



EUROPEAN MEDICINES AGENCY
SCIENCE MEDICINES HEALTH

2nd May 2024
EMA/165849/2024
Administration and Corporate Management Division

Outcome of the assessment of declared occupational activities after leaving the service

Stefano Marino

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 Mr Stefano Marino 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 work as Senior Consultant at DLA Piper UK LLP, a global law firm, starting on 1 October 2024;

WHEREAS Mr Stefano Marino submitted an updated form for authorisation to be engaged in occupational activities after leaving the service, the content of which did not change the initial assessment.

The Authority Authorised to Conclude Contracts (AACC), having considered the opinion by the Joint Committee:

1. Held that Mr Stefano Marino has provided full and complete information for the purpose of Article 16 of the SR;
2. Held that the activities declared by Mr Stefano Marino in the application for authorisation were in conflict with the interest of the service and were therefore authorised with conditions;
3. Held that during a period of twenty-four months to be counted as of the date he leaves the service, Mr Stefano Marino should refrain from individually liaising with any member of staff of the European Medicines Agency with regard to any legal case involving or connected to the Agency in

Official address Domenico Scarlattilaan 6 • 1083 HS Amsterdam • The Netherlands

Address for visits and deliveries Refer to www.ema.europa.eu/how-to-find-us

Send us a question Go to www.ema.europa.eu/contact **Telephone** +31 (0)88 781 6000

An agency of the European Union



which he was previously involved directly or indirectly. The distance clause is without prejudice to the possibility of Mr Stefano Marino to liaise or attend meetings through the standard channels available to all members of the public, including standard procedural services and meetings offered by the Agency to the different stakeholders;

4. Held that, to further mitigate the risk, for a period of twenty-four months to be counted as of the date he leaves the service, Mr Stefano Marino should be prohibited from establishing professional contacts with Agency staff by official or unofficial channels;
5. Held that his authorising officer activities as regards the legal services contract with DLA Pieper UK LLP should be immediately terminated and transferred as of the date of the AACC decision of 9 January 2024;
6. Held that Mr Stefano Marino be removed immediately from direct contacts with DLA Piper as of the date of the AACC decision of 9 January 2024;
7. Held that Mr Stefano Marino, in the course of his professional activities, may not engage in any activity, whether gainful or not, which concerns any legal case involving or connected to the Agency in which he was previously involved directly or indirectly as former Head of the Legal Department. This restriction shall apply indefinitely¹;
8. Reminded Mr Stefano Marino 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 Mr Stefano Marino's own and not linked to his former employment at EMA;
9. Reminded Mr Stefano Marino of his lifelong duty of confidentiality and of the obligation to immediately inform the Agency of any change affecting his occupational activities, as this will be subject to additional prior authorisation if it occurs within the two-year period of time after leaving the service;
10. Reminded Mr Stefano Marino that the Agency will publish annually a report on its activities related to Article 16, including a list of the cases assessed;
11. Reminded Mr Stefano Marino 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;
12. Reminded Mr Stefano Marino that in line with the Agency's decision on transparency measures for senior staff leaving the Agency of 12 November 2020, a specific register is published on its corporate website including the name of the future employer and the restrictions applied. The Agency will also contact, where relevant, the new employer and/or EU bodies in order to inform them of the restrictions imposed.

¹ In line with professional ethics applied at the level of Bar Associations throughout Europe, the former staff member in his new capacity should permanently not represent/assist a third party in any case against the EMA lodged with the European Court of Justice, national or international course which he has dealt with while in service at the Agency.