



欧盟中国商会
CHINA CHAMBER OF COMMERCE TO THE EU



Code of Conduct

China Chamber of Commerce to the EU

*A responsible bridge-builder for increased
Sino-European economic interaction*

Code of Conduct of the CCCEU

Introduction

The China Chamber of Commerce to the EU (hereinafter, “CCCEU” or “the Chamber”) is a non-profit organization set up by Bank of China (Luxembourg), China Three Gorges (Europe) and COSCO SHIPPING (Europe) in August 2018. It represents Chinese businesses in the European Union and chambers in member states to be a bridge-builder and reflect their opinions, suggestions and concerns to related European institutions or member states; and it explores ways to enhance the image of Chinese businesses in the multi-cultural continent: we contribute to common prosperity with European partners while respecting the diversity in the EU.

1. General Principles

This Code of Conduct shall apply to the staff of the CCCEU when they work within the CCCEU or work together with various stakeholders, and to anyone maintaining a direct professional relationship with the CCCEU for which the Chamber can be held accountable.

This Code of Conduct shall serve as a guidance tool for staff, consultants, and interns of the CCCEU. This Code of Conduct forms an integral part of the CCCEU’s internal rules and regulations, and breaches of its provisions will entail penalties as noted in this Code of Conduct.

In the conduct of its activities, the CCCEU upholds the principles of responsibility, integrity, and accountability. It does so by promoting trust, open communication and collaboration between its members and relevant stakeholders.

With this in mind, CCCEU employees shall maintain the highest standards of conduct and act with integrity and dignity when interacting with colleagues, partners, the public and the like. They shall conduct professional activities in a respectable manner, which positively reflects the reputation and work of the Chamber while supporting and promoting its goals and mission.

Each employee must help respect commitments made to the CCCEU’s partners, such as customers, suppliers, and public authorities, and must demonstrate objectivity and fairness in their treatment.

2. Staff Professional Responsibilities

A. Working hours

(1) All employees should follow current rules for hours of work, be punctual in the morning and not leave the office earlier than the scheduled time. In the event that an employee encounters an emergency or a personal matter and needs to leave the office, he/she must notify the Secretary General of the Chamber in advance or, if impossible, as soon as possible.

(2) Every employee should be disciplined in the use of the mid-day lunch break which should not exceed the time fixed by our internal regulations.

(3) Hard work and time discipline should be the basic professional traits of the Chamber's employees. An employee who arrives late or leaves early without permission will be subject to disciplinary action, which may include termination of the work contract.

B. Work Discipline

(1) All employees must perform their work functions in accordance with the Chamber's policy and regulations, and in hierarchical order.

(2) With regard to the Chamber's e-mail and Office's Wi-Fi Internet:

(i) Employees must apply the same standards with respect to the content and quality of information sent or made available electronically that they apply to materials sent or made available by any other means of communication. They should be aware that communications can be retained in the system, and even if no longer retained on the employee's machine, they may be retained by recipients or forwarded to others.

(ii) It is forbidden to access the internet for issues which do not concern work.

However, the Chamber recognizes that employees may need access to email and the internet for personal use. This should be very occasional in nature and limited to outside of work hours and should in any case not impact on employees' ability to meet their work commitments. Employees should use this privileged access with discretion and refrain from any inappropriate use.

(3) Inappropriate uses of Chamber's e-mail and Wi-Fi Internet:

Whilst it is not possible to list all the inappropriate uses of e-mail and internet systems, examples of abuse of the systems include:

- Accessing or disseminating pornographic material;
- The sending of abusive, obscene, discriminatory or defamatory communications;
- The circulation of malicious gossip or rumours;
- The use of external chat lines;
- The use of the system for gossip or social networking.

All the activities listed above represent examples of unacceptable use of e-mail and internet systems. Employees who are found to have used the Chamber's e-mail and Wi-Fi for these purposes will be subject to disciplinary action, which may include termination of the work contract.

(4) It is forbidden to read/look at books, newspapers, magazines, etc. which have no bearing on work during work hours.

(5) During work hours, an employee must dress appropriately. The clothing must be neat and proper. Employees are responsible for their own clothing.

