

PRESS FILE



HIGH
AUTHORITY
FOR
TRANSPARENCY
IN PUBLIC LIFE



2016
ACTIVITY
REPORT

FOREWORD



JEAN-LOUIS NADAL

PRESIDENT OF THE HIGH AUTHORITY FOR TRANSPARENCY IN PUBLIC LIFE

After three years of existence, the High Authority for Transparency in Public Life has published its second activity report. This report recounts thousands of declarations received and reviewed, and describes the objectives pursued, the resources used, the results achieved and the challenges encountered. A huge task awaited the High Authority upon its creation, with more than 8,000 people falling within its scope. Three years later, as a result of successive acts, nearly 15,000 people are subject to declaration and the High Authority has been entrusted with new duties, particularly with regards to transparency in lobbying.

Faced with the volume of work, it was never a question of processing files in chain. Each situation is treated with special attention, and is always unique where assets or interests and therefore the personal history of an individual are involved. The High Authority has decided to carry out its duties, which are highly sensitive, through dialogue and discernment.

Promoting transparency is not an easy task as it has never been part of French culture. Auditors are often seen as inquisitors, and openness to the public is seen as a threat to the proper functioning of institutions. Yet, transparency is necessary now more than ever as citizens want to understand the functioning of democratic authorities.

The institutions of the Republic, as well as those that support them, therefore need to be assisted in their evolution towards more transparency and exemplarity. This is what the High Authority is doing. It carries out this mission by giving advice, pointing towards good practices and also by reassuring public officials. It assists institutions and authorities who wish to establish codes of ethics. It also monitors, as provided for by law, the interests and assets of high public officials. Sometimes, this leads to notifying the justice system of individual cases in which criminal offences have been committed.

But, in such cases, the aim is never to undermine the institutions; it is, on the contrary, to strengthen them, by making an example of them. For men come and go, but institutions remain. They are the democracy's strength.

IN 2016, THE HIGH AUTHORITY FOR TRANSPARENCY IN PUBLIC LIFE HAS RECORDED A **HIGH LEVEL OF ACTIVITY**, AS WAS THE CASE IN 2014 AND 2015.

KEY FIGURES FOR 2016

15,800

duties subject to reporting obligations¹

23

board meetings

930,000

pages viewed on hatvp.fr

141

board deliberations

280,000

unique visitors

33

ethics opinions delivered

6,006

declarations of assets and interests received

2,045

calls received
(assistance provided to filing parties)

16

foreign delegations received

2,534

declarations of assets and interests published

64

injunctions issued

14

founding institutions of the international network for integrity

12

files transferred to the justice system

3,304

declarations of interests audited²

€4.3 m

2016 budget

1,971

assessments of variation of assets carried out

09

parliamentary hearings

40

officers on 31 December 2016

833

audits on asset declarations initiated

60%

of proposals in the 2015 activity report implemented

37.7 year-old
average age

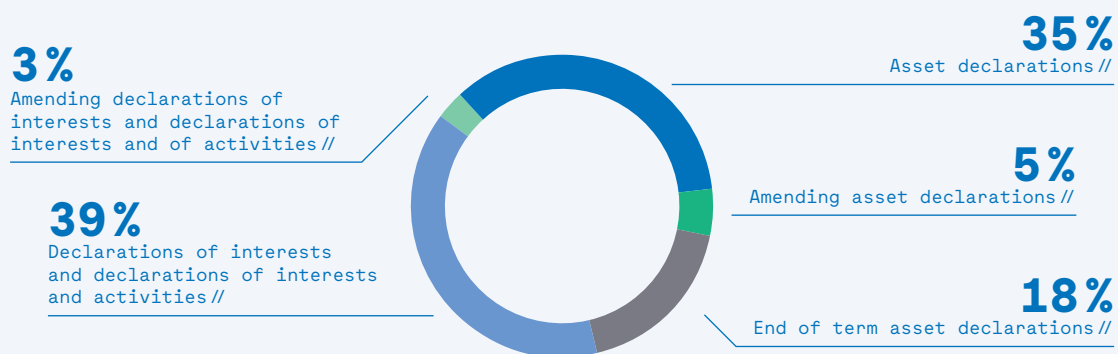
¹_ Estimate, in the absence of implementing legislation of the Act dated 20 April 2016

