



23 January 2023
EMA/36748/2023
Administration and Corporate Management Division

Assessment outcome of occupational activities after leaving the service

Fergus Sweeney

HAVING REGARD to Article 16 of the Staff Regulations of Officials of the European Communities (SR), as applicable by analogy to members of temporary and contract agent staff of the Agency pursuant to Article 11 of the Conditions of Employment of Other Servants of the European Communities;

HAVING REGARD to the obligation of staff members to behave with integrity and discretion after leaving the service and as regards the acceptance of certain appointments or benefits;

HAVING REGARD to the Agency Code of Conduct (Doc. Ref.: EMA/385894/2012 rev.1) and namely to the provision set in title 3, "EMA Guidance on Confidentiality and Discretion", with regard to continuing duty of confidentiality;

WHEREAS, Fergus Sweeney submitted an application form for authorisation to be engaged in occupational activities after leaving the service, in the context of which he informed the Agency of his intention to volunteer as Subject Matter Expert at Multi-Regional Clinical Trials Center of Brigham and Women's Hospital and Harvard, an academic organisation, starting on 2 January 2023;

Outcome

1. Holds that Fergus Sweeney has provided to the authority authorised to conclude contracts (AACC) full and complete information for the purpose of Article 16 of the SR;
2. Holds that the activities declared by Fergus Sweeney, in the application form for authorisation to be engaged in occupational activities after leaving the service, are not in conflict with the interest of the service and are therefore authorised without conditions;
3. Reminds Fergus Sweeney that he may no longer represent the views of the Agency and should ensure, in public fora, including social media, firstly that this is made explicit, and secondly, that any opinion he expresses cannot be construed as representing that of the Agency. Any opinion given in public presentations or written material shall be stated to be Fergus Sweeney 's own and not linked to his former employment at EMA;



4. Reminds Fergus Sweeney of his duty of confidentiality and of his obligation to immediately inform the authority authorised to conclude contracts of any change in circumstances affecting his professional activities if it occurs within the two-year period of time after leaving the service;
5. Reminds Fergus Sweeney that the Agency will publish annually a report on its activities related to Article 16, including a list of the cases assessed;
6. Reminds Fergus Sweeney that an internal register of former staff members on whom conditions have been applied will be maintained, taking into account provisions on personal data protection. An extract of the internal register will be made public within the Agency.