

Decision-making Guidelines

The following decision guidelines should be checked and observed cumulatively in four steps, as in a checklist:



Recipient of the invitation

Invitation of public officials only permissible in exceptional cases; invitation of the company itself

Authorities

Invitation of public officials only within very narrow limits, for example for representative purposes

Companies

In general, no invitation of individuals; invitation should be addressed to the company itself

Selection of the recipient

Careful selection of the organization to be invited based on objective criteria

Authorities

Invited public officials should not have any contact with decisions or actions that affect the company

Companies

If possible, no temporal connection to specific business decisions made in the company

Event content

No inappropriate benefits during the event

Authorities

Only invitation to the match and, if applicable, appropriate hospitality; no additional services, no invitation of accompanying persons

Companies

Only invitation to the game and, if applicable, appropriate hospitality; no additional services, no invitation of accompanying persons

Transparency

Invitation process as transparent as possible

Authorities

Obtain prior consent from the official's employer

Companies

Obtain company management consent; transparent process; no invitation to private address

Decision-making Guidelines



Recipient of the invitation

Invitation of public officials only permissible in exceptional cases; invitation of the company itself

Authorities

Invitation of public officials only within very narrow limits, for example for representative purposes

Companies

In general, no invitation of individuals; invitation should be addressed to the company itself

What specifically needs to be considered?

➤ Recipients in authorities

- Public officials should only be invited in very **exceptional cases**, e.g., if necessary for representative purposes.
- This should only apply to politicians at the level of state/federal ministers, state secretaries and senior municipal officials (e.g., mayors), but **not** to **operational decision-makers**.
- Representative purposes are unlikely to be assumed in a closed stadium lounge. Politicians are more likely to attend a match involving Germany at the invitation of UEFA.

➤ Recipients in companies

- In the private sector, donations **to the company** are permissible. It is true that invitations to sporting events cannot be accepted by a company, but naturally only by individuals. However, if the **invitation is extended to the company** and the company is free to decide who participates, the risk of improper influence is lower.
- If invitations are sent to individuals, they should be **high-ranking individuals**, i.e. usually **executive bodies** (board members/managing directors) of companies, not the head of purchasing or sales, who are direct contacts in the operational area.

Decision-making Guidelines

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Selection of the recipient

Careful selection of the organization to be invited based on objective criteria

Authorities

Invited public officials should not have any contact with decisions or actions that affect the company

Companies

If possible, no temporal connection to specific business decisions made in the company

What specifically needs to be considered?

➤ Selection of recipients in authorities

- Under no circumstances public officials or politicians who are **involved**, actually or potentially, in any **decision** or action that affect the company should be invited, not even for representative purposes.
- This refers to **specific decisions**, not to general socio-political decisions that affect all other citizens and all other companies.

➤ Selection of recipients in companies

- The companies invited or the companies whose representatives are invited should be selected based on **objective criteria**.
- It is conceivable to set **fixed turnover thresholds** (e.g., only suppliers with an annual turnover above a certain amount; no companies with which a certain turnover is targeted).
- No companies should be invited if they have **important business decisions** to make in the immediate context (within a few weeks) of the invitation or the football matches.
- This does not refer to ongoing business relationships in which purchase quantities and prices are regularly negotiated, but to fundamental decisions.
- It is recommended to use criteria that are independent of the specific business, e.g., to invite business partners from countries whose national teams are playing.

Decision-making Guidelines

What specifically needs to be considered?

- As a general rule, benefits should be **appropriate**.
- Of course, the match can be accompanied by **hospitality** appropriate to the invitation, even upscale **hospitality**. However, there should not be any additional services, such as expensive gifts for guests.
- There should be **no additional supporting program**. However, an accompanying event with technical content is permitted.
- In addition, **travel** and **accommodation costs** should be borne by the guests themselves. Exceptions to this rule can only be made in justified exceptional cases, e.g. in the case of guests from abroad. Under no circumstances should such exceptions be made for public officials.
- **Accompanying persons** (spouse, partner) should **not** be **invited**. Exceptions are only conceivable if this is necessary or customary due to the nature of the event, e.g. at a ball. However, this is not usual for an invitation to European Championship matches without an accompanying trip.



Event content

No inappropriate benefits during the event

Authorities

Only invitation to the match and, if applicable, appropriate hospitality; no additional services, no invitation of accompanying persons

Companies

Only invitation to the game and, if applicable, appropriate hospitality; no additional services, no invitation of accompanying persons

Decision-making Guidelines

What specifically needs to be considered?

➤ Public officials

- The granting of a benefit is not punishable if an unsolicited benefit is **approved in advance**.
- Therefore, the **consent** should be obtained from the **authority** or the employer's officials. In the case of federal or state ministers, the government (cabinet decision) must give its consent; in the case of (senior) mayors, the municipal council.
- Since the consent must be obtained prior to the invitation, the **invitation** can **only** be issued on the condition precedent that such consent is obtained.

➤ Companies

- If the invitation is not addressed to the company as such, the **consent of the company's management** must be obtained. While this does not necessarily eliminate criminal liability, as the offense of bribery in commercial practice is primarily intended to protect competition, it does increase transparency.
- Invitations must be sent to the company's address, never to a personal (e-mail) address.
- At the request of the recipient, the value should be calculated down to the individual participant and disclosed to him.
- Reference must be made to the lump-sum wage tax in accordance with § 37b of the German Income Tax Act (EStG).



Transparency

Invitation process as transparent as possible

Authorities

Obtain prior consent from the official's employer

Companies

Obtain company management consent; transparent process; no invitation to private address

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