²_ From 1st July 2015 to 30th June 2016

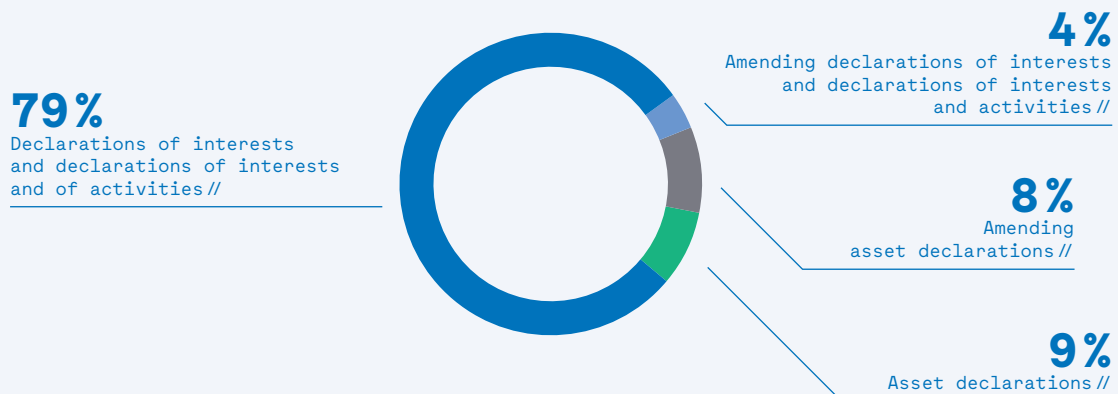
RECEIPT AND PUBLICATION OF DECLARATIONS

- More than **6,000 declarations of interests and of assets** have been sent to the High Authority by public officials falling within the scope of the Acts dated 11 October 2013, the number of which has now risen to 15,000. **The number of declarations published on the hatvp.fr website has increased by around 20%** bringing it to 2,300 at the end of the year. For the first time, the High Authority has published declarations of interests made by département councillors elected in 2015 and by deputy mayors of municipalities with more than 100,000 inhabitants.

Type of declarations received by the High Authority



Type of declarations published by the High Authority



Calendar for publication of declarations for 2016

July 2016	Publication of declarations of interests made by deputy mayors	816 declarations
October 2016	Publication of declarations of interests made by members of département councils	1,180 declarations
December 2016	Publication of asset declarations made by senators of the 2nd series	297 declarations ¹⁸

- The year 2016 was also marked by the **complete dematerialisation of the declaration process**, which requires in particular the same level of precision from all filing parties. Since 15 October 2016, electronic filing is in fact the only way of transferring declarations to the High Authority. Furthermore, it is a necessary prerequisite for the publication in a free and reusable format (open data) of information declared by public officials who are bound by an obligation of disclosure. In 2017, **the High Authority will therefore be able to publish the declarations made by members of Government and members of Parliament appointed and elected in the forthcoming elections in an open format** (in csv and xml formats).

Focus on the guide for filing parties: In order to help filing parties to best satisfy their obligations, the High Authority has placed a "Guide for filing parties" at their disposal. In particular, this guide specifies the registration procedure for the ADEL teleservice, the timeframes in which they must fulfil their obligations, the ethical expertise which the High Authority may provide them with, the content of the columns in the declaration of assets and declaration of interests, the arrangements – where applicable – for publication of these declarations, how to declare an evolution of their assets or interests and how to get help to complete their declarations.

- Making an initial assessment of the arrangements for publication of the various declarations established in 2013, the High Authority has observed that **the specific mechanism for consulting the asset declarations made by members of the National Assembly and senators in prefectures has mixed results**. Having regard to the unique situation and to the prerogatives of members of Parliament, it seems that a convergence of the arrangements for publication of their asset declarations towards those of members of Government may be envisaged.

PROPOSAL
02

Publish the asset declarations made by members of Parliament and French representatives to the European Parliament on the High Authority's website.

