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**THE REPUBLIC OF LITHUANIA
PREVENTION OF CORRUPTION
THE LAW**

in 2002 May 28 No. IX-904
Vilnius

**CHAPTER I
GENERAL PROVISIONS**

Article 1 . Purpose and application of the law

This law establishes the main principles, goals and objectives of corruption prevention and strengthening of national security by reducing the threats posed by corruption in the public and private sectors, measures for creating a corruption-resistant environment and their legal bases, corruption prevention entities and their rights and duties in the field of corruption prevention.

Article 2 . Basic concepts of this law

1 . **The level of resistance to corruption** is a measure that shows the resistance of a public sector entity to corruption.

2 . **Corruption** is the abuse of authority to benefit oneself or another person in the public or private sector.

3 . **Determining the probability of the occurrence of corruption** is a procedure that determines the risk factors of corruption in the activities of a public sector entity.

4 . **Corruption prevention** is a systematic activity aimed at increasing the resistance of public and private sector entities to corruption and which includes the identification, assessment, elimination and/or reduction of corruption risk factors, creating and implementing a system of measures to create a corruption-resistant environment.

5 . **Corruption risk** is the probability that corruption may occur in the field of activity of a public or private sector entity.

6 . **Corruption risk analysis** - identification and examination of the risk of corruption and its factors in a certain area of state or municipality activity or process, which includes the areas of activity of one or more public sector entities, from an anti-corruption point of view.

7 . **Corruption risk management** is a component of the internal control of a public sector entity, which includes the identification and assessment of corruption risk factors and the

selection of measures that reduce the risk of corruption, their implementation, and the evaluation of the achieved results.

8 . **Corruption risk factors** – causes, conditions, events, circumstances that may cause the risk of corruption to occur.

9 . **Criminal acts of a corrupt nature** :

1) bribery, trading in influence, bribery, abuse;

2) criminal acts committed in the public sector or in the provision of administrative or public services by abusing authority and directly or indirectly seeking benefits for oneself or another person: illegal registration of rights to an object, failure to perform official duties, disclosure of state secrets, illegal financing of political parties and political campaigns, fraud , misappropriation of property, waste of property, disclosure of a commercial secret, legalization of criminally obtained property, submission of incorrect data on income, profit or property, interference in the activities of a civil servant or a person performing public administration functions, disclosure of an official secret, forgery of a document or possession of a forged document;

3) other criminal acts aimed at bribery, bribery or concealing or disguising bribery, influence peddling or bribery.

10 . **Violation of the law of a corrupt nature** - an administrative offense, a violation of work duties or official misconduct, committed by abusing authority and directly or indirectly seeking benefits for oneself or another person, as well as a criminal act of a corrupt nature.

11 . **Private sector entity** - a legal entity, except as specified in paragraph 14 of this article.

12 . **Independent institution** - the Chancellery of the Seimas of the Republic of Lithuania, the Chancellery of the President of the Republic of Lithuania, the Chancellery of the Government of the Republic of Lithuania, a ministry, the Bank of Lithuania, a municipal administration or another state or municipal institution that is not subordinate to any other institution or institution and (or) is not assigned to another institution or institution management area.

13 . **Anti-corruption assessment of legal acts or their drafts** - assessment of existing and/or planned legal regulation from an anti-corruption point of view and identification of deficiencies in legal regulation that may create prerequisites for corruption.

14 . In this law , **public sector entities** are understood as:

1) independent institution, other state or municipal institution;

2) a public institution, one of the founders or shareholders of which is a state or municipal institution or institution or a public sector entity specified in point 3 or 4 of this part ;

3) a state or municipal company, as well as a joint-stock company and a closed joint-stock company, all or part of whose shares, giving more than 1/2 of the votes at the general meeting of shareholders, are owned by the state, one or several municipalities;

4) a subsidiary (subsidiary) joint-stock company or a closed joint-stock company of the companies specified in point 3 of this part, as well as all other subsidiary (subsidiary) companies

related to these companies through subsidiaries (subsidiary) companies of subsequent ranks, with the exception of entities that are established in another state and operate according to the laws of that state.

15 . **Employee of a public sector entity** - a person who is connected with a public sector entity by service or employment relations, except for positions that are not subject to educational or professional qualification requirements, a person in office.

16 . **The head of a public sector entity** is a one-man management body of a public sector entity.

17 . Other terms used in this law are understood as defined in the Criminal Code of the Republic of Lithuania, the Law on Consolidated Financial Reporting of Companies of the Republic of Lithuania, the Law on Strategic Management of the Republic of Lithuania, the Law on Public Administration of the Republic of Lithuania and other legal acts.

Article 3 . Goals and objectives of corruption prevention

1 . The prevention of corruption is aimed at strengthening national security, creating social welfare, increasing the quality of administrative, public and other public sector services, protecting the freedom of fair competition, so that corruption hinders the development of democracy and the economy as little as possible.

2 . The main tasks of corruption prevention are the following:

- 1) create a corruption-resistant environment;
- 2) increase anti-corruption awareness;
- 3) to systematically and coordinatedly eliminate the risk factors of corruption, to reduce the risk of corruption;
- 4) create prerequisites for the harmonious and effective functioning of the system of corruption prevention entities;
- 5) reduce the economic incentives for corruption;
- 6) ensure the active involvement of private sector entities and society in the prevention of corruption;
- 7) promote transparent, honest and open provision of administrative, public and other services.

