apparently, the impartial and objective performance of their professional duties.
3. A personal or private interest is understood to be any potential advantage to the employees, their family members or collaterals, to their circle of friends, to another Foundation employee, to a company in which they have interests or any institution to which they may belong.
4. The possible conflicts of interest of any employee subject to this Code must be promptly notified the respective departmental Managers, in the case of employees, or to the Board of Directors in the case of any of its members or Managers.

Article 15

Relations with suppliers

1. Employees responsible for the selection of suppliers of goods and services to the Foundation may not have any personal interest relative to the supplier or supplies.
2. Personal interest is understood to be any financial or economic interest that may affect the professional duties attributed to the employee or the latter's impartiality and independence capabilities.

Article 16 External activities

1. Employees may exercise any activities outside their scheduled working hours, with or without remuneration, if such activities do not interfere negatively with their duties to the Foundation and do not generate conflicts of interest.
2. The exercise of external remunerated activities must be previously notified to the respective Managers and, in the latter case, to the Board of Directors.
3. The exercise of external activities, remunerated or not, with the exception of academic or scientific activities, will always be considered incompatible with the Foundation's activity, when the employer in question, whether single or corporate, is the beneficiary of any subsidy from the Foundation or its supplier, in the context of the referred activities.
4. The exercise of executive duties in, or work carried out for, similar institutions, remunerated or not, is also considered incompatible

Article 17

Scientific and academic activities

1. In the exercise of scientific or academic activities, employees may take up teaching or research, give conferences, write books or techno-scientific articles or develop other activities of similar nature, even when the topics are related to their professional duties; in the latter case, however, authorization must be sought from the Board of Directors
2. The provisions of the Foundation's Staff and Career Plan Regulation as to temporary reduction of normal working hours are applicable to the exercise by employees of scientific and academic activities.
3. Scientific or academic contributions are rendered on a personal basis and do not involve the Foundation and employees should in no way appear to represent an official position with the Foundation, unless such is previously authorized by the Board of Directors.

Article 18

Political activities

1. If exercising political activities, employees must preserve the Foundation's Independence and not compromise their capability and aptness to pursue the professional duties attributed to them by the Board of Directors.
2. Employees may not exercise political activities during working hours.

External relations and representation

Article 19

Media

1. In matters related to the Foundation's activities and public image, employees should not give interviews or supply information considered as confidential or which are not at the disposal of the general public, either by their own initiative or at the request of media operatives without, in any of such cases, having obtained prior approval from the Board of Directors.
2. Employees should notify their hierarchical superiors who, in turn, should notify the Foundation's Communications Department, whenever they intend to compose articles for newspapers or magazines or give interviews to radio or television related to their professional duties.

Article 20

Relationship with other institutions

1. Formal or informal contacts with representatives of other public or private, national or foreign, institutions, should always reflect the Foundation's guidance and positions, if these have already been defined, and employees should carry out their relationship with quality, righteousness, courtesy and transparency criteria
2. In the absence of a defined guidance or in the case of a confidential position, employees should explicitly preserve the Foundation's image upon any specific matter when providing comments on a personal basis.

Correspondence, requests and processes

Article 21

Answer

1. Any correspondence addressed to the Foundation must be answered or its receipt acknowledged within 30 days.
2. The answer must indicate the name, telephone number and e-mail of the employee who is dealing with the matter, as well as the department, programme or project to which it is linked.
3. Acknowledging the receipt or providing any answer in the case of letters or complaints which become abusive due to their excessive number or their irrelevant repetitive or unreasonable characteristics is unnecessary.

Article 22

Requests and processes

1. Employees must ensure the availability of the conditions required for a decision covering requests addressed to the Foundation be taken within a reasonable delay.
2. If any request addressed to the Foundation may not, due to its complexity or the issues it raises be the object of a decision within a reasonable delay, employees must so advise the respective requesting party

Article 23

Basis of decisions

1. All the Foundation's decisions must be justified, clearly indicating the pertinent facts and the basis of the decision. Templates may be used when answering a great number of persons who are to be notified with identical decisions.
2. Employees should avoid taking decisions based on abstract or vague motives, or that contain personal subject matters.

Data and document protection

Article 24

Data protection

1. Employees who work with personal data relative to individual citizens, or who have access to such data, must respect the privacy and the person's integrity, in line with Law No. 67/98, dated 26 October, which transposes into national legislation Directive No. 95/46 EC, of the European Parliament and the Council, dated 24 October 1995, relative to the treatment of personal data and to the free circulation of such data.
2. Employees may not use personal data for illegal ends or supply such data to non-authorized persons..

Article 25

Public requests for access to documents

1. Employees must treat requests for access to the Foundation's documents in line with the guidance provided by the Board of Directors.
2. Should employees be unable to comply with a verbal request for access to documents, the requesting party should be advised to place its requirement in writing.

Article 26

Keeping appropriate records

The Foundation's departments must keep appropriate records of received and sent correspondence, of documents received and of measures taken, in line with the recording policy approved by the Board of Directors.

Internal relations

Article 27

Relations amongst employees

1. In relations amongst themselves, employees must respect the principle of loyalty, which implies not just the performance of professional duties attributed to them by the Board of Directors, the compliance with the instructions given by their hierarchical superiors and the respect for the appropriate hierarchical channels, but equally the transparency and openness with superiors, colleagues and subordinates.
2. Employees should specifically maintain other colleagues intervening in the same issue aware of the work in progress and allow them to provide their respective contribution.
3. Contrary to the type of loyalty expected from the Foundation's employees is the non-revealing to superiors and colleagues of needful information for the work to be pursued, especially with the objective to obtain personal advantages, and the supply of false, inexact or exaggerated information, the refusal to collaborate with colleagues and the showing of an obstructive bearing.
4. Employees who perform management, coordination or leading duties must provide clear and understandable instructions to their subordinates, either verbally or in writing

Article 28

Use of the Foundation's resources

1. Employees must respect and protect the Foundation's assets and not allow the abusive use by third parties of its services or facilities.
2. All the Foundation's equipment and facilities, independently of their nature, may only be used for institutional purposes, unless other uses have been explicitly authorized by the Board of Directors.

3. Employees must also adopt, in the exercise of their activities, all the adequate and justifiable measures in order to limit the Foundation's costs and expenses, with the objective to achieve the more efficient use of the available resources.

Disclosure and application of the Code

Article 29

Disclosure of the Code

1. The Foundation shall adopt effective measures to make the public aware of this Code, providing its availability, either fully or partially, in its Internet site (www.gulbenkian.pt).
2. The Code shall be distributed to all the Foundation's employees, and shall be disclosed and placed electronically at their disposal via Intranet.
3. With the view to comply with the provisions of this Code, the Foundation's employees must request from their hierarchical superiors the guidance they believe necessary, as well as clarification as to any doubts on the issues covered by this Code.
4. The admission process for employees of the Foundation must comprise a declaration that this Code has been made known to them.

Article 30

Application

A non-executive Director will be specifically responsible for the application of this Code, and any request for clarification, complaint or other issues that the Foundation's employees consider should be placed to the Board of Directors must be directly addressed to him

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