

17 March 2011  
EMA/MB/218686/2011  
Directorate

## Decision of the Management Board under Article 16 of the Staff Regulations

### Notification by Thomas Lönngren of activities after leaving the service

HAVING REGARD to Article 16 of the Staff Regulations of Officials of the European Communities, as applicable by analogy to members of temporary staff of the Agency pursuant to Article 11 of the Conditions of Employment of Other Servants of the European Communities;

HAVING REGARD to the obligation of staff members to behave with integrity and discretion after leaving the service as regards the acceptance of certain appointments or benefits;

HAVING REGARD to the Agency Code of Conduct<sup>1</sup> and namely to the provision set out in paragraph 2 of Annex 2, 'EMA Guidance on Confidentiality and Discretion', with regard to continuing duty of confidentiality;

WHEREAS on 10 February 2011, the former Executive Director of the Agency, Mr Thomas Lönngren, informed the Agency that he had started up a consultancy company in line with his letter of 28 December 2010, and listed his current "*post-EMA activities*" as follows,

- "1. Contract with NDA to give strategic advice to the management of the company and to build up an advisory board on health technology assessment. Date for signing of contract 17 January 2011 (I have no involvement in the company's product specific advice on the regulatory side)*
- 2. Appointment as a non-executive board member of CBio Ltd, Australia, agreement signed on 27 January 2011. The company has no approved medicines, no applications under review and no clinical trials in Europe. My role in the board is to provide advice on the company's corporate plans, budget and strategic management following the responsibilities of executive directors.*
- 3. Essex Woodlands. Venture Capital Company investing in the wider health care sector. Mutual agreements with the company during a 6-month period to learn about investment practice and participate in evaluation of investments opportunity. My role is to give strategic advice on business plan. Date of start 17 January 2011.*

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<sup>1</sup> Doc. Ref.: EMEA/6470/03/2368

4. *CMR Institute for medicine research. Non-profit organization. Member since 2002. Participating in the institute's board and workshops as chair or speaker.*
5. *Tapestry network. Network that bring together payers HTA and regulators for dialog. Have been members since 2009 in my role as Executive director at EMA. No contract just a informal agreement*
6. *The Athenaeum Network. A UK based think tank about drug development Member since 2008*
7. *I have also invitations and request that (including the two prematurely mention in the CBIOS press information) I will consider in due time fully respecting the staff regulation."*

HAVING REGARD to the additional information provided by Thomas Lönngren on 7 March 2011;

HAVING REGARD to the opinion issued by the Joint Committee on 8 March 2011;

CONSIDERING the documents submitted and having regard to the factual circumstances, as represented by the former member of staff;

CONSIDERING that a decision on whether or not a former staff member may undertake occupational activities after leaving the service must be based on the information submitted by the concerned member of staff;

CONSIDERING the high importance that the Management Board gives to the proper management of potential conflict of interest and the assurance of public confidence in the work of the Agency;

#### THE MANAGEMENT BOARD

1. Holds that the activities identified in Mr Lönngren's letter dated 10 February 2011 are not in conflict with the interests of the service provided that they are performed within the limitations set out in paragraphs 2 to 4 below;
2. Requires that Mr Lönngren, in the course of his professional activities, shall
  - Refrain from holding any kind of managerial, executive or consultative role in pharmaceutical companies or industry associations, whether gainful or not, and
  - Refrain from providing any kind of product-related guidance or advice to pharmaceutical or other companies with regard to any matter related to activities that fall within the remit and the area of responsibilities assigned to the European Medicines Agency;
3. Requires that Mr Lönngren shall not have any contacts with Agency staff members or members of the Agency's scientific committees in the context of his professional activities and shall not represent or accompany any private company, consultancy group or state authority in meetings with the Agency. Mr Lönngren shall not take part as a potential beneficiary in calls for tender for activities to be financed by the Agency's budget;
4. Requires that the above mentioned conditions and limitations shall apply for a period of two years from the date of Mr Lönngren leaving the service;

5. Reminds Mr Lönngren of his obligation to inform the Board in due time in advance of any change in circumstances affecting his current or future professional activities as this will be subject to additional prior authorisation if it occurs within the timeframe set by Article 16 of the Staff Regulations and paragraph 4 of this decision;
6. Requires the Acting Executive Director to notify this decision to Mr Lönngren without delay and to publish the decision and supporting documents on the Agency's website.

London, 17 March 2011

Pat O'Mahony

Chair of the Management Board