Article 4 . Principles of corruption prevention

Corruption prevention is implemented in accordance with the following principles:

- 1) legality – means of creating a corruption-resistant environment are implemented in compliance with the requirements of the Constitution of the Republic of Lithuania, laws and other legal acts and ensuring the protection of individual rights and freedoms; corruption prevention entities must ensure that their actions or inaction will not create conditions for violations of the law of a corrupt nature;
- 2) universality – all persons can be the subjects of corruption prevention;

3) interaction – the effectiveness of measures to create a corruption-resistant environment is ensured by coordinating the actions of all corruption prevention entities, exchanging the information needed by the entities and providing each other with different assistance;

4) continuity - the effectiveness of measures to create a corruption-resistant environment is ensured by constantly checking and reviewing the results of the implementation of measures to create a corruption-resistant environment and submitting proposals for increasing the effectiveness of the relevant measures to the relevant entity, which is authorized to implement such proposals according to its competence;

5) proportionate corruption prevention activities - corruption prevention activities must be carried out taking into account the size and/or administrative capacity of the public sector entity, and measures are applied only those necessary to create a corruption-resistant environment, in order to minimize the administrative burden;

6) subsidiarity – public sector entities or private sector entities are primarily responsible for corruption risk management; an independent institution to which the public sector entity is subordinate, accountable or assigned according to the area of management, and (or) the Special Investigations Service of the Republic of Lithuania offers measures to create a corruption-resistant environment or implements them itself only to the extent necessary to effectively control the risk of corruption in this entity;

7) transparency – corruption prevention activities must be public and understandable, open to the public;

8) protection of personal rights - corruption prevention activities must be carried out ensuring the certainty and stability of legal regulation, protecting the rights and legitimate interests of individuals, in accordance with the requirements of legal protection of personal data;

9) inclusion – civil society is included in the prevention of corruption; public sector entities take, and private sector entities can take measures aimed at increasing the anti-corruption awareness of their employees, providing information to the public about the creation of an anti-corruption environment and encouraging them to contribute to its creation.

Article 5 . A system of tools for creating a corruption-resistant environment

1 . The system of measures for creating a corruption-resistant environment consists of:

- 1) corruption prevention measures;
- 2) increasing anti-corruption awareness;
- 3) ensuring the reliability of personnel;
- 4) other activities or measures specified in the laws, which create an environment resistant to corruption or increase resistance to corruption.

2 . The main measures for the prevention of corruption are the following:

- 1) corruption risk analysis;
- 2) corruption prevention planning documents;
- 3) anti-corruption evaluation of legal acts or their drafts;
- 4) notification of criminal acts of a corrupt nature;

- 5) determination of the probability of the manifestation of corruption;
- 6) assessment of corruption risk management;
- 7) determining the level of resistance to corruption;
- 8) implementation of anti-corruption standards of conduct.

CHAPTER II

CORRUPTION PREVENTION MEASURES AND RAISING ANTI-CORRUPTION AWARENESS

Article 6 . Corruption risk analysis

1 . Corruption risk analysis is carried out by the Special Investigations Service according to the procedure established by the Director of the Special Investigations Service, which is made public.

2 . The Special Investigations Service, determining the need to conduct a corruption risk analysis in a certain area of activity or process of the state or municipality, which includes the activities of one or more public sector entities, examines the conclusions regarding the determination of the probability of the occurrence of corruption (if the determination of the probability of the occurrence of corruption was carried out in the relevant field of activity or process) , corruption risk management assessments, information related to them, other information available and available to the Special Investigation Service, taking into account the corruption prevention priorities approved by the Director of the Special Investigation Service.

3 . The area of activity of the state or municipality or the process in which the corruption risk analysis will be performed is selected taking into account the following criteria:

1) there have been attempts to influence the employees of the public sector entity or the decisions made by them, in violation of the procedure established by legal acts;

2) criminal acts of a corrupt nature have been identified in another similar field or process of the state or municipality and there is reason to believe that the risk of corruption of this type may also exist in this field or process of the state or municipality;

3) the decisions taken are related to the material or other benefit of the interested person, the granting or restriction of permits, discounts, benefits and other additional rights, control or supervision;

4) control, supervision or law enforcement institutions have identified legal violations of a corrupt nature in the field of state or municipality activity or in a process;

5) received other reasonable information about existing corruption risk factors in the field or process of the state or municipality.

4 . The decision to conduct a corruption risk analysis is made by the Director of the Special Investigation Service or his authorized person, taking into account the data specified in Part 2 of this Article and the criteria specified in Part 3 of this Article.

5 . The Special Investigations Service informs the public sector entity whose activities will be analyzed in writing about the decision to conduct a corruption risk analysis.

6 . After conducting a corruption risk analysis, the Special Investigations Service provides the public sector entity with a draft of the corruption risk analysis conclusion, which provides information on the identified corruption risk and/or its factors, as well as recommendations of a recommendation nature to reduce the identified corruption risk and/or eliminate its factors.

7 . The public sector entity whose activities are analyzed has the right to:

1) provide additional data and information on your own initiative;

2) familiarize yourself with the draft conclusion of the corruption risk analysis and submit comments and motivated proposals regarding the corruption risk and/or corruption risk factors identified during the corruption risk analysis, as well as recommendations of a recommended nature to reduce the identified corruption risk and/or eliminate the corruption risk factors, as well as receive explanations;

3) to choose the most rational way of implementing the recommendations presented in the conclusion of the corruption risk analysis, or alternative ways of managing the risk of corruption, which best corresponds to the characteristics of the public sector entity's activity;

4) disagree with the conclusions of the corruption risk analysis regarding the risk of corruption and/or its factors or proposals to reduce the identified risk of corruption and/or eliminate its factors.

