

## CODE OF ETHICS FOR CIVIL PUBLIC SERVANTS OF THE EXECUTIVE POWER OF RS

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### SUMMARY

Ethics, as the unique expression of correct thinking, leads to the idea of moral universality, or even the universal ideal form of human behavior, expressed in principles valid for all normal and healthy thinking. In the early years of life, ethics are transmitted to us through attitudes and examples. As soon as we begin to understand behavioral rules, the principles that guide our life in society are passed on to us through demands and punishments. Ethics leads us to better coexistence in groups, such as in the family, at school, at work, and in society, because it is ethics that makes us act in a morally correct manner. The Code of Ethics has the function of standardizing and formalizing the understanding of the organization in its various relationships and operations. The existence of the Code of Ethics prevents subjective judgments from distorting, impeding, or restricting the full application of the principles. **Keywords: Ethics. Code of ethics. Public servants**public

### 1. INTRODUCTION

There has been a lot of talk about ethics and morals lately, as can be seen in the public sector. This is most evident in the controversy, trials, convictions and even imprisonment of politicians and civil servants.

In this work, we researched through bibliographies, internet articles and news, a controversial topic that is ethics. What is right or wrong. From a very young age, values and rules are passed on and this is how the individual's character is formed.

The concept of ethics will be studied, as well as the importance of being ethical, both in personal and professional life. After all, what is the purpose of being ethical and for whom? What is a code of ethics, what is it for and its importance, specifically the Code of Ethics for civil servants of RS.

Society imposes rules of conduct, which oblige us to act correctly. In an organization or department, it is no different. In order to have a harmonious relationship between the company and its employees, or customers or suppliers, a code of conduct must be followed, which is supervised by an ethics committee, which regulates such principles and, if necessary, judges and punishes them.

The objective of this study is to research ethics in various aspects, personal, professional and to cite as an example the Code of Ethics for civil servants of RS.

#### 1. <sup>AND</sup>Ethics

When we are born, we begin a journey in search of a correct life, with values, where those who are responsible for our education transmit to us, each in their own way, how we should behave before society, the best way to conduct our personal and professional lives.

Ethics is defined as a set of values that guide man's behavior in relation to others in the society in which he lives, also ensuring social well-being, that is, it is the way in which man should behave in his social environment, it comes from the Greek "ethos" which means way of being.

In a simplified way, the term ethics can be defined as a branch of philosophy that deals with what is morally good or bad, right or wrong. Ethics, as the unique expression of correct thinking, leads to the idea of moral universality, or even to the universal ideal form of human behavior, expressed in principles valid for all normal and healthy thought.

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Our behavior towards society must be governed by ethical standards, that is, what is considered morally correct, otherwise we will be judged and excluded from society.

Ana Nicolau (2016) apud Cortella (2008) states that when we have doubts about how to act in a given situation, we should think about the answers to three ethical dilemmas, namely: Should I? Want to? Can I? There are certain things that a person should do but does not want to, others that they want to do but cannot, and others that they can do but should not. Such ethical dilemmas answer whether the action is linked to extreme individualism and whether moral values will be preserved when carrying out the act. We have the freedom to do many things in life,

but our behavior must always be governed by ethical principles. We must consider how the action taken will impact the lives of other individuals in society.

### 1.1 Ethics in the present day

According to Karnal (2017), ethics discusses within History, the field of values with the use of reason, the rules that make society become rationally viable. In this way, it shows that values are always historical, however, this does not mean that a certain attitude is right or wrong. "Now, beating women to death was once cultural in Brazil, slavery was once cultural, and cruel killing of animals was once cultural. Ethics teaches that even if everyone does it and it is traditional, the fact that it is a homophobic, racist or misogynistic gesture is always wrong", states the professor. For Karnal (2017), for the first time in our History, we are in a position to make an ethical renewal. "This is the first time in our history that we are arresting important people for an ethical deviation. This is the first time that we have a white millionaire arrested. Prisons were not made for whites or for the rich".