(6) An employee must ask for prior authorisation before working simultaneously at another organization, and also before owning or having partnership in a commercial or business enterprise.

(7) Office telephone:

(i) Employees are not allowed to make personal telephone calls in the office. Should there be a need to make an urgent personal telephone call, permission must be granted by the Secretary General.

(ii) During office hours, the employee should not receive personal calls. If this happens, then he/she must keep the call as short as possible.

(iii) If the outgoing/incoming personal calls of an employee are frequent or long, the employee will be given a written warning. If the above-mentioned incident happens again, then there will be a second

written warning. Upon the issue of a third written warning, the employee's work contract may be terminated by the Chamber.

C. Confidentiality and disclosure of information

In accordance with the law of July 3, 1978 relating to employment contract, CCCEU staff and other employees have to obligation to refrain, both during the contract and after its termination, from illegally obtaining, using or disclosing, within the meaning of article XI.332/4 of the Code of economic law, a trade secret within the meaning of article I.17/1,1° of the same Code, of which he/she may have become aware in the course of his professional activity, as well as to disclose the secrecy of any personal or confidential matter of which he/she may become aware in the course of his/her professional activity

Employees must protect and keep confidential any strategic, financial, technical or commercial data or documents that are not public and whose disclosure to third parties could be harmful to the interests of the Chamber.

All the above information shall be kept confidential and not disclosed to third parties during employment and following termination thereof, unless such disclosure is in the interest of the CCCEU and with prior written approval of the Secretary General.

(1) The operations of the Chamber involve almost all employees receiving or having access to or knowledge of the Chamber's commercially sensitive information. It is the responsibility and obligation of all employees to maintain the highest professional standards to ensure that this information is properly and professionally handled to protect the Chamber's interests and to ensure compliance with regulatory and legal requirements in Belgium.

(2) In addition to and without altering the legal obligations the employees already have to keep information secret, all employees must promise not to make use of, disclose or communicate any information that is confidential or belongs to the Chamber either during the course of the employment or after it has ended (except for the purpose of properly performing the duties for the Chamber or unless required to do so by law or any regulatory or investigative authority).

(3) Employees should assume that all information which they come across while performing their duties, that are not already public knowledge, is confidential. However, information that consists of general knowhow or is a matter of employees' own skills or general or commercial knowledge is not confidential.

(4) Employees should note that violation of points (1), (2) and (3) may constitute breach of the CCCEU's policy, which will be subject to disciplinary action and may include termination of the work contract.

(5) All trade secrets, intellectual property rights, inventions, writings and other confidential information developed or created by or with employees' assistance during employment in the context of the Chamber's business or related activities are the properties of the Chamber.

(6) Employees receiving or having access to or knowledge of human resources information should treat such information as confidential. Human resources information means information relating to the employment status of employees within the Chamber, or ex or future employees, and may include details relating to their salaries, performance, position or other employment data. In addition, employees should not misuse human resources information which includes the use of such information, whether directly or indirectly, to gain personal advantage or to profit.

Any deviation from obligations so described may be subject to disciplinary action which may include termination of employment.

D. Laws and Regulations

The CCCEU upholds the highest standards in the manner it runs its activities. CCCEU staff members and other employees should comply with all the laws and regulations applicable to them directly and the Chamber, both in view of potential civil penalties and criminal charges.

In their professional activities, CCCEU staff must demonstrate integrity and abide in full by applicable laws and regulations under all circumstances. When travelling abroad on business trips, staff members and other employees should respect local laws and regulations.

3. Equality Policy

(1) With regards to mutual respect in the workplace:

- The CCCEU is committed to equal treatment and non-discrimination in accordance with the Belgian legislation in force and as stated in the Work Regulations in force.
- The CCCEU expects its employees to value and respect their colleagues. The Chamber does not accept behaviour which deviates from the principle of mutual respect in the workplace.
- Unacceptable behaviour is any action that creates an unwelcoming, intimidating, harassing, discriminating or hostile work environment. CCCEU employees are encouraged to report to their superior or the Secretary General any inappropriate behaviour experienced or witnessed.