8 . The final conclusion of the corruption risk analysis is made public and presented to the entity whose activities were analyzed.

9 . A public sector entity that has received a corruption risk analysis conclusion from the Special Investigation Service, if it contains the risk of corruption and/or its factors and recommendations of a recommended nature to reduce the identified risk of corruption and/or eliminate its factors, within three months from the date of receipt of the conclusion, publicly publishes on its website information on how the proposals presented in this conclusion are or will be implemented, and provides the Special Investigations Service with a link to this information. If the public sector entity disagrees with the proposals presented in the conclusion of the corruption risk analysis, it shall publicly announce the reasons and motivations for the disagreement with the proposals and/or indicate alternative measures to eliminate the corruption risk factors specified in the conclusion of the corruption risk analysis, and provide the Special Investigations Service with a link to this information. No more than one year after receiving the conclusion of the corruption risk analysis, the public sector entity publicly announces on its website what actions were taken and what results were achieved in reducing the risks identified in the conclusion and/or eliminating the risk factors, whether the recommendations presented in the conclusion of the corruption risk analysis were implemented or alternative proposals, or justify why such action is not taken, and provide the Office of Special Investigations with a link to this information. If, due to the complexity and complexity of the identified corruption risk, the public sector entity reasonably needs more time to implement the proposals specified in the corruption risk analysis and to carry out the actions necessary to reduce or eliminate the corruption risk, the public sector entity, in coordination with the Special Investigations Service, may submit the information specified in this section after for more than one year.

10 . The Special Investigations Service summarizes and publicly publishes information on the actions of public sector entities in reducing the identified risk of corruption and/or eliminating the risk factors of corruption.

11 . The information gathered during the corruption risk analysis can be used to apply other measures for the prevention of corruption and to implement other tasks of the Special Investigation Service established in Article 7 of the Law on the Special Investigation Service of the Republic of Lithuania in the cases and procedure established by laws and other legal acts.

12 . Methods and means of collecting criminal intelligence information may not be used for the purposes of performing a corruption risk analysis .

Article 7 . Corruption prevention planning documents

1 . Corruption prevention planning documents include:

- 1) National agenda on corruption prevention issues;
- 2) Plan of the National Agenda on Corruption Prevention;
- 3) branched corruption prevention action plans;
- 4) municipal corruption prevention action plans;
- 5) action plans for the prevention of corruption in the field of independent institution's activities;
- 6) corruption prevention action plans of the public sector entity.

2 . The National Agenda on Corruption Prevention and the Plan of the National Agenda on Corruption Prevention are prepared in accordance with the procedure established by the Strategic Management Law, their implementation is organized and controlled by the Government of the Republic of Lithuania with the participation of the Special Investigations Service.

3 . Branch action plans for the prevention of corruption, covering the areas of activity of several independent institutions, are prepared by these independent institutions, if the preparation of these plans is provided for in the National Agenda on the issues of corruption prevention or other normative legal acts. Branched action plans for the prevention of corruption can also be prepared by the decision of the heads or self-governing institutions of these independent institutions, the scope of which is covered by the branched action plans for the prevention of corruption.

4 . Municipal corruption prevention action plans, covering the areas of activity of one municipality and its subordinate entities, may be prepared by decision of the municipal council or the director of the municipal administration.

5 . Action plans for the prevention of corruption in the field of activity of an independent institution, covering the field of activity of one independent institution, including the areas of activity of public sector entities subordinate to it, may be prepared by the decision of the head of the independent institution.

6 . Action plans for the prevention of corruption of a public sector entity, which include the activities of one public sector entity, may be prepared by the decision of the head of the public sector entity.

7 . Branch action plans for the prevention of corruption of municipalities, autonomous institutions and public sector entities are prepared in accordance with this law, the National Agenda on Corruption Prevention, the National Agenda on Corruption Prevention and other legal acts, taking into account the results of the assessment of corruption risk management and the determination of the level of resistance to corruption and other information. The action plan for the prevention of corruption provides an analysis of the risk factors of corruption, indicates the measures for reducing the risk of corruption, their executors and terms, and the evaluation criteria for their implementation.

8 . The national agenda for the prevention of corruption is approved by the Seimas of the Republic of Lithuania on the recommendation of the Government, the plan of the National Agenda for the Prevention of Corruption is approved by the Government, and action plans for the prevention of corruption are approved by the head of the public sector entity that prepared them or another body. The head of the public sector entity is responsible for the implementation of the approved action plan for the prevention of corruption, as well as for the implementation of the measures for which the public sector entity under his leadership is appointed as the responsible executor in accordance with other corruption prevention planning documents.

9 . The implementation of action plans for the prevention of corruption is coordinated and controlled by the heads of public sector entities or their authorized persons and/or anti-corruption commissions.

10 . The Special Investigations Service evaluates branch, municipal, independent institution activity area and public sector entity corruption prevention action plans, their projects and the implementation of the plans in accordance with the procedure established by the Director of the Special Investigations Service, and provides recommendations of these plans and/or their implementation to the entities that have adopted them.