Ethics currently covers a vast area and can be related to issues related to the family, school, professional, economic, social and political environments. In today's increasingly globalized and competitive world, people are concerned about ethics in their business, which is increasingly effective in competing successfully and achieving positive results.

Cortella reflects as follows: "We only talk about ethics because men and women live in a collective. If I were alone, the issue of ethics would not exist. After all, ethics is the regulation of the conduct of collective life. If there were only one human being on the planet, the issue of ethics would not come up, because he would be sovereign to do anything without caring about anything. Since we live together, we need to have principles and values for coexistence, so that we can have a life that is complete, from the physical, material and spiritual points of view."

### 1.2 Professional ethics

For Elisângela Dias: "Professional ethics is the set of moral standards that individuals must follow when carrying out any activity. In the case of an individual who works in a profession, the first advantage of acting in accordance with ethical parameters is the guarantee of a clear conscience. This provides the certainty that one's conduct is correct and does not harm other people.

Furthermore, a company's ethical conduct also affects the image that the organization projects among its customers, partners and suppliers, providing an advantage over the competition in a society that is increasingly aware of the notion of social responsibility.

For companies, having ethical employees on their staff who are concerned about their professional responsibilities is important, even for their reputation in the market. The same is true for those who choose to adopt ethical attitudes in the workplace, as they will be seen as an example by their coworkers. In this way, they will be recognized for their ethical actions, attracting the trust of different companies.

For public servants, the need to be ethical leads to their credibility with those to whom they provide services, since their activity, function or duties are what make a country function. Their services are extremely important to society, so acting ethically leads people to believe in the effectiveness of their work.

Public servants are professionals who have a professional employment relationship with government bodies and entities.

Within the public sector, all government activities affect the life of a country. Therefore, it is necessary for civil servants to apply ethical values so that citizens can believe in the efficiency of public services.

## 2. Code of ethics

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The code of ethics is a document that serves as a parameter for various behaviors, making the responsibilities of each individual clear. Individuals may be subject to disciplinary action if the articles are violated.

Each company must know what it needs to do or what it expects from each of its employees to achieve its way of operating in the market. For this reason, the code of ethics must be designed by the company itself in order to express its culture, since each person and company has its own characteristics.

The ethics council is responsible for defining the content of the codes of ethics. Formed by renowned professionals, generally chosen by the professional class they represent, their positions are held by men and women.

norifices and has legal ethical responsibility over matters in this category. These councils are like courts, they have legal functions over records and judgments based on the regulations of the codes.

## 2.1 Main Objectives of a Code of Ethics

- Specify the principles of a certain institution and/or profession before society;
- Document the professional's rights and duties;
- Set the limits of the relationships that the professional should have with colleagues and clients/patients;
- Explain the importance of maintaining professional confidentiality (essential in many cases);
- Defend respect for human rights in scientific research and in everyday relationships;
- Delimit and specify the use of advertising in each area;
- Talk about pay and labor rights.

## 2.2 Public servant

The codes inform the principles and duties of public servants such as decorum, zeal, dignity, efficiency and honor, in addition to other qualities of the public servant, their obligations that aim at the well-being of the population, as well as the prohibitions and punishments arising from irregular service of their functions, which recall the fundamental principles of public administration.

### 2.2.1 General Principles of Public Service

⇒ Public servants must be loyal to their Constitutions, laws and ethical principles above all else. private interests;

⇒ Servers may not have financial interests that cause conflicts with the performance of their duties. activity;

⇒ Servers must maintain confidentiality, not using government information for their own purposes. interest. Furthermore, they may not make unauthorized promises that compromise the government;

⇒ Servers must be honest in carrying out their duties;

⇒ Servers may not accept gifts or items of value from any person or institution in seeking benefits, nor carrying out activities not regulated or permitted by the server's body;

⇒ Servers may not use their position for private gain;

⇒ Servers must act impartially and must not give different treatment to any individual or private organization;

⇒ Civil servants must protect and preserve the State's assets, not using them for purposes other than those of the State. authorized;

⇒ Servers must confess fraud, corruption, waste and abuse to the responsible authorities.