Extract from the report



- 22_ Report of the Law Committee of the National Assembly dated 5 June 2013 on transparency in public life.
- 23_ Very rare minor incidents were reported to the Ministry of the Interior by prefectures since 2014.
- 24_ The few prefectures with which the High Authority has interacted have stated that they have only received around ten requests to consult the declarations since 2015.
- 25_ Furthermore, Article LO 135-1 of the Electoral Code also provides for an offence punishable by a €45,000 fine in the event of publication or disclosure, in any way whatsoever, of all or part of asset declarations, observations or assessments.

The unique mechanism for consultation of asset declarations made by members of the National Assembly and senators in prefectures, which was established during the debate by the National Assembly on bills to "reconcile the objective of publicity pursued by bills with the respect of the privacy of filing parties and their relatives",²² seems to have more mixed results.

Although the administrative process for electors to consult declarations by heading to prefectures is generally carried out without issue²³, the number of declarations which are viewed appears to be very low on the whole²⁴ particularly due to the fact that electors cannot view all of the declarations made by members of the National Assembly and senators by heading to the prefecture of their département, this presents a significant restriction to publicity as regards the declarations of the Nation's representatives and of the local authorities of the Republic²⁵.

In addition, Article 1 of the decree dated 28 May 2014 that sets out the procedures for consultation of the information in asset declarations made by members of Parliament, provides particularly restrictive procedures for electors. Thus, the decree provides that "the information contained in asset declarations which are put at the disposal of electors pursuant to Article LO 135-2 of the Electoral Code shall be viewable during the opening hours of the offices on appointment made with the services of the State representative. The consultation of such declarations shall be carried out in the presence of an officer from one of these services."

26_ In recital 44, GRECO "regrets that no measure had been taken by the assemblies to give effect to the recommendation. It recalls the objective of transparency and social control, which has led many foreign legislators to choose to publish asset declarations made by parliamentarians, on their own initiative or in response to recommendations made by GRECO. This is indeed a position which is consistently held by GRECO, which deems that the transparency obligations to which elected officials are subject, due to their public position, must exceed those of ordinary citizens. The auditing of asset declarations as well as the publication of declarations of interests and of activities, although they are indeed necessary, cannot fully compensate for a lack of transparency of asset declarations."

27_ Impact assessment dated 23 April 2013 on bills relating to transparency in public life, points of comparative law.

28_ Constitutional Council 2013-676 DC, cons. 19.

In a report published on 3 June 2016, the Group of States against Corruption (GRECO) of the Council of Europe also provided a critical assessment on this matter in view of the previous recommendations which had been issued to France as regards the fight against corruption. The Council of Europe recalled that its recommendation aiming to *"make the asset declarations made by members of the National Assembly and senators easily accessible to the public as a whole"*²⁶ had not been implemented despite the progress made by legislation in 2013. Indeed, many neighbouring countries arrange a real publication of parliamentarians' asset declarations. This is the case in Germany, Spain, the Netherlands, Switzerland and in Italy²⁷ for example.

Having regards to the unique situation and to the prerogatives of members of Parliament, it seems that the relevance of the system which governs the publicity of this category of declarations could be changed, while the Constitutional Council pointed out that the publicity of declarations is an essential part of preventing conflicts of interest in particular, *"the legislator intended to allow each citizen the opportunity to verify, for itself, the implementation of the guarantees of probity and integrity of such elected officials, of prevention of conflicts of interest and the fight against such conflicts"*²⁸.

AUDITING DECLARATIONS

Three years after the Acts on transparency in public life entered into force, **the knowledge and the adoption of new obligations, which are a result of the acts of 2013, by filing parties now appear to be ensured.** Drawing lessons from the various auditing cycles that it carried out up until then, the High Authority decided to develop certain aspects of its doctrine in 2016, particularly on the valuation of real property, towards more firmness with regards to the breaches observed.

- > The auditing of asset declarations made by members of parliament of the 14th legislature and by senators who were elected in 2011 and 2014 has now been completed. **Less than 3.5% of the thousand declarations audited have been subject to a public observation or to a transferral to the Public Prosecutor's office.** More serious breaches – omitting to declare assets or property held abroad, omissions or substantial undervaluations of assets – which are likely to constitute criminal offences represent only 1% of filing parties audited. The High Authority has referred twelve cases to the Public Prosecution.