Article 8 . Anti-corruption assessment of legal acts or their projects

1. An entity of public administration preparing a draft of a normative legal act shall perform an anti-corruption assessment of the draft of this legal act in accordance with the procedure established by the Government, if the legal act is intended to regulate public relations related to:

- 1) management, use or disposal of state or municipal property;
- 2) payment of subsidies, grants, compensations, annuities, allowances, bonuses and other payments from the state or municipal budgets;
- 3) provision and use of financial support, including financial support from the European Union or other funds;
- 4) by providing charity, support;
- 5) financing of political parties or political campaigns;
- 6) public procurements, procurements of contracting organizations in the field of water management, energy, transport and postal services or granting concessions;

7) organization of tenders for the duties of a person working in a public sector entity, determination, cancellation or change of reputation, qualification, certification and rotation requirements for persons working in a public sector entity;

8) provision of goods or services provided under public contracts;

9) issuing or granting of licenses, permits, establishing, canceling or changing the requirements for the qualification and professional reputation of entities for licensed commercial activities or commercial activities that require permission from state or municipal authorities;

10) production, storage, use, acquisition, trade and control of excise goods;

11) investigation of violations of law, conditions of responsibility for violations of law;

12) land management, territorial planning, construction;

13) establishing, canceling or changing product safety requirements;

14) health protection;

15) environmental protection;

16) energy;

17) migration, acquisition and loss of citizenship;

18) tax administration;

19) provision of administrative and public services;

20) development of infrastructure of national or regional importance .

2 . The entity of public administration may carry out an anti-corruption assessment of the draft normative legal act that it is preparing, if the legal act does not provide for the regulation of public relations specified in part 1 of this article, but, in the opinion of the drafter of the legal act, the legal regulation provided for in the legal act may pose a risk of corruption.

3 . The anti-corruption evaluation of a draft legal act prepared by a public administration entity is performed by an employee of the public administration entity who is assigned by the head of the public administration entity or a person authorized by him to perform anti-corruption evaluations of draft legal acts. When performing an anti-corruption assessment, an employee of a public administration entity prepares a certificate of anti-corruption assessment of the draft legal act; this certificate is submitted to the drafter of the legal act and published in the information system of legal acts of the Seimas of the Republic of Lithuania.

4 . The anti-corruption assessment of valid legal acts can be carried out by the subjects of *ex post assessment of the effect of legal regulation in accordance with the procedure established by the Law on the Legislative Framework of the Republic of Lithuania, following the methodology for the ex post assessment of the effect of legal regulation* , which is approved by the Government or an institution authorized by it during the implementation of the Law on Legislative Framework.

5 . The anti-corruption evaluation of draft legal acts or existing normative legal acts specified in part 1 of this article shall be carried out by the Special Investigations Service at the request of the President of the Republic, the Speaker of the Seimas, the Seimas Board, the Prime Minister of the Republic of Lithuania, a Seimas committee, commission or faction. If there is no such request, the Special Investigations Service may conduct an anti-corruption assessment of a

draft normative legal act or a valid normative legal act, regardless of whether an anti-corruption assessment of the legal act or its draft was previously carried out. The Special Investigations Service makes the decision to carry out an anti-corruption assessment of a legal act or its draft taking into account:

1) requests from entities other than those specified in the first paragraph of this part or provided information about corruption risk factors related to valid regulatory legal acts or their drafts;

2) the importance of public relations regulated by a legal act or its draft;

3) the extent and nature of changes made by a legal act or proposed legal act;

4) existing corruption risk factors in the relevant field;

5) Priorities of the activities of the Special Investigation Service.

6 . The anti-corruption assessment of the draft normative legal act or the valid normative legal act referred to in Part 5 of this Article is carried out in accordance with the procedure established by the Director of the Special Investigation Service.

7 . The conclusion of the anti-corruption evaluation of legal acts or their drafts prepared by the Special Investigation Service is published in the information system of legal acts of the Seimas of the Republic of Lithuania and is immediately submitted to the entity that prepared the draft of the legal act, adopted the legal act or initiated its adoption, which decides whether it is expedient to improve the legal act or its draft.

8 . The entity that prepared the draft of the legal act, adopted the legal act or initiated its adoption, upon receiving the conclusion of the anti-corruption assessment from the Special Investigation Service, within two months from the date of receipt of this conclusion, publicly announces how the submitted comments and suggestions have been taken into account (planned to be taken into account), or, if the submitted comments and suggestions are not taken into account, the reasons and reasons for this are indicated. The entity that prepared the draft of the legal act, adopted the legal act or initiated its adoption publishes this information in the information system of legal acts of the Seimas of the Republic of Lithuania and provides a link to it to the Special Investigations Service.

9 . If the addressee of the conclusion of the anti-corruption assessment is a structural unit of the Seimas specified in the Statute of the Seimas of the Republic of Lithuania, the procedure set forth in Part 8 of this article does not apply, information about the conclusion of the anti-corruption assessment and its consideration is provided in accordance with the procedure established by the Statute of the Seimas.

Article 9 . Report on criminal acts of a corrupt nature

1 . An employee of a public sector entity about a criminal act of a corrupt nature known to him, with the exception of an act that his close relatives or family members may have committed, are doing or are about to commit (the concepts of close relatives and family members are understood as defined in Chapter II of the Code of Criminal Procedure of the Republic of Lithuania) , must report to the Prosecutor's Office of the Republic of Lithuania, the Special

Investigation Service or another pre-trial investigation institution, if he has received data that allows him to reasonably believe that this act has been committed, is being committed, or is being prepared to commit it, and if there are no restrictions on the disclosure of reportable information established in legal acts.

2 . The notification of an employee of a public sector entity about a criminal offense of a corrupt nature known to him to the entities specified in part 1 of this article must be submitted within the shortest possible time from the moment of learning about a criminal offense of a corrupt nature.

3 . The entities specified in part 1 of this article must ensure the confidentiality or anonymity of the personal data of the person who reported the criminal act of a corrupt nature in accordance with the procedure established by laws and other legal acts.