⇒ Civil servants must in good faith fulfill their obligations as citizens, including financial obligations. ceiras;

⇒ Employees shall support all regulations and laws that ensure equal opportunities for all;

⇒ Servers must avoid any action that creates the appearance that they are violating laws or regulations. ethics.

## 3. Code of ethics for civil servants of RS

The code of ethics for civil servants of the state of Rio Grande do Sul was established and published in the DOE on July 14, 2008, according to decree no. 45,746. It states:

Art. 1 - The present Code of Ethics for Civil Servants of the State Executive Branch, without prejudice to the constitutional and legal norms that form part of its legal regime, has the purpose of recognizing cement of ethical duties inherent in the performance of their duties, to be assessed by deliberation of the Public Ethics Commission, in accordance with current legislation.

Art. 2 - The exercise of public office or function by the public servant must be guided by the duties of respect for dignity, decorum, morality, probity and transparency, and also by the following: I - the primacy of collaboration with other public servants in the exercise of their duties, aiming at the efficiency of administrative action and the promotion and protection of the public interest; II - the objective of achieving the public interest, in an impartial and objective manner; III - the promotion of broad access by citizens to public services and information of interest to them under the custody of the bodies and entities of the Public Administration, observing the limitations established by law; IV - professionalism and commitment to the public interest.

in the exercise of public office or function; V - courtesy, civility and correctness in dealing with the population receiving public services; VI - obedience to legal determinations and the guidelines and orders of their hierarchical superiors;

Art. 3 - The following are the ethical duties of public servants, without prejudice to their legal duties: I - to exercise their functional duties with dedication and correctness; II - to act with probity, loyalty, rectitude and justice in the performance of their duties; III - not to delay any action that they must take ex officio or upon order or guidance from their hierarchical superior; IV - to treat users of public services and the general public with care, civility and respect; V - to safeguard public assets, the assets and rights of the Administration; VI - to ensure morality and probity in the performance of their duties; VII - to resist proposals for undue advantages, as well as the adoption of conduct in violation of the law and the ethical precepts that guide the performance of public servants; VIII - to inform their hierarchical superior, as well as the competent bodies, of any situation or behavior that is harmful to the public interest, as well as in violation of the legislation; IX - keep up to date with legislation, regulations and other standards relating to the performance of their duties; X - perform their duties with a view to fully achieving the public interest.

Art. 4 - Public servants are prohibited from: I - exercising a position or function to obtain favors for themselves or for others, as well as to harm or persecute another public servant or third parties; II - being in solidarity with a practice carried out by another public servant or third party, which is characterized as illegal, or simply causes harm to the Administration and the efficiency of the public service; III - using artifices to prevent another public servant or third party users of public services from regularly exercising their rights; IV - pleading, requesting, provoking, suggesting or receiving any type of financial assistance, bonus, prize, commission, donation or advantage of any kind, for themselves, their family members or any person, for the fulfillment of their mission or to influence another public servant for the same purpose; V - compromising the integrity of a public document, falsifying its content, or producing a false document; VI - diverting public servants or anyone who is in the service of the Administration in any way, to satisfy private interests; VII - making use of privileged or confidential information, in favor of themselves, relatives, friends or any third parties; VIII - remove, without authorization, from their place of origin, public goods and documents, as well as hide them, to favor one's own interest or that of a third party; IX - appear under the influence of substances that alter one's mental state in order to exercise one's duties; X - support or initiative, within the scope of the Administration or outside it, that violates ethics, morality and probity.

Art. 5º - The rules set forth in this Code of Ethics for Civil Servants of the State Executive Branch apply without prejudice to the functional duties set forth by law, and respective disciplinary sanctions relating to their non-compliance, as well as the investigation of civil, criminal and administrative liability, all in the manner established in the Federal and State Constitutions, and in ordinary legislation.