Summary of decisions rendered regarding the asset declarations of members of the National Assembly of the 14th legislature and of senators elected in 2011 and 2014

	NUMBER	PERCENTAGE
No action	706	67.4%
Amending declarations	306	29.2%
Public observations	23	2.2%
Public Prosecution	12	1.2%
TOTAL	1,048	100%

Details of the reasons having led to the High Authority referring the matter to the Public Prosecutor's office

REASON	NUMBER
Omission of assets or property held abroad	5
Omission of assets held abroad, undervaluation and omissions	2
Substantial omissions and undervaluation of assets	1
Omission of a substantial part of assets	2
Undervaluation of assets	1
Non-declaration of income	1

- > Upon auditing asset declarations made by parliamentarians at the end of their term of office, **the High Authority observed that the parliamentary expense allowance to cover representation costs (IRFM) must regularly be taken into account in order to explain variations in the assets of filing parties.** The lack of control, of the parliamentary assemblies, over the use which is made of this allowance by their members has indeed led some of them to use such allowances to purchase real property and financial instruments which have increased the value of their assets. In line with the regulations adopted these last years within the assemblies, the use of the IRFM should be made more transparent.



78_ Much as the National Assembly and the Senate ended real-estate loans with preferential rates for parliamentarians a few years ago.

Thus, upon studying variations in the assets of some parliamentarians, many situations have been identified in which the IRFM had contributed towards a significant increase in the filing parties' assets. In addition to cases in which parliamentarians had acquired their office by paying back loans with their IRFM, a practice which is now expressly prohibited by both assemblies⁷⁸, this allowance has at times financed personal real property, been invested in financial instruments (placing the entirety of the IRFM in French unit trusts which remain part of the parliamentarian's assets at the end of his term of office), been used to pay expenses without any relation to the office held, such as personal holidays, or was simply directly transferred into personal accounts, without the ability to determine to what extent such an allowance has contributed to the enrichment of the individual. This situation is all the more problematic as the IRFM is not subject to income tax and it has, as such, allowed parliamentarians to benefit from substantial tax deductions, for example when used to pay contributions to a political party.

PROPOSAL 05

Improve transparency in the use of IRFM



TRANSPARENCY OF THE USE OF ALLOWANCES IN THE UNITED STATES AND IN GREAT BRITAIN

In some foreign Parliaments, a major effort has been undertaken to list the resources necessary to carry out a mandate according to main types of expenses (permanence, travels, communication, entertainment expenses, etc.) in order to fine tune the level of specific allowances and, where necessary, adjust it between parliamentarians.

These expenses covered are then subject to an audit and, above all, are made public at regular intervals.

This audit can be carried out as part of a system of bills of costs with reimbursement upon presentation of receipts, and, where applicable, a form of publicity which would contribute towards easing suspicion. This is the case in Great Britain where an independent agency, the *Independent Parliamentary Standards Authority*, is charged with setting out the list of expenses which may be covered for MPs and with reimbursing these expenses after they have been paid by the persons concerned, upon presentation of receipts. The IPSA then publishes all of the expenses, incurred by each *MP*, and which have been subject to reimbursement, on its website, and lists them by category⁷⁶.

This audit may also be carried out *retrospectively*, based on the model used by the House of Representatives in the United States, where all representatives must send the House's administration a detailed report, every trimester, on the use of their *Members' Representational Allowance (MRA)*, which includes both the IRFM and the appropriation intended for the recruitment of parliamentary staff⁷⁷. This report contains all expenses that the representative incurred during the previous quarter. The House checks that the expenses incurred by the representatives match the authorised categories and publishes all quarterly reports on its website, as it does for the House's other expenses.

