

THE ETHICS COMMITTEE

[ECB/EC/22/14]

ECB-PUBLIC

[TRANSMITTED ON 5 JULY 2022]

Mr Luis de Guindos
Vice-President of the European Central Bank

Subject: Notification of a gainful occupational activity of a family member that may raise conflict-of-interest concerns

Dear Mr de Guindos,

Thank you for notifying the Ethics Committee of the new professional role which a direct member of your family will take on at a significant supervised institution. Your notification has been duly registered in line with good administration.

First, the Ethics Committee recalls that you have previously sought the Committee's views on possible conflicts of interest arising from the professional activities of direct family members in the private financial sector¹. On that occasion, the Ethics Committee stressed the importance of strict observance of your professional secrecy obligation at all times.

Second, the Ethics Committee notes that the prospective employer is a significant bank directly supervised by the ECB. Since prudential supervisory decisions are ultimately taken by the ECB Governing Council, the Ethics Committee considers it essential to proactively address possible public perceptions that private or personal interests related to the new occupational activity of your family member could negatively affect the impartial and objective performance of your duties and responsibilities as member of the Governing Council.

To this end and in line with its previous stance, the Ethics Committee:

- already sought and obtained your confirmation that there are no actual personal or private interests such as financial interests in the form of shared accounts or accounts/portfolios managed for or on behalf of your family member that might impair your impartiality or objectivity;
- asks you to recuse yourself from any discussion/consideration of the ECB decision-making bodies on matters directly related to this significant supervised institution; in praxi this means

¹ [Opinion of the Ethics Committee of 25 October 2018](#)

that you shall neither be granted access to related documents nor participate in discussions and deliberations nor exercise any voting rights (in meetings or written procedures); the Secretary of the Ethics Committee will inform the Secretaries of the respective decision-making bodies accordingly;

- considers that, given your family member's specific role, an extension of the recusal to the significant supervised institution's direct competitors would be disproportionate;
- finally notes that, in the event of the significant supervised institution entering into a controlling-stake or a strategic alliance with another credit institution under SSM supervision, the possible extension of scope of the mitigating measures would need to be re-examined.

The Ethics Committee is confident that a rigorous adherence to the above safeguards and a proper recording of their application in the relevant proceedings of the Governing Council, reputational risks arising from perceived conflict of interest concerns are effectively and satisfactorily addressed.

Finally, please also note that in line with the transparency policy adopted by the Governing Council in July 2020, opinions issued by the Ethics Committee on possible conflicts of interests of high-level ECB officials are published on the ECB website with a six-month delay.

With best regards,

The Chair of the ECB Ethics Committee (Patrick Honohan)

Cc: Ms C. Lagarde, ECB President
Ms P. Senkovic, Secretary to the ECB Governing Council
Mr P. G. Teixeira, Secretary to the ECB Supervisory Board