(2) The Chamber is committed to ensuring that discrimination, harassment and victimization on grounds of disability, gender, sexual orientation, marital status, race, colour, age, religion or belief, national or ethnic origin, or similar are prevented and dealt with, and that any complaints are quickly resolved, in accordance with internal regulations, local laws and regulations. Situations where discrimination, harassment and victimization can occur are when an employee for example:

- Receives less favourable treatment;
- Is placed at a disadvantage, when compared to others, by a condition or practice;
- Is subjected to harassment *i.e.* unwanted conduct, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment; or
- Is subject to any form of victimization as a result of having made or intending to make a complaint or allegation, or to give evidence in relation to a complaint, of discrimination on one or more of the grounds mentioned above.

(3) The Chamber is committed to eliminating discrimination in the workplace and to providing equal opportunities to prospective, current and former employees. It is the policy of the Chamber to ensure that access to employment, training and career progression is determined solely by the application of objective, legitimate and proportionate criteria and individual merit.

4. Harassment

The Chamber is committed to eliminating all forms of harassment, bullying and victimization at work whether by an employee, customer or others.

(1) Harassment can take many forms. It includes behaviour that is offensive, frightening or in any way distressing. It can range from extreme forms such as violence and bullying to less obvious actions such as

ignoring someone at work or commenting on someone's physical appearance. Acts that may constitute harassment will be considered serious disciplinary matters.

(2) Harassment can take the form of physical, verbal or non-verbal conduct (*e.g.* by electronic means) or behaviour. For guidance, other examples where harassment may occur include, but are not limited to: unwanted physical contact; insulting or abusive behaviour or gestures; offensive language; discussing an individual's sexual orientation; and, abusive or offensive gestures or messages sent via email or chat.

(3) Acts that may constitute harassment will be considered serious disciplinary matters and may lead to dismissal for gross misconduct.

(4) Responsibilities of Employees:

It is the responsibility of each employee to respect the dignity of all other employees that he/she comes into contact in the course of his/her employment, to report to the Secretary General any possible issue of discrimination, harassment or victimization, whether he/she is individually involved or a witness or aware of the issue through others, and assist with any investigation into any complaint made in relation to any issue related to harassment.

(5) Complaint of harassment:

Any complaint of harassment will be taken extremely seriously and will be dealt with immediately.

If an employee believes that he/she has been harassed by another employee, client or any other individual connected with his/her employment with the Chamber, he/she may request help from his/her colleague or the Secretary General.

5. Security at Work and Professional Hygiene

A. Security Protection

(1) For security reasons, offices should only be accessible to our employees. It is the duty of employees to ensure that security doors are closed properly after entry.

(2) All visitors should always be accompanied by employees of the Chamber who receive these visitors.

B. Safety and health in the workplace

It is the duty of every employee to keep the office building clean and tidy. Smoking in the offices is prohibited in order to ensure a healthy, clean and agreeable work environment.

The CCCEU makes sure that its employees work under safe and healthy conditions. Its safety policies extend to all employees, subcontractors, and service providers.

Employees must exercise professional diligence while abiding by safety, hygiene, and health rules applicable in the workplace, and they shall participate in appropriate training sessions as needed.

C. Respect for the environment and use of resources

The CCCEU respects the environment and the preservation of natural resources in its operations. It is up to each employee, to the extent of their capacities, to contribute to these efforts and commitments by respecting relevant norms and regulations on environmental protection.

In their daily work, every CCCEU employee shall make prudent use of office resources and materials, while paying particular attention to water and energy conservation.

D. Protection of property and resources

CCCEU employees are responsible for the proper use and protection of the Chamber's property and resources, and are expected to exercise due care and diligence in their use.

Resources and property must be used in accordance with and only for authorized purposes. They may not be used for personal ends except if explicit authorization has been granted by the Secretary General. Unauthorized removal of CCCEU property from the premises is forbidden.

It is the responsibility of each employee to protect the property and resources of the Chamber against any damage, inappropriate alteration, fraud, loss or theft. In the event of any damage to or loss of CCCEU property, staff and other employees should notify their supervisor.