#### 4. Final Considerations

After the study carried out on ethics in the individual, professional and public service spheres, as well as researching the Code of Ethics for civil servants in RS, it was noticed that opinions and studies on ethics are unanimous with regard to the attitudes, principles and values that each person has and acquired throughout their life.

Ethics are not formed individually, they are formed from the moment we live with other people, groups, society. As Cortella said, if we were alone there would be no rules to follow, we would be sovereign and owners of our own character and morals, ethics would not be important.

When we begin to understand rules and values at the beginning of our existence, we are taught what is right and wrong, in the perception of our educators, which guides our attitudes towards relationship groups: in the family, at school, and later in the workplace.

In the professional environment, the company has principles and values that guide employees and the organization to work in the best possible way, so that the objectives of both are achieved. Ethics is the best way to have credibility, trust and morality before all people, or between companies, suppliers, customers and employees. The best way to maintain harmony between everyone is to have ethics in what you do.

The public servant has a link with the state and with all the people and institutions to whom he provides services. Ethics are very important so that those involved have confidence and believe in the services provided by the public servants.

There is a code of ethics that must be followed by employees, it is their obligation to follow the rules.



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## ANNEX 1

STATE OF RIO GRANDE DO SUL LEGISLATIVE ASSEMBLY Legislative Consulting Office  
DECREE N° 45.746, OF JULY 14, 2008. (published in the DOE n° 134, of July 15, 2008)

It establishes, within the scope of the Direct and Indirect Public Administration of the State of Rio Grande do Sul, the Code of Conduct for Senior Management, the Code of Ethics for Civil Servants of the State Executive Branch, creates the Public Ethics Commission and provides other measures.

THE GOVERNOR OF THE STATE OF RIO GRANDE DO SUL, in the exercise of the power conferred upon her by article 82, items V and VII, as well as in view of articles 19 and 30 of the State Constitution, as well as the provisions of articles 177 and 178 of State Complementary Law No. 10,098, of February 3, 1995,

DECREES: Art. 1 - The Code of Conduct for Senior State Administration and the Code of Ethics for Civil Servants of the State Executive Branch are hereby established within the scope of the Direct and Indirect Public Administration of the State of Rio Grande do Sul, in the manner established, respectively, in Annexes I and II of this Decree. Art. 2 - The Public Ethics Committee is hereby created within the Governor's Office, with the

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purpose of ensuring compliance with the precepts established by the Code of Conduct for Senior Management. State traction and the Code of Ethics for Civil Servants of the State Executive Branch. Art. 3°

- The Public Ethics Committee shall be composed of five citizens of recognized moral integrity, unblemished reputation and experience in Public Administration, appointed by the State Governor for a two-year term, with one reappointment permitted. § 1° - The performance of duties with the Public Ethics Committee shall not entail any remuneration, and shall be considered the provision of a relevant public service. § 2° - The President of the Public Ethics Committee shall be elected from among its members, and shall have a casting vote in the event of a tie in the deliberations; § 3° - The Public Ethics Committee shall have an Executive Secretariat, which shall operate within the Office of Transparency, Prevention and Combating of Corruption, and which shall be responsible for assisting the