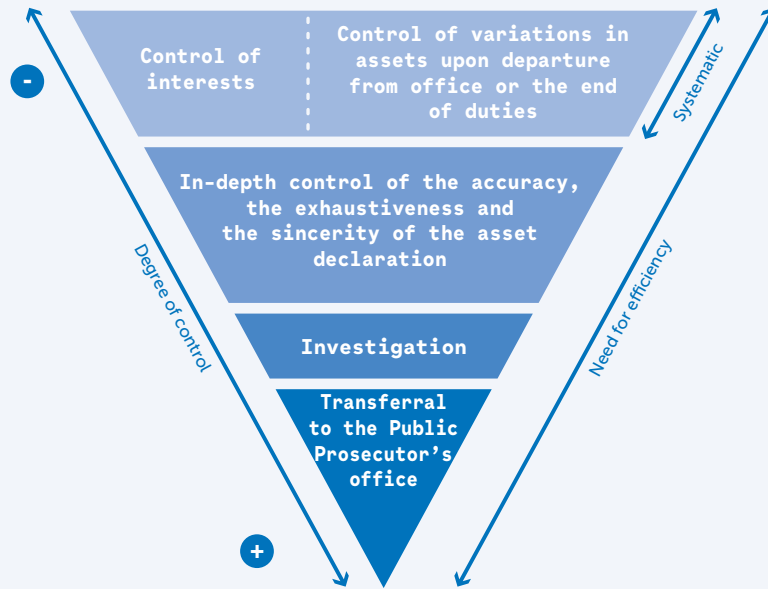
76_ Available here:
<http://bit.ly/2nob0Z5>

77_ The reports are available at:
<http://bit.ly/2nzcvcJ>



Auditing of declarations made by other public officials has increased in 2016. With regards to these declarations, **the High Authority is faced with the need to balance equality of treatment amongst filing parties with the concentration of limited auditing resources on a small number of declarations.** Consequently, the monitoring plan implemented over the course of the year combined systematic audits of declarations of interests where a filing party was taking office and in-depth controls for asset declarations based on predetermined criteria.

Monitoring plan for filing parties under Article 11 adopted by the High Authority's collegial body in 2015 and implemented in 2016



Nearly 650 in-depth controls carried out in 2016 with regards to the filing parties of Article 11

	TOTAL
Requests for opinions on declarations made to the DGFIP	642
Opinions received from the DGFIP on 31 December 2016	519
Requests for information sent to the DGFIP	276
Answers received from the DGFIP on 31 December 2016	172
Information requests sent to filing parties	128
Answers received from filing parties on 31 December 2016	107
Files closed	162

Letters sent after an audit of declarations of interests

FILING PARTIES	NUMBER OF LETTERS SENT
Members of Government	2 ⁹³
Members of the European Parliament	6
Regional elected officers	3
Département elected officers	32
Municipal elected officers and members of Government-funded commercial and industrial institutions (EPCI)	70
Public officials	10
Independent Administrative Authority members	3
Decision-making positions in the public sector	5
TOTAL	131

- The Act dated 9 December 2016 on Transparency, the fight against corruption and modernisation of Economic life (called the Sapin 2 Act) has provided the High Authority with new auditing tools such as the access to the tax administration database. However, **such progress can still continue, by simplifying the process for declaration, improving the effectiveness of audits carried out and reducing timeframes in which declarations are to be published.** This has led the High Authority to make a series of proposals, which, if they are implemented, will perfect the mechanism for declarations of assets and interests created by the legislator in 2013.

PROPOSAL
01

Extend the timeframe during which a filing party is exempt from sending the High Authority a new declaration of assets to one year.



Extract from the report

As the High Authority had recommended in its activity report for 2015, this exemption period could be extended to one year, in order to avoid making multiple declarations within one same year. Thus, individuals elected in the département elections of March 2015, and then in the regional elections of December 2015 were required, as soon as they were granted signing authority within each authority, to send two declarations to the High Authority within the space of a few months, when, in most cases, their assets had not significantly changed.

PROPOSAL
04

Specify, by decree, the list of institutions and public companies which fall under the jurisdiction of the High Authority and, within them, the list of decision-making roles which are subject to the reporting obligations.



Extract from the report

Identifying subsidiaries held by large public companies and government-funded industrial and commercial institutions (EPIC) is particularly delicate given the criteria used (*“more than one half of the share capital is owned, directly or indirectly, separately or jointly”* by public companies or Government-funded EPIC).

Implementation of this criteria is extremely complex to the extent that it implies adding up, for each subsidiary, all shares held directly or indirectly by a public company or an EPIC, in order to verify if more than one half of the share capital of the body in question is indeed made up of public capital.