E. Security Tools and Items

(1) Every employee is given a security card and office door key. Those must be kept in each individual's safe custody. An employee should not borrow or lend his/her security card or office key to another person. Loss of this card/key must be promptly reported to the Secretary General for further action. This card and key must be returned to the Chamber upon the departure of an employee.

(2) Fire extinguishers are provided on every floor of our office building. Employees should familiarise themselves with the written instructions on the fire extinguishers so as to be prepared in the event of fire.

(3) The safety and health conditions of the work environment need the combined efforts and co-operation of both the Chamber and the employees.

6. Behaviour of Employees of the Chamber

A. Contacts with the media

Staff and other employees require prior approval of the Secretary General before having contacts with the media on behalf of the CCCEU, and notify the Secretary General before commenting on the CCCEU or its work or, if impossible, as soon as possible.

B. Extra-work activities

Political and volunteer activities are permitted in the personal capacity of staff and other employees if these activities do not conflict with their ability to fulfil their responsibilities and obligations vis-à-vis the CCCEU.

Utmost care should be taken by staff and other employees to convey a clear message of their purely personal capacity when engaging in political activities. No such activities may be conducted during business hours, and no CCCEU resources must be utilized for such purposes.

C. Conflict of interest

Each employee must commit to avoiding any situation that involves a conflict between their personal interests and those of the CCCEU. The interests of the CCCEU take precedence over the interests of other employers or third parties, in accordance with the Belgian legislation in force.

CCCEU staff and employees have a full-time responsibility to the Chamber. Any employee who could potentially be in a conflict of interest is encouraged to inform his or her immediate supervisor of the situation.

D. Personal relationships at workplace

Staff and other employees have the faculty to inform the Secretary General of their personal relationships at the workplace, be it ongoing or previous.

In case of such present or past relationships, they must play no role in respective performance evaluations. Utmost care must be taken by the staff members involved to avoid actual or perceived conflicts of interest, as well as gaining undue advantage and access to information through personal relationships.

E. Gifts and personal advantages

CCCEU staff and other employees are forbidden to accept from customers, counterparties or other co-operating entities, or from any other persons with whom the contact was made through work, gifts of significant, non-token value. Staff and other employees can only accept token-value souvenirs or advertising/information materials. If it is impossible to refuse gifts of significant, non-token value, the CCCEU staff and other employees must ask written directives from the Secretary General of the Chamber.

It is forbidden to take advantage of one's position, or information acquired in connection with employment by the CCCEU, to obtain one's own economic benefit or advantage, and to take action which could give rise to suspicions of partiality or self-interest.

F. Prohibited practices

The following practices are strictly prohibited:

- (1) Corrupt practice: the offering, giving, receiving, or soliciting, directly or indirectly, anything of value to improperly influence the actions of another party.
- (2) Fraudulent practice: any act or omission, including misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation.
- (3) Coercive practice: impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to improperly influence the actions of a party.
- (4) Collusive practice: an arrangement between two or more parties designed to achieve an improper purpose, including improperly influencing the actions of another party.
- (5) Obstructive practice: deliberately destroying, falsifying, altering or concealing evidence material of an investigation or making false statements to investigators in order to materially impede an investigation into allegations of a corrupt, fraudulent, coercive or collusive practice; and/or threatening, harassing or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation.

7. Behaviours of Board Members, Chairperson and vice-Chairpersons and those heading sub working committees

(1) In addition to other qualification requirements as set out in the Articles of Associations and by-laws of the Chamber, Board Members, Chairperson and vice-Chairpersons and those heading sub working committees shall be individuals in good standing, dedicated to the promotion and protection of Chinese businesses in EU.

(2) Board Members, Chairperson and vice-Chairpersons and those heading sub working committees shall ensure the level of commitment to the CCCEU necessary to perform their duties and to ensure continuity and consistency in the activities of their respective Board or Industrial Committee.

(3) Any Board Member, Chairperson and vice-Chairpersons and those heading sub working committees who has failed to attend three consecutive relevant meetings shall be deemed to have resigned unless the absence has been justified and subsequently ratified by the Board or local Board by majority vote.