The President and other members of the Commission, in the exercise of the powers established by this Decree. <http://www.al.rs.gov.br/legis> 1 Art. 4 - The Public Ethics Commission is responsible for: I - responding to inquiries made by the State Governor and State Secretaries, regarding matters involving public ethics; II - suggesting to the State Governor initiatives to improve the standards of the Code of Conduct of the State's Senior Administration and the Code of Ethics of Civil Servants of the State Executive Branch; III - interpreting the standards of the Code of Conduct of the Senior Administration and the Code of Ethics of Civil Servants of the State Executive Branch, as well as deliberating on omissions; IV - interacting with the control and oversight bodies, as well as with the Office of Transparency, Prevention and Combating of Corruption, suggesting measures in relation to facts that come to its attention through complaints, news or any other means; V - investigate conduct by senior public officials, ex officio or by representation, assessing their compliance with the standards of the Code of Conduct for Senior State Administration and the Code of Ethics for Civil Servants of the State Executive Branch, pursuant to this Decree; VI - approve its internal regulations and elect its President; Sole paragraph: For the purposes of this Decree, senior public officials are considered to be Secretaries of State and their respective Deputy Secretaries, and the directors of State Public Administration bodies and entities. Art. 5 - The heads of State Administration bodies and entities must respond to requests for information from the Public Ethics Committee regarding issues within their scope of action. Art. 6 - The Public Ethics Committee, in the exercise of its functions, shall observe the principles of legality, impartiality, morality and probity, and also the following: I - the need to protect the honor and image of individuals whose conduct is the subject of ongoing procedures; II - the preservation of the identity of anyone who files a complaint against public officials; III - autonomy and impartiality in the development of their activities and in the deliberations they make; Art. 7 - Any person is recognized the right to bring to the attention of the Public Ethics Committee a complaint, news or information about conduct by public officials that may be considered an ethical infraction, in accordance with current legislation and, in particular, with the Code of Conduct of Senior State Administration and the Code of Ethics for Civil Servants of the State Executive Branch; Art. 8 - The process of investigation of practices that violate the Code of Conduct of Senior State Administration or the Code of Ethics for Civil Servants of the State Executive Branch shall be instituted by an act of the Chairman of the Committee, ex officio or at the request of any of its members, and the public agent under investigation must be notified to present a written statement within 15 (fifteen) days, observing his/her right to a full defense and to adversarial proceedings. <http://www.al.rs.gov.br/legis> 2 § 1º - In the exercise of its powers, the Public Ethics Committee may request additional clarifications from the person under investigation, documents and other elements that support its deliberation; § 2º - The person under investigation is recognized the right to attach to the written defense the documents that corroborate his/her allegations, as well as the right to respond within 10 (ten) days, regarding new documents that may be attached after the presentation of the written defense. Art. 9º - Once the investigation process is concluded, the Public Ethics Committee shall issue a conclusive and reasoned decision, approved by deliberation of the majority of its members. § 1º - The decision that recognizes the commission of an ethical infraction in the form provided for in the Code of Conduct for Senior Management or in the Code of Ethics for Civil Servants of the State Executive Branch, by the person under investigation, may provide for the following: I - suggestion of dismissal ad nutum of the public servant from the position in commission or release from the position of trust, to be forwarded to the competent authority; II - forwarding of the decision to the disciplinary oversight or correction bodies of the body in which the public agent under investigation performs his/her functions; III - forwarding of the decision to the other control bodies of the Administration, and when applicable, to the State Court of Auditors and the State Public Prosecutor's Office, for the adoption of the measures they deem appropriate within the scope of their competences; § 2º - Without prejudice to the provisions of the previous paragraph, whenever the possible occurrence of criminal or civil offenses, administrative impropriety or disciplinary infraction is found, a copy of the § 1º - The decision that recognizes the commission of an ethical infraction in the form provided for in the Code of Conduct for Senior Management or in the Code of Ethics for Civil Servants of the State Executive Branch, by the person under investigation, may provide for the following: I - suggestion of dismissal ad nutum of the public servant from the position in commission or release from the position of trust, to be forwarded to the competent authority; II - forwarding of the decision to the disciplinary oversight or correction bodies of the body in which the public agent under investigation performs his/her functions; III - forwarding of the decision to the other control bodies of the Administration, and when applicable, to the State Court of Auditors and the State Public Prosecutor's Office, for the adoption of the measures they deem appropriate within the scope of their competences; § 2º - Without prejudice to the provisions of the previous paragraph, whenever the possible occurrence of criminal or civil offenses, administrative impropriety or disciplinary infraction is found, a copy of the § 1º - The decision that recognizes the commission of an ethical infraction in the form provided for in the Code of Conduct for Senior Management or in the Code of Ethics for Civil Servants of the State Executive Branch, by the person under investigation, may provide for the following: I - suggestion of dismissal ad nutum of the public servant from the position in commission or release from the position of trust, to be forwarded to the competent authority; II - forwarding of the decision to the disciplinary oversight or correction bodies of the body in which the public agent under investigation performs his/her functions; III - forwarding of the decision to the other control bodies of the Administration, and when applicable, to the State Court of Auditors and the State Public Prosecutor's Office, for the adoption of the measures they deem appropriate within the scope of their competences; § 2º - Without prejudice to the provisions of the previous paragraph, whenever the possible occurrence of criminal or civil offenses, administrative impropriety or disciplinary infraction is found, a copy of the