4 . Assistance, protection and encouragement measures may be applied to persons who have reported on criminal acts of a corrupt nature, in accordance with the procedure established by the Law on the Protection of Whistleblowers of the Republic of Lithuania and other legal acts.

Article 10 . Determining the probability of the occurrence of corruption

1 . A public sector entity, managing the risk of corruption, can, at its discretion, determine the probability of the occurrence of corruption in a specific area of its activity. The determination of the probability of the occurrence of corruption can be carried out at the initiative of a public sector entity or at the suggestion of an independent institution or another public sector entity to which the public sector entity is subordinate and/or to whose management area it is assigned.

2 . An independent institution has the right, at its own discretion, to determine the probability of the occurrence of corruption in a public sector entity that is subordinate to it and/or assigned to its area of management. The public sector entities specified in Article 2, Part 14, Clause 3 of this Law also have this right for the public sector entities specified in Article 2, Part 14, Clauses 2 and 4 of this Law.

3 . After determining the probability of the occurrence of corruption, a conclusion is drawn up, which indicates:

- 1) description of the analyzed field of activity;
- 2) identified corruption risk factors, the data and/or information supporting them;
- 3) measures to reduce or eliminate corruption risks and/or risk factors.

4 . The head of the public sector entity or a person authorized by him confirms the conclusion on the determination of the probability of the occurrence of corruption, makes decisions on the elimination or reduction of the risk of corruption and its factors (if they are identified), announces it on the website of the public sector entity and informs the independent institution to which the public sector entity under or to which area of management it is assigned.

5 . The head of the public sector entity or his authorized person shall publish on the website of the public sector entity, no later than one year after the decision referred to in paragraph 4 of this article, what actions have been taken and what results have been achieved in reducing the risk of corruption and/or eliminating its factors.

6 . Recommendations regarding the determination of the probability of corruption and the procedure for its implementation are approved by the Director of the Special Investigations Service.

Article 11 . Assessment of corruption risk management

1 . In public legal entities, as defined in the Law on Internal Control and Internal Audit of the Republic of Lithuania, the assessment of corruption risk management is planned and carried out in accordance with the procedure established by the Law on Internal Control and Internal Audit, while in other public sector entities it can be carried out in the procedure established by the legal acts regulating their internal audit.

2 . In public sector entities that do not have an established internal audit service, the assessment of corruption risk management or a similar procedure is performed by another department or employee responsible for the internal control of the public sector entity's activities, compliance with the requirements of legal acts, in accordance with the procedure established by the legal acts regulating its activities.

3 . The head of the public sector entity examines the corruption risk management assessment submitted to him, other related documents, makes decisions on improving corruption risk management, if necessary, and announces the decisions made on the public sector entity's website.

Article 12 . Determining the level of resistance to corruption

1 . When determining the level of resistance to corruption, it is assessed how many and what measures to create a corruption-resistant environment are implemented in the public sector entity, the quality and practical applicability of the implementation of these measures, and the results achieved by applying them. According to these elements of implementing measures to create a corruption-resistant environment, the level of corruption resistance of a public sector entity is calculated, which can be from very low to very high according to a predetermined scale.

2 . Determination of the level of resistance to corruption of independent institutions is carried out by the institutions themselves.

3 . The determination of the level of resistance to corruption of public sector entities other than those specified in Part 2 of this Article is carried out by themselves or by an independent institution to which the public sector entity is subordinate and/or assigned according to the area of management, taking into account the size and administrative capacity of the public sector entity. Public sector entities specified in Article 2, Part 14, Clause 3 of this Law also have the right to determine the level of sensitivity to corruption for the public sector entities specified in Article 2, Part 14, Clauses 2 and 4 of this Law .

4 . The results of determining the level of resistance to corruption are published on the website of the public sector entity and/or independent institution to which this entity is subordinate and/or assigned according to the area of management.

5 . Special Investigation Service:

1) analyzes and summarizes the results of determining the level of resistance to corruption in public sector entities;

2) informs the public about the results of determining the level of resistance to corruption in public sector entities;

3) has the right to determine the level of resistance to corruption of public sector entities, including independent institutions, on their own initiative or at the request of a public sector entity.

6 . The methodology for determining the level of resistance to corruption is approved by the Government.

Article 13 . Implementation of anti-corruption standards of conduct

1 . An independent institution must have an anti-corruption code of conduct or rules, which, taking into account the specifics of its activity, determine in detail the basic standards of transparent activity and anti-corruption behavior of employees, aimed at ensuring honesty, responsibility, intolerance of corruption, as well as describing exemplary cases of possible risks of a corrupt nature and employees actions when faced with them.

2 . Other than specified in part 1 of this article, the public sector entity and the persons working in it are guided by the approved anti-corruption behavior standards of their own or independent institutions to which the public sector entity is directly or indirectly subordinated and/or assigned according to the area of management. The public sector entities specified in Article 2, Part 14, Clauses 2 and 4 of this Law may also be guided by the standards of anti-corruption behavior approved by the public sector entities specified in Article 2, Part 14, Clause 3 of this Law.

3 . In a public sector entity, the entity responsible for creating a corruption-resistant environment controls how employees of the public sector entity adhere to the standards of anti-corruption behavior, advises them on anti-corruption behavior issues arising in the field of the institution's activities, applies measures for creating a corruption-resistant environment and other preventive measures provided for in legal acts to them, if necessary, according to competence and need and/or exposure measures.

4 . As needed, the Special Investigations Service provides public sector entities, including independent institutions, with methodological assistance in the preparation and application of anti-corruption behavior standards.