Furthermore, the decision-making roles for which the holders are subject to reporting obligations depend on the type of organisation of the companies in question and do not always correspond to the title of *“president and general director”* given by the Act dated 11 October 2013. This is notably the case for companies with a supervisory and management board or for limited liability companies.

Allow the High Authority to receive direct disclosure, from professionals and administrations, of information necessary for the performance of its auditing mission.

“

Extract from the report

However, some coordination difficulties remain between the High Authority and the DGFIP and sometimes result in parallel audits. Currently, the High Authority must still request that the tax administration exercise, on its behalf, the right to disclosure which it holds pursuant to the Book of Tax Procedures.

Providing the High Authority with its own right to disclosure would solve this issue. Therefore, similarly to the tax administration, it could gain direct disclosure of the documents which are necessary for it to carry out its auditing mission, such as articles of association, notarized acts, extracts of cadastral entry or the ability to consult bank account balances. This right to disclosure would be exercised under the authority of the administrative judge, under the same terms as the requests made by the tax administration pursuant to Articles L. 81 and seq. of the Book of Tax Procedures.

This development would be a sign of efficiency and would significantly reduce auditing timeframes. The allocation of its own right of disclosure would also be likely to limit the redundancy of financial and tax procedures, which sometimes baffle filing parties when they are confronted with successive requests regarding similar information.

MONITORING ETHICS

In 2016, the High Authority also consolidated the role that it plays in the prevention of ethical risks and the dissemination of a culture of integrity. **The ever-growing demands made by public institutions who wish to set up ethics mechanisms attest to the increasing importance of its advisory role** and of the recognition the institution now has.

Opinions delivered under Article 20

	2014	2015	2016
NUMBER OF OPINIONS			
Number of requests received	8	15	22
BREAKDOWN BASED ON TYPE OF REQUEST			
Requests made on an individual basis	5	11	15
Requests made on behalf of an institution	2	3	4
Requests made on behalf of a third party	1	1	3

Opinions delivered by the High Authority on the compatibility of former local or national executive duties and the performance of a private activity between 2014 and 2016

	2014	2015	2016
Lack of jurisdiction	0	3	1
Opinion of compatibility	0	0	0
Opinion of compatibility with reservations	1	5	10
Opinion of incompatibility	0	0	0
TOTAL	1	8	11

- ⊙ These requests for opinion being likely to increase, the High Authority's action could be standardised through the creation of common standards which the various institutions would be obliged to adhere to, and which could be the foundation for a certification of the relevant mechanisms.

PROPOSAL 08

Plan for a procedure by which the High Authority would certify ethics mechanisms implemented within public institutions.

- But this year was also marked by the adoption of various texts by which the legislator confirmed its desire to complete the framework established by the Acts on transparency in public life. To that end, multiple acts have defined common principles of ethical conduct which apply to various categories of public officials – whether elected or not – and have unified the rules which are based on these principles, whilst respecting the specificities which are unique to each category of actors. This task of unification and clarification could however be completed by the implementation of two additional proposals made by the High Authority in its activity report:

PROPOSAL
03

Make the regulations that apply to the different categories of policy-makers' staff clearer (ministerial cabinet officers and members of staff of local elected officials)

47_ It must therefore be noted that in 2015, 16 "unofficial" public officials had sent declarations to the High Authority, and another 16 did so in 2016.

48_ Act no. 84-53 dated 26 January 1984 on statutory provisions relating to the territorial civil service.

49_ Decree no. 87-1004 dated 16 December 1987 on the members of staff of public offices of local and regional authorities. These regulatory provisions therefore place a limit on the number of staff members allowed for each type of authority depending on the number of inhabitants, specify the various components and the maximum amount of their remuneration of which the total amount must be decided by the decision-making body, and specify that these duties are incompatible with any other permanent employment within an authority or a government-funded institution attached to it.

50_ In this regard, Article 110 of the aforementioned Act dated 26 January 1984 merely reiterates that local and regional authorities are free to recruit their staff members and that, where such staff members are not civil servants, the appointment to this position does not entitle them to be established in the grade of the territorial civil service.