the case to the competent authorities to investigate these facts. § 3º - In the event that the decision does not recognize the commission of an ethical infraction, the decision will be forwarded to the public agent concerned and to his/her hierarchical superior, for information, as well as to the Office of Transparency, Prevention and Combating of Corruption, for archiving purposes. Art. 10 - The procedures instituted by the Public Ethics Commission may be considered confidential, especially when they contain data and information protected by legal secrecy. Art. 11 - Any public agent who has knowledge, regardless of notification, of the existence of an investigation procedure concerning his/her conduct, is recognized the right of access to the administrative record and the information contained therein. Art. 12 - Any act of possession, investiture in a public office or execution of an employment contract by the public agents referred to in this

decree must be accompanied by the signing of a solemn commitment by the latter, that he recognizes and will observe the rules established by the Code of Conduct of the State's Senior Administration and the Code of Ethics of Civil Servants of the State Executive Branch, as the case may be. <http://www.al.rs.gov.br/legis> 3 Sole paragraph: In the case of a public authority of senior administration, the possession of the public office or function will be preceded by a consultation with the Public Ethics Commission regarding the existence of procedures against him/her that discredit him/her, or even regarding a situation of possible conflict of interests. Art. 13 - The decisions of the Public Ethics Commission will be summarized in an abstract and disclosed through the website of the State Government. Art. 14 - This Decree shall come into force on the date of its publication, repealing any provisions to the contrary. PALÁCIO PIRATINI, in Porto Alegre, July 14, 2008. ANNEX I CODE OF CONDUCT FOR SENIOR STATE ADMINISTRATION Art. 1 - The Code of Conduct for Senior State Administration aims to achieve the following objectives: I - to provide precision and establish criteria for guiding and evaluating the conduct of public agents who are members of the State's senior administration; II - to promote transparency in the government decision-making process, through the adoption of uniform standards of conduct for all public agents who are members of senior administration; III - to disseminate ethical standards at all levels of the Administration, in view of the example set by public agents who are members of senior administration; IV - prevent and, when applicable, resolve conflicts of public and private interests with a view to ensuring the regular fulfillment of their functional duties by public agents who are members of senior management. Art. 2 - The rules of this Code of Conduct apply to Secretaries of State and their respective Deputy Secretaries, and to the directors of bodies and entities of the State's Direct and Indirect Public Administration, including autonomous agencies, foundations maintained by the Government, and mixed-economy companies. Art. 3 - The conduct of public agents who are members of senior management, both in the public and private spheres, must be guided by integrity, transparency, morality and trust, as well as by socially valued ethical standards and respect for the laws and the Constitution. Art. 4 - It is the duty of the public agent who is a member of the senior administration, in addition to completing and submitting the declaration of assets covered by specific legislation, to inform the hierarchically superior authority, if any, as well as the Public Ethics Committee, about the existence of a factual or legal situation, related to his/her financial situation or business or legal relationships in which he/she is a party or has an interest, which gives or may give rise to a conflict of interests, as well as the measures adopted to prevent it. <http://www.al.rs.gov.br/legis> 4 Art. 5 - Likewise, The following acts in which public agents covered by