Article 14 . Raising anti-corruption awareness

1 . Raising anti-corruption awareness is carried out as an integral part of education and training, with the aim of fostering the concept of individual rights and responsibilities to society, the state of Lithuania, and increasing the awareness of the public, public and private sectors to act transparently and honestly, not to tolerate corruption or other unfair behavior, and to report violations of the law of a corrupt nature.

2 . The Minister of Education, Science and Sports of the Republic of Lithuania, while implementing this law, ensures that topics related to raising anti-corruption awareness are included in the general programs of basic and secondary education.

3 . The raising of anti-corruption awareness is carried out by education providers in accordance with the procedure established by the Minister of Education, Science and Sports in accordance with educational programs prepared in accordance with the procedure established by legislation.

4 . The Special Investigations Service carries out activities focused on raising public anti-corruption awareness, organizes trainings, seminars, methodological assistance events, discussions related to the creation of a corruption-resistant environment, coordinates educational programs at the request of educational program organizers or, on its own initiative, submits proposals for these programs or preparation and/or improvement of their projects.

CHAPTER III ENSURING PERSONNEL RELIABILITY

Article 15 . Provision and purposes of use of information about a person seeking or holding a position

1 . Information about a person seeking to hold or holding a position in a public sector entity or seeking to hold a position in the European Union or international judicial and other institutions (hereinafter referred to as the person) is collected and provided to the manager of the public sector entity who appoints, provides or appoints the person, the head of the collegial management body or to a state politician (hereinafter - the entity that appoints, provides or appoints a person to the position) and is used to achieve the goals and objectives of the prevention of corruption specified in Article 3 of this law.

2 . In order to achieve the goals and objectives of the prevention of corruption specified in Article 3 of this law, information about a person may be used for the following purposes:

1) to assess corruption risk factors that would arise and/or arise when a person holds a position in a public sector entity;

2) apply purposefully selected and proportionate measures to create a corruption-resistant environment and/or make decisions related to work procedures and organization, the totality of which would allow controlling and/or reducing the corruption risk factors specified in point 1 of this part;

3) make reasonable and reasoned decisions regarding the appointment of persons to positions, transfer to other positions, determination of areas of responsibility, refusal to appoint to positions, dismissal from positions or other decisions related to the formation of personnel of the public sector entity;

4) contribute to the management of conflicts of public and private interests;

5) contribute to ensuring that persons holding positions in public sector entities meet the impeccable reputation or other special requirements established in the laws regulating their

service or work;

6) decide on a person's disciplinary or official responsibility, when there is a sufficient legal and factual basis for this.

Article 16 . The scope of information about a person seeking or holding a position

The Special Investigations Service collects and provides information on:

1) a person's criminal record (regardless of whether the criminal record disappeared or was cancelled);

2) judgments passed against the person as a result of a criminal act of a corrupt nature or a criminal act related to the person's functions in a public sector entity or institution in which he seeks to serve or holds a position, by which the person was found guilty of having committed a criminal offense;

3) due to a criminal act of a corrupt nature or a criminal act related to a person's functions in a public sector entity or institution where he seeks to serve or holds a position, judgments passed against the person by which the criminal case was terminated, or orders by which the criminal case was terminated against him or the person exempted from criminal liability or punishment;

4) suspicions brought against a person for committing a criminal act of a corrupt nature or a criminal act related to the person's functions in a public sector entity or institution where he seeks to serve or holds a position, as well as procedural decisions made in these criminal proceedings ;

5) measures for the prevention of organized crime are or have been applied to the person in accordance with the Law on the Prevention of Organized Crime of the Republic of Lithuania (information is provided for the last ten years, counting from the date of receipt of a written request to provide information about the person at the Special Investigation Service);

6) dismissal of a person from service or duties due to breaking the oath, degrading the name of an official (judge) (information is provided for the last ten years, counting from the date of receipt of a written request to provide information about the person at the Special Investigation Service);

7) official misconduct committed by a person (violations of work duties) and the decisions made regarding them, when more than three years have not passed since the date of entry into force of the decision by which the person was recognized as having committed official misconduct or violation of work duties;

8) violations committed by a person of legal acts regulating the coordination of public and private interests in the public service, when no more than five years have passed since the date of entry into force of the decision by which the person was recognized as having committed this violation;

9) violations of legal acts regulating lobbying activities committed by a person, when no more than five years have passed since the date of entry into force of the decision by which the person was recognized as having committed this violation;

10) violations committed by a person of legal acts regulating the norms of official ethics and conduct, when no more than five years have passed since the date of entry into force of the decision by which the person was recognized as having committed this violation;

11) the fact that the person admitted to the civil service hid or provided untrue data, which prevented him from being admitted to the position in the civil service (information is provided for the last ten years, counting from the date of receipt of a written request to provide information about the person at the Special Investigation Service);

12) intelligence, criminal intelligence, analytical anti-corruption intelligence information about a criminal act being prepared, committed or committed by a person or corruption risk factors related to a person, which may result in the risk of corruption in the field of state or municipal activity in which the person seeks to act or holds a position (the information is provided for the last ten years, counting from the date of receipt of the written request to provide information about the person at the Special Investigations Service);

13) administrative fines or measures of administrative impact have been imposed on a person for administrative offenses , when more than one year has not passed since the effective date of the administrative order or resolution, by which the person was recognized as having committed an administrative offense;

14) regarding tax inspections and investigations conducted by a person, which revealed violations of tax laws (information is provided for the last ten years, counting from the date of receipt of a written request to provide information about the person at the Special Investigations Service).