51_ Article 5 of the abovementioned Decree dated 16 December 1987.



Extract from the report

The High Authority having no means to gain knowledge of who these unofficial officers are, nor the date of their appointment nor of the end of their duties, which are essential elements for the activation of reporting obligations. In view of these observations, and under these circumstances, the High Authority is forced to limit its audits to only those members of staff who are appointed by a decree published in the *Journal Officiel (Official Journal)*⁴⁷.

The inadequacy and circumvention of the provisions of the decree of 1948 lead to uncertainty as regards the obligations of the members of staff concerned. The High Authority therefore calls for a more general discussion to be carried out on the legal framework applicable to these ministerial officers.

In addition to ministerial cabinet officers, identification difficulties are also faced by the High Authority for other categories of policy-makers' staff. It is the case for the staff of local elected officials, who are now partially subject to the reporting obligations provided for by the Acts on transparency in public life. The texts that govern their activity, namely the Act dated 26 January 1984⁴⁸ on the status of the territorial civil service and its implementation decree⁴⁹, include very few provisions regarding the conditions and arrangements for their appointment⁵⁰. As regards their appointment, the decree provides only that the decision made by the local authority must specify the duties performed by the person concerned and the amount of his/her remuneration as well as the information which is used to render such decision⁵¹ without the format and the arrangements for said decision being specifically determined.

This lack of precision in the texts presents serious difficulties for the High Authority. Indeed, though point 8) of Article 11 of the Act dated 11 October 2013 provides that the decisions of appointment of these persons must be sent to the High Authority, only part of these appointments give rise, in practice, to the issuance of a decision by the president of the executive branch. The High Authority has thus received decisions of appointment but also decisions of secondment of local authority officials to positions in executive cabinet, employment contracts signed with contract civil servants or even mere e-mails confirming the appointment of a person in a local executive cabinet. In addition, the categories of "Directors, deputy-directors and heads of office", provided for by the Act dated 11 October 2013 do not necessarily match the titles given to the persons concerned, and what is more, they do not match the reality of each local and regional authority, particularly when such authority only contains one or two staff members.

This lack of unification of arrangements for appointment for local staff members is a real obstacle to the application of the Act and, moreover, causes great uncertainty as regards the main people involved: often no specific legal act provides proof of their effective appointment, even though such an act is the very starting point of a legal obligation, the ignorance of which is subject to criminal penalties.

Extend the obligation to establish a declaration of interests prior to appointment to offices under Government decision and to offices which are filled pursuant to the fifth subparagraph of Article 13 of the Constitution.

Extract from the report

“

Furthermore, it is surprising that only public officials who are subject to the new obligations provided for by the Act dated 20 April 2016 must send a declaration of interests to the appointing authority before taking office, as the Act dated 11 October 2013 does not provide this obligation for persons holding an office under government decision, who send their declarations of interests within two months of their appointment. This difference between different public officials for whom the ethical risks seem nevertheless comparable, could be corrected by extending the procedure for prior declaration of interests to offices under Government decision and to the members of public bodies referred to in point 6) of paragraph I of Article 11 of the aforementioned Act dated 11 October 2013. In this scenario, any person whose appointment to an office under Government decision is being considered by the Council of Ministers would need to send the competent Minister a declaration of interests before his/her appointment in order to ensure that he/she does not hold any interests which might prevent such an appointment. This declaration would be transferred to the High Authority upon appointment of said person.

This procedure could also be transposed, *mutatis mutandis*, to offices which are filled pursuant to the fifth subparagraph of Article 13 of the Constitution. For the latter, a declaration of interests could thus be transferred to the competent parliamentary committees prior to the hearing of the candidate.

THE CHALLENGES OF 2017

The High Authority will begin a new phase in its functioning in 2017. The substantial increase in the number of public officials subject to reporting obligations has indeed come at a time where major elections will have an impact on its activity. Within five months, from April to September 2017, the presidential elections, the legislative elections – on the basis of which a new Government will be formed – and the senatorial elections will indeed lead to the transferral of over 7,000 declarations.

