

EU ANTI-CORRUPTION EXPERIENCE-SHARING PROGRAMME  
"CONFLICTS OF INTEREST and REVOLVING DOORS"

# The French approach to regulating revolving doors for public officials

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# MISSION: Ensure integrity of public officials

## NUMBERS

- Created in 2013
- 15,000 officials
- 50 staff members

- ASSET CONTROL OF PUBLIC OFFICIALS
- PREVENTION OF CONFLICT OF INTEREST
- ADVISING PUBLIC OFFICIALS ON ETHICAL ISSUES
- MANDATORY REGISTER FOR LOBBYISTS



## **PANTOUFLAGE IN FRANCE**

- 1. Revolving doors or 'pantouflage' in France**
- 2. Criminal offense**
- 3. Administrative control**



## ***PANTOUFLAGE IN FRANCE***



Source: [www.pantouflewatch.org](http://www.pantouflewatch.org)





# CRIMINAL OFFENSE

1919

1994

2007

2013

*The origin of the  
"pantouflage"  
offense*

*New Penal Code  
Article 432-13*

Cooling off period

5 years

3 years

Imprisonment and fines

2 years  
30,000€

3 years  
200,000€



# CRIMINAL OFFENSE

## FORBIDDEN ACTIVITIES

### Public

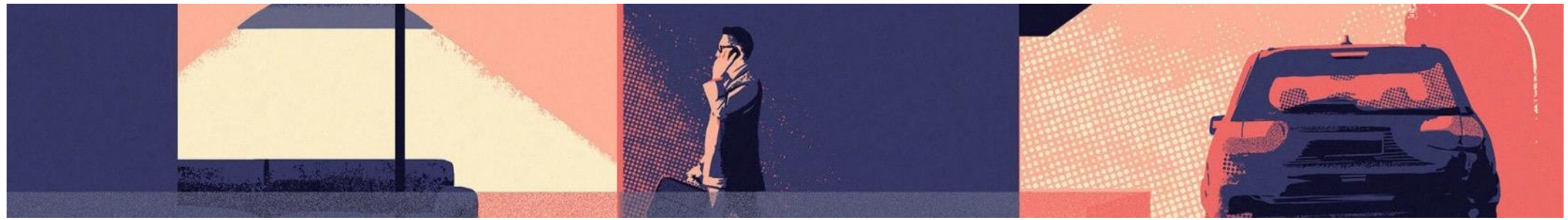
- Members of the Government & staff members
- Local executives & staff members
- Civil servants
- Employees in a public administration or a publicly held company
- Members of independent agencies

### Activities

Take or receive participation through labor, advice or capital in any private company if :

- The person ensured supervision or control of this company
- The person concluded or advised on contracts with this company
- The person suggested decisions to the competent authorities about this company

before the expiration of **3 years (cooling off period) following the termination of their public functions**



# ADMINISTRATIVE CONTROL

1993

*Law on corruption prevention and transparency of economic life and public procedures*

2007

*Law on public sector modernization*

2009

*Law on mobility and career paths in the public administration*

2013

*Law on transparency in public life*

2017

*Law on independent agencies*



3 Different commissions :

- State
- Local
- Hospital

Public administration ethics Commission



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# ADMINISTRATIVE CONTROL

## Ethics Commission on public service



MINISTÈRE DE LA  
FONCTION PUBLIQUE

- Civil servants (state and local level + hospital public service)
- Political advisors

4.8 M  
people



5 staff  
members

## High Authority for transparency in public life

HATVP

- Members of Government
- Members of independent agencies
- Local elected officials
  - Presidents of regional & county councils
  - Mayors of cities over 20,000 inhabitants

1,100  
people



3 staff  
members





## SCOPE OF CONTROL BY THE HIGH AUTHORITY

### Members of Government

- About 40 people
- Good awareness of the revolving doors regulations
- 20 cases since 2014

### Local elected officials

- About 500 people
- Very poor awareness of the revolving doors regulations
- 10 cases since 2014

### Independent agencies members

- About 600 people
- Newly regulated (since January 2017)
- 2 cases so far in 2017

The High Authority uses an intelligence software to monitor their post mandate activities



# ADMINISTRATIVE CONTROL

What are we looking for ?

Would the criminal offense be committed?

- Did the public official have one of the forbidden interactions with this company in the last three years?
- Did he have such an interaction with a major client or a branch of the company?

Are there any major ethical concerns?

- Would this job raise any conflict of interest towards his/her former public function?
- Would it impede the proper functioning of the administration he/she was a part of?



# ADMINISTRATIVE CONTROL

What can we do ?

Three types of decisions can be taken by the High Authority

Authorization

Authorization with  
reservations

Prohibition

Since 2017, decisions are made public (ministers and local elected officials)  
or at least sent to the future employer (members of agencies)

[WWW.HATVP.FR](http://WWW.HATVP.FR)