(4) Board Members, Chairperson and vice-Chairpersons and those heading sub working committees shall not make use of their position to unduly favour the Member they represent in a manner detrimental to other Members' interests.

(5) When performing their duties on behalf of the Chamber, Board Members, Chairperson and vice-Chairpersons and those heading sub working committees shall not use any improper or illegal means to establish and maintain relationships with any aforementioned key stakeholders in section 6.

(6) When acting in their capacity as representatives of the Chamber, Board Members, Chairperson and vice-Chairpersons and those heading sub working committees are required to coordinate their liaison activities with EU government authorities at all levels with the Chamber Secretariat. In principle, all contacts with government authorities related to the Chamber activities shall be made through the Secretariat with the dedicated staff of the Chamber.

(7) Board Members, Chairperson and vice-Chairpersons and those heading sub working committees are required to channel any media statements or press releases related to Chamber's activities through the Chamber Secretariat or dedicated staff. Any comment related to the Chamber activities made by Board Members, Chairperson and vice-Chairpersons and those heading sub working committees in public shall, to the maximum extent possible, be respectful of the Chamber as a whole.

8. Reporting Mechanism

(1) In the event a staff member, other employee or any third party becomes aware of fraud, corruption, collusion, coercion, misuse of CCCEU funds, or any other type of misconduct including breaches of the aforementioned conflict of interest clauses, s/he must bring it to the attention of the Secretary General.

(2) If a staff member, other employee or any third party considers that an allegation of fraud, corruption, collusion, coercion, misuse of CCCEU funds, or any other type of misconduct, including breaches of the aforementioned conflict of interest clauses, that s/he has brought to the attention of the Secretary General has not been properly addressed, he or she should bring the matter to the attention of the Board via its Chairperson.

(3) Such disclosure will not result in any form of retaliation or prejudice against the reporting staff member, other employee or any third party. The CCCEU will treat such retaliation as an act of misconduct.

(4) Staff members, other employees and third parties must not bring charges that are frivolous or malicious.

9. Investigation Mechanism

At the CCCEU Board's decision, an ad hoc Panel will be established to deal with allegations of fraud, corruption, collusion, coercion, misuse of CCCEU funds, or any other type of misconduct, brought forth by staff members, other employees or any third parties. The composition of the panel will be decided by the Secretary General, who will normally chair its meetings.

The Panel's membership should be set in a way to allow for fast and efficient work, with the composition of no more than 5 members. Its members should be impartial and will be bound by strictest confidentiality rules regarding the origin and nature of the complaint, identities of the parties concerned, and the course of the investigation. The latter must be objective, equitable, thorough and rigorous.

The Panel takes decisions through a majority vote; in the case of an equal distribution of the votes, the Chair holds the casting vote. The Panel decisions will be reported immediately to the Board Committee of the Chamber for final decisions to be made.

All and any documents and information requested by the panel must be provided immediately as per the prohibition of obstructive practices.

Staff or other employees will not, under any circumstances, suffer discrimination or retaliation as a result of information provided during the course of the investigation.

10. Zero-tolerance Policy

The CCCEU will apply a zero-tolerance policy wherever the investigation process determines that its staff or other employees have engaged in corrupt, fraudulent, collusive, coercive or obstructive practices, or have breached other provisions of this Code of Conduct. A range of disciplinary measures and sanctions will be enforced, including termination of the work contract, in accordance with the work regulations, contractual provisions and national legislation in force. Where warranted, such cases will be referred to relevant national authorities.

Individuals subject to termination of employment and civil-law contracts for having engaged in corrupt, fraudulent, collusive, coercive or obstructive practices shall not be eligible for future contracting by the CCCEU in any capacity.

If corrupt, fraudulent, collusive, coercive or obstructive practices concern persons employed by another entity, the CCCEU will inform that entity forthwith, without prejudice to the right to inform any competent authority.

The Panel's decisions on sanctions can be appealed before the CCCEU Board within 7 days of the final decision. The subsequent Board decision will exhaust the internal procedure.



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