Article 17 . The procedure for submitting information about a person seeking or holding a position

1 . The Special Investigation Service receives from criminal intelligence entities or main institutions of criminal intelligence, intelligence institutions, other institutions, institutions and companies the information they have about the person referred to in Article 16 of this law, as well as data from state registers and other information systems and this information together with their the information available about the person is presented to the entity appointing, providing or appointing the person. The Special Investigations Service does not evaluate the information specified in Article 16 of this law, and does not provide conclusions on the suitability of a person for the positions sought or held.

2 . Methods and means of collecting criminal intelligence information may not be used for the purpose of providing information about a person in accordance with the procedure established in this article.

3 . The Special Investigations Service provides the information about the person referred to in Article 16 of this Law no later than within 10 working days from the date of receipt of the written request to provide information about the person, except for the case when the verification of the validity of the information, specified in Part 14 of this Article, has been initiated. The institutions, institutions and companies referred to in paragraph 1 of this article must provide the

information and/or data available to the Special Investigation Service no later than within 5 working days from the date of receipt of the Special Investigation Service's request to provide information and/or data, and if necessary and possible , - immediately.

4 . A written request to the Special Investigation Service to provide information is mandatory when:

1) the person is appointed to the position by the President of the Republic, the Seimas, the Speaker of the Seimas, the Government or the Prime Minister;

2) the person is appointed to a position in the European Union or international judicial and other institutions;

3) a person is appointed to the position of vice-ministers, chancellors of ministries, directors of municipal administration and their deputies, prosecutors, heads of state or municipal institutions and their deputies, department heads of state or municipal institutions and their deputies;

4) a person is appointed to state or municipal enterprises, as well as joint stock companies and closed joint stock companies, all or part of whose shares, if they provide more than 1/2 of the votes at the general meeting of shareholders, are owned by the state, one or several municipalities, these subsidiary (subsidiary) joint-stock companies or closed joint-stock companies of the companies, all other divisions of the managers and their deputies of the subsidiary (subsidiary) companies related to these companies through the subsidiary (subsidiary) companies of subsequent ranks, members of the collegial supervisory and management bodies, which are not in another structural unit, the duties of managers and their deputies, except in cases where the company meeting the characteristics specified in this point is established in a foreign country and operates in accordance with the laws of that foreign country;

5) a person is temporarily appointed to the positions specified in points 1-4 of this part, when there is no appointed person permanently holding these positions.

5 . The appointing or providing entity approves the list of positions for which a request to provide information to the Special Investigation Service is submitted and publishes it on its website. This list includes all positions corresponding to at least one of the characteristics specified in paragraph 4 of this article, as well as other positions of employees of the public sector entity by the decision of the entity appointing or providing the position.

6 . The request to the Special Investigation Service to provide information regarding the persons appointed or assigned to the positions included in the list referred to in paragraph 5 of this article shall be submitted in all cases. A request to provide information to the Special Investigations Service may not be submitted regarding persons appointed or assigned to positions not included in the list specified in paragraph 5 of this article.

7 . The request to provide information to the Special Investigations Service is signed by the entity appointing, providing or appointing the person or the person authorized by him. The request to the Special Investigations Service to provide information about the person appointed to the position by the Seimas shall be signed by the Speaker of the Seimas or his authorized person or by the entity providing the position or his authorized person; about a person who is appointed

or appointed to a position by the Government, - the Prime Minister or a person authorized by him or an entity providing this position or a person authorized by him; about the person appointed to the position by the municipal council - the mayor or his authorized person; about a person who is appointed to a position by another collegial management body - his manager or a person authorized by him.

8 . The request to provide information to the Special Investigation Service can also be signed by the President of the Republic, the Speaker of the Seimas, the Prime Minister or the mayor who has been elected or appointed but has not yet taken office. In such a case, together with the request to provide information to the Special Investigation Service, the written consent of the person about whom the information will be collected must be submitted to collect information about him in accordance with the procedure established by this law. Information about a person is provided to the entity that appoints or provides him/her to the position only after he/she takes up the position. If the entity appointing or submitting the person to the position does not start performing the duties, the information collected by the Special Investigation Service about the person is destroyed immediately, but no later than within three working days from the day these circumstances became clear.

9 . The main institutions of criminal intelligence, entities of criminal intelligence, intelligence institutions shall independently collect the information specified in Article 16 of this Law about the persons they appoint to the position.

10 . The written requests referred to in paragraph 7 of this article must be submitted to the Special Investigation Service before the person is appointed to the position. A person can be appointed to a position only after receiving information from the Special Investigation Service. If the main institutions of criminal intelligence, intelligence institutions collect information about a person independently, such a person can be appointed to a position only after collecting the information specified in Article 16 of this law.

11 . The entity that appoints, submits or appoints a person to a position may submit a request to the Special Investigation Service to submit information only for one person who has won a competition, selection, evaluation, attestation, service change or other similar procedures, or a person of his/her choice.

Changes to part of the article:

No. [XIV-1993](#), 2023-05-25, published in TAR on 06-09-2023, until 2023-11563

12 . Information about the person is provided to the entity that nominates, appoints or appoints the person to the position. If part of the information is classified, it is provided only if the entity that nominates, appoints or appoints the person to the position has permission to work with or get to know the classified information, and the appropriate secrecy mark is marked. If the entity that nominates, appoints or appoints a person to the position is a collegial management body and information about the person is submitted to the head of such a collegial management body, all members of the collegial management body have the right to familiarize themselves with the information about the person, and if part of the information about the person is

classified, this collegial members of the management body who have permission to work or get acquainted with classified information are marked with the appropriate secrecy mark.

