



Félix Ortega Sanz, as Managing Director of BARCELONA ACTIVA SAU SPM

## STATES:

One: Under Regulation (EU) 2021/241 of the European Parliament and of the Council of 12 February 2021 establishing the Recovery and Resilience Facility, in accordance with the principle of good financial management, member states must include in all recovery and resilience plans submitted by them details of a system that includes adequate measures to safeguard the EU's financial interests, including the prevention, detection and correction of conflicts of interest, corruption and fraud in the use of the funds awarded.

Under Order HFP/1030/2021 of 29 September establishing the management system for the Recovery, Transformation and Resilience Plan, any entity, whether it is in charge of making or carrying out decisions, that is involved in implementing the measures of the Recovery, Transformation and Resilience Plan must have an Anti-Fraud Measures Plan that enables it to ensure and declare that, within its scope of action, applicable rules have been followed in the use of the funds concerned, in particular as regards the prevention, detection and correction of fraud, corruption and conflicts of interest (Art. 6.1).

Two: At its meeting of 3 February 2022 and in accordance with Order HFP/1030/2021 of 29 September, the Government Commission of Barcelona City Council approved the Institutional Declaration of Integrity and the Anti-Fraud Measures Plan for the management of projects funded with Next Generation European funds, both of which apply to the City Council and its affiliated entities.

Three: BARCELONA ACTIVA SAU SPM is committed to fully complying with the law and promoting an approach to work based on high ethical standards.

On 22 March 2022 the Board of Directors of BARCELONA ACTIVA SAU SPM thus approved the implementation of a criminal compliance management system. The documents in this criminal compliance management system include the approval of an Anti-Fraud Measures Plan to assess the risk of fraud and conflicts of interest, establishing processes to deal with them. This in turn includes an Anti-Fraud Policy, a risk assessment document, a document assessing the anti-fraud measures currently in place and setting out a proposal for new measures to be implemented, and a Conflict of Interest Procedure.

Four: The memorandum of 31 May 2022 on the approval of Barcelona City Council's Anti-Fraud Measures Plan for projects funded with Next Generation European funds and its application to its affiliated entities states that entities with unique features or that do not fall within the provisions of the Plan approved by the City Council must draw up and approve an ad-hoc Anti-Fraud Measures Plan tailored to the municipal entity's unique features, as well as its roles and structures, using Barcelona City Council's Anti-Fraud Measures Plan as its model and template.

The memorandum thus states that: "For trading companies forming part of Barcelona City Council's municipal group, the Technical Secretariat of the NGEU European Funds recommends, in view of their unique characteristics, that these entities be furnished with an Anti-Fraud Measures Plan that is suited to their nature, purpose, functions and activity, regardless of whether they have joined Barcelona City Council's institutional declaration against fraud or whether they draw up a declaration of their own."

This means that, regardless of whether or not they adhere to the City Council's Anti-Fraud Measures Plan, entities should be provided with their own Plan.



Five: By signing this document, this department expressly signals its commitment to continue to drive the implementation of the Compliance Management System and adapt to European specifications to comply with Order HFP/1030/2021.

Thus, and although Barcelona Activa has its own Anti-Fraud Measures Plan, to strengthen compliance and the fight against fraud, IT HEREBY EXPRESSES ITS commitment to the highest standards as regards compliance with the law and ethical and moral standards and adherence to the strictest principles of integrity, objectivity, impartiality, transparency and honesty such that its activities are perceived by all parties dealing with Barcelona Activa as based on an anti-fraud stance, the fight against fraud and reporting fraud and all corruption or conflicts of interest of any kind.

The aim is to promote a culture within the organisation that helps prevent and identify all fraudulent conduct, with a policy of zero tolerance towards fraud and corruption, promoting the development of effective procedures to deal with such cases and resolve them if they arise.

In view of the above, I hereby issue the following

## **RESOLUTION:**

TO APPROVE BARCELONA ACTIVA SAU SPM's ACCESSION TO THE INSTITUTIONAL DECLARATION OF INTEGRITY approved by the Government Commission of Barcelona City Council at its meeting of 3 February 2022, in accordance with Order HFP/1030/2021 of 29 September establishing the management system for the Recovery, Transformation and Resilience Plan of the City Council and its affiliated entities as a firm commitment to reject, fight against and denounce fraud and all corruption or conflicts of interest of any kind that infringe the principles of integrity, impartiality, objectivity and transparency underlying the corporation's and its affiliated bodies' actions.

Director General  
BARCELONA ACTIVA SAU SPM