this Code of Conduct are parties or are favored must be immediately reported to the Public Ethics Committee: I - acts of asset management involving the transfer of assets to a spouse, ascendant, descendant or relative in the collateral line; II - acts related to the direct or indirect acquisition of control of a company; and III - acts of asset management, the value of which may be substantially altered by a government decision or policy subordinate to the decision or influence of the public agent, § 1 - The public agent may, at his/her discretion, consult the Public Ethics Committee in advance about the existence of the possibility of a violation of due ethical conduct in relation to the performance of a specific act pertinent to his/her public or private sphere, which are relevant or which may constitute a type of offense to the rules of ethical conduct established in this Code. § 2° - The right to confidentiality of the public agent's personal information, including that of a financial nature, will be ensured through a procedure, under the responsibility of the Public Ethics Committee, which will file under seal the respective documents and the decision of the body, as well as other information relevant to its deliberation. Art. 6° - The ethical duties of conduct of public agents who are members of the senior administration are: I - to make public the fact of being the holder of at least 5% (five percent) of the capital of a mixed-capital company, financial institution or legal entity that has contracts by virtue of which they have an economic advantage in relation to bodies or entities of the State Administration. II - to refrain from receiving a salary or any type of remuneration from a natural person or legal entity under private law not permitted by law, or from receiving any advantage, such as transportation, lodging or any other favors from individuals who are holders of shall be ensured by means of a procedure, under the responsibility of the Public Ethics Committee, which shall file under seal the respective documents and the decision of the body, as well as other information relevant to its deliberation. Art. 6 - The following are ethical duties of conduct of public agents who are members of the senior administration: I - to make public the fact of being the holder of at least 5% (five percent) of the capital of a mixed-capital company, financial institution or legal entity that has contracts by virtue of which it has an economic advantage in relation to bodies or entities of the State Administration. II - to refrain from receiving a salary or any type of remuneration from a natural person or legal entity under private law that is not permitted by law, or from receiving any advantage, such as transportation, lodging or any other favors from individuals who are holders shall be ensured by means of a procedure, under the responsibility of the Public Ethics Committee, which shall file under seal the respective documents and the decision of the body, as well as other information relevant to its deliberation. 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of present or future interest in a government decision within the area of decision or influence of the beneficiary. III - refrain from receiving gifts and other advantages from people who have or may have an interest in government decisions under their responsibility or influence, except when they come from other authorities or public agents as a sign of courtesy, propaganda, or promotion, or are considered to be of little value. IV - clearly warn in advance of any discussion or deliberation on a government decision in which they participate, about the existence of a conflict of interest on their part; V - refrain from making a public statement in disagreement or in any way critical of the position or understanding expressed by another public agent who is part of the same administration, without first submitting it to their hierarchical superior; VI - refrain from making a statement regarding the honorability or competence of the public agent.

