

Clarification

MARKT/2011/071/E

Study evaluating the legal framework for the free movement of lawyers against market and regulatory developments in the single market

18/08/2011

Question

Can we include a member of the training committee of the CCBE (Council of Bars and Law Societies of Europe) within our team or would this be considered to cause a conflict of interest?

Answer

Article 12.2(a) of the technical specifications for the tender states that contracts may not be awarded to candidates or tenderers who, during the procurement procedure, are subject to a conflict of interest. This applies both to the contracting party and to individual members of the team preparing the study. Each potential contractor must make an assessment regarding the risk of a conflict of interest. In cases where there is a possibility of a conflict of interest with respect to any member of the team, safeguards would need to be put into place to guarantee impartiality and potential contractors should clearly indicate in their offers how the risk of a conflict of interest would be mitigated, notably with reference to the role the person in question would play in the preparation of the study.