Number of declarations received or expected by the High Authority

	2016	2017*	2018*
Number of declarations received or expected	6,006	~ 7,100	~ 1,700
of which asset declarations	3,481	~ 5,000	~ 900

*estimates

- Despite the new resources at its disposal, **the High Authority highlights the fact that it will not be able to adhere to the deadlines for publication of these declarations, such as they are fixed by law**, given the unchangeable timeframes which are inherent to the auditing of an asset declaration: two and a half months for a simple file (i.e. one disclosure request and one exchange with the filing party) and at least six months for a complex file (i.e. multiple requests to the DGFIP and multiple exchanges with the filing party) as from receipt of the Tax administration notice. An adjustment of these legal timeframes will therefore be necessary in the next legislative developments.

Legal calendar for publication of declarations

TYPE OF DECLARATION	SUBMISSION DEADLINE	RECEIPT OF THE LAST OPINION OF THE DGFIP	DEADLINE FOR PUBLICATION	WITHDRAWAL OF DECLARATIONS
Outgoing members of the National Assembly	20 December 2016	20 January 2017	20 April 2017	20 December 2017
Outgoing senators	1 April 2017	1 May 2017	1 August 2017	1 April 2018
Outgoing Government	10 July 2017 ¹³⁷	10 August 2017	10 November 2017	10 November 2017
Incoming Government	15 July 2017 ¹³⁸	15 August 2017	15 November 2017	-
Incoming members of the National Assembly	20 August 2017	20 September 2017	20 December 2017	20 June 2022
Incoming Senators	1 December 2017	1 January 2017	1 April 2018	1 October 2023

PROPOSAL 09

Bring the date for the submission of declarations by parliamentarians at the end of their term of office forward and extend the timeframes set by the Act for the High Authority to audit asset declarations which must be made public.

- In a context of strong mobilisation of its resources, the High Authority is at long last called upon to carry out an unprecedented task. The legislator has indeed entrusted it with the creation and the implementation of a digital register which would ensure that citizens are informed of the relations between interest representatives and the Government. **The short deadlines set out by the Act in which the register is to be rolled out, as well as the unparalleled magnitude of its scope, present major challenges for the High Authority in 2017.**

Entry into force of the provisions of the Sapin 2 Act on the transparency of relations between interest representatives and the Government

EFFECTIVE DATE	1 JULY 2017	1 JANUARY 2018	1 JULY 2018
Provisions	Obligation of declaration within the register of interest representatives and ethical obligations <i>IV-1) Art. 25 of the Act dated 9 December 2016</i>	Procedures for providing formal notice and system of sanctions in the event of failure to comply with reporting and ethical obligations <i>IV-2) a) Art. 25 of the Act dated 9 December 2016</i>	Obligation to declare interest representatives who enter into contact with local public services and senior officials on the register. <i>IV-2) b) Art. 25 of the Act dated 9 December 2016</i>

LIST OF PROPOSALS

- PROPOSAL 01** | Extend the period in which a filing party is exempt from sending the High Authority a new declaration of assets to one year.
- PROPOSAL 02** | Publish the declarations of assets made by members of Parliament and French representatives to the European Parliament on the High Authority's website.
- PROPOSAL 03** | Make the regulations applicable to different categories of policy-makers' members of staff clearer (officers in ministerial cabinets and members of staff of local elected officials)
- PROPOSAL 04** | Specify, by way of decree, the list of government-funded institutions and companies which fall under the authority of the High Authority and, within them, the list of decision-making offices concerned by reporting obligations.
- PROPOSAL 05** | Improve transparency in the use of the IRFM
- PROPOSAL 06** | Allow the High Authority to obtain disclosure, from professionals and administrations directly, of information necessary for the performance of its auditing mission.
- PROPOSAL 07** | Extend the obligation to establish a declaration of interests prior to appointment to offices under government decision and offices which are taken pursuant to the fifth paragraph of Article 13 of the Constitution.
- PROPOSAL 08** | Plan for a procedure of certification, by the High Authority, of ethics mechanisms which are implemented in government-funded institutions.
- PROPOSAL 09** | Bring the date for the submission of declarations by parliamentarians at the end of their term of office forward and extend the statutory timeframes for the High Authority to audit asset declarations which must be made public.