of another state public agent, as well as anticipate an understanding on the merits of matters submitted for examination by a collegiate body; Art. 7 - After his discharge, dismissal or resignation from the public office or employment by reason of which he is a member of the state's senior administration, the public agent may not: I - act in a process or business relationship that was the object of his decision or influence when he was a member of the Administration; <http://www.al.rs.gov.br/legis> 5 II - provide consultancy to legal entities under private law, with or without profit, in which he makes use of internal information from the agency or entity of which he was a director, and of which he is aware by reason of the position, employment or function he held, as well as that relate to a process or business in which he acted directly or indirectly when he was a member of the Administration; III - not to act in the representation of private interests before the body or entity of the Administration of which he/she was a director; Sole paragraph: The term for the prohibitions referred to in this article shall be twelve months, in compliance with the provisions of the applicable legislation. Art. 8 - Violation of the rules stipulated in this Code of Conduct shall subject the public agent to the following ethical sanctions: I - warning, applicable to public agents in the exercise of their office; II - ethical censure, applicable to public agents who have already left their office. Sole paragraph: In addition to the sanctions provided for in this article, the Public Ethics Committee may adopt other measures that are within its scope of competence. Art. 9 - The rules provided for in this Code of Conduct for Senior State Administration shall apply without prejudice to the functional duties provided for by law and the respective disciplinary sanctions relating to their non-compliance, as well as the investigation of civil, criminal and administrative liability, all in the manner established in the Federal and State Constitutions, and in ordinary legislation. ANNEX II CODE OF ETHICS FOR CIVIL PUBLIC SERVANTS OF THE STATE EXECUTIVE BRANCH Art. 1 - This Code of Ethics for Civil Public Servants of the State Executive Branch, without prejudice to the constitutional and legal norms that comprise its legal regime, has the purpose of recognizing ethical duties inherent in the performance of their duties, to be evaluated by deliberation of the Public Ethics Committee, in accordance with the legislation in force. Art. 2 - The exercise of public office or function by the public servant must be guided by the duties of respect for dignity, decorum, morality, probity and transparency, and also by the following: I - the primacy of collaboration with other public servants in the exercise of their duties, aiming at the efficiency of administrative action and the promotion and protection of the public interest; II - the objective of achieving the public interest, in an impartial and objective manner; III - the promotion of broad access by citizens to public services and information of interest to them under the custody of the bodies and entities of the Public Administration, observing the limitations established by law; IV - professionalism and commitment to the public interest in the exercise of public office or function; <http://www.al.rs.gov.br/legis> 6 V - courtesy, civility and correctness in dealing with the population receiving public services; VI - obedience to legal determinations and the guidelines and orders of their hierarchical superiors; Art. 3 - The ethical duties of public servants, without prejudice to their legal duties, are: I - to exercise their functional duties with dedication and correctness; II - to act with probity, loyalty, rectitude and justice in the performance of their duties; III - not to delay any action that they must take ex officio or by order or guidance of their hierarchical superior; IV - to treat with care, civility and respect for users of public services and the general population; V - to safeguard public assets, the assets and rights of the Administration; VI - to ensure morality and probity in the exercise of their duties; VII - to resist proposals for undue advantages, as well as the adoption of conduct in violation of the law and ethical precepts that guide the actions of public servants; VIII - to inform their hierarchical superior, as well as the competent bodies, of situations or behavior that are harmful to the public interest, as well as in violation of the legislation; IX - to keep up to date with legislation, regulations and other standards related to the performance of their duties; X - to perform their duties with a view to fully achieving the public interest. Art. 4 - It is forbidden for public servants to: I - exercise a position or function to obtain favors for themselves or others, as well as to harm or persecute another servant or third parties; II - be in solidarity with a practice carried out by another public servant or third party, which is considered illegal, or simply causes harm to the Administration.

traction and efficiency of the public service; III - use devices to prevent another server or third parties from users of public services regularly exercise their rights; IV - to plead, request, provoke, suggest or receive any type of financial aid, gratuity, prize, commission, donation or advantage of any kind, for themselves, family members or any person, to fulfill their mission or to influence another public servant for the same purpose; V - to compromise the integrity of a public document, falsify its content, or produce a false document; VI - to divert a public servant or anyone in any way at the service of the Administration, to satisfy private interests; VII - to make use of privileged or confidential information, in favor of themselves, relatives, friends or any third parties; VIII - to remove, without authorization, from their place of origin, public goods and documents, as well as to hide them, to favor





own interest or that of a third party; IX - to be under the influence of substances that alter their mental state in order to perform their duties; <http://www.al.rs.gov.br/legis> 7 X - to support or take any initiative, within the scope of the Administration or outside it, that violates ethics, morality and probity. Art. 5 - The rules set forth in this Code of Ethics for Civil Servants of the State Executive Branch apply without prejudice to the functional duties set forth by law and the respective disciplinary sanctions relating to their non-compliance, as well as the investigation of civil, criminal and administrative liability, all in the manner established in the Federal and State Constitutions and in ordinary legislation. END OF DOCUMENT