13 . The entity that appoints, submits or appoints a person to a position, in accordance with the procedure established by legal acts, is responsible for accepting only persons for positions included in the list specified in paragraph 5 of this article, about whom the information about the person has been received from the Special Investigation Service and evaluated in the procedure prescribed in this article.

14 . If there are doubts about the validity of the information collected or provided about the person, the Special Investigations Service, on its own initiative or at the request of the entity appointing, providing or appointing the person, must carry out a verification of the validity of such information. The verification of the validity of the information is carried out within 20 working days from the date of receipt of the request or the decision to verify such information. The institutions, institutions and companies referred to in paragraph 1 of this article must check and submit the available information and/or data to the Special Investigations Service no later than within 10 working days from the date of receipt of the Special Investigations Service's request to check the information, and if it is necessary and possible, - without delay

15 . The written request of the entity that appointed the person to the position or the person authorized by it to the Special Investigation Service to provide information about the person holding the position must be motivated and based on data raising doubts about the reliability and fitness of the person about whom the information is requested to be provided. If there are doubts about the reliability and suitability of a person holding a position in criminal intelligence entities, criminal intelligence main institutions or intelligence institutions, the main criminal intelligence institutions, criminal intelligence entities or intelligence institutions shall independently collect the information about the person holding the position referred to in Article 16 of this law. A request to the Special Investigations Service to provide information about a person holding a position may be submitted only for a person holding a position included in the list referred to in paragraph 5 of this article.

16 . The detailed procedure for submitting information about a person is determined and the form of a request to submit information about a person is approved by the Director of the Special Investigation Service.

17 . The actions of the Special Investigation Service referred to in this article may be appealed in accordance with the procedure established by the Law on Administrative Cases of the Republic of Lithuania.

Article 18 . The procedure for using information about a person seeking or holding a position

1 . The entity appointing, providing or appointing a person to the position may use the information provided in the manner prescribed in Article 17 of this Law only for the purposes and objectives specified in Article 3 of this Law and only for the purposes specified in Article 15, Part 2 of this Law.

2 . The entity appointing, providing or appointing a person to a position may not transfer information about the person obtained in accordance with the procedure established in this article to third parties, with the exception of the entity responsible for creating a corruption-resistant environment, which uses this information exclusively to perform the functions specified in Article 24, Paragraph 5, Clause 6 of this law, and other cases established by the laws of the Republic of Lithuania.

3 . In order to achieve the goals and objectives specified in Article 3 of this law, the methods of using information about the person that restrict the rights of the individual (including the right to join the civil service with equal rights and the right to a career) and the means of creating a corruption-resistant environment must be chosen. Preference is given to the measures of creating a corruption-resistant environment and preventing conflicts of public and private interests provided for in this and other laws, which are not related to the refusal to appoint a person to a position or dismissal from it.

4 . Insignificant, random facts or circumstances cannot be the basis for making a decision not to appoint or dismiss a person from a position.

5 . If it can be seen from the information referred to in Article 16 of this law that the person does not meet the impeccable reputation or other special requirements set out in the laws governing his service or work, and the person who does not meet them cannot perform the relevant duties, the person is refused to be offered or appointed to the position or he is dismissed from his job or on the basis and procedure established by the legal acts regulating the service.

6 . If the totality of the information referred to in Article 16 of this law does not constitute a basis for stating that the person does not meet the impeccable reputation or other special requirements set out in the legal acts regulating his work or service, but from the totality of this information a reasonable and reasoned conclusion can be made that corruption will arise if the person is appointed to the position the risk and its determining factors cannot be reduced or eliminated by less restrictive measures of the individual's rights, a decision may be made to refuse to provide or assign the person to a position. In such a case, this provision of this law constitutes an independent basis for refusing to nominate or appoint a person to a position based on a reasoned decision of the entity nominating, appointing or appointing a person to a position, which must specify the legal and factual grounds for such a decision.

7 . If the totality of the information specified in Article 16 of this law and other information known to the entity that appointed the person to the position constitutes grounds for believing that an official or disciplinary offense may have been committed, the investigation of such offense is carried out in accordance with the procedure established by the legal acts regulating the person's work or service, while maintaining the individual's rights provided for in these legal acts protection guarantees.

8 . If a person is appointed to a position without complying with the requirement set out in Article 17, Part 10 of this law, to appoint a person to a position only after receiving information from the Special Investigation Service, the right to apply to the public administration entity that made such a decision or to a subordinate public administration entity regarding the recognition of

such a decision as having lost its power Public administration according to the procedure established in Article 16 of the law, the authority implementing the rights and duties of the owner of the institution where such a decision was made, the representative of the Government in the county (if the decision was made in a local self-government institution) or the Special Investigation Service. If the public administration entity refuses to recognize such a decision as having lost its validity or if the public sector entity, as defined in Article 2, paragraph 14 of this law, is not subject to the Public Administration Law, the institution implementing the rights and obligations of the owner of the institution where such a decision was made, the representative of the Government in the county or the Special the investigation service has the right to apply to the court for recognition of this decision as invalid.

9 . The entity submitting or appointing a person to a position, having evaluated all the information provided in accordance with the procedure established in this article and has taken a decision not to submit or appoint a person to a position, must within 3 working days familiarize the person with the information submitted about him/her.

10 . At the request of the person who is appointed to the relevant position, the entity that nominated or appointed him to the position must, within 3 working days, familiarize the person with the information provided about him.

11 . A person may appeal the decision not to appoint him to a position or to dismiss him from a position in accordance with the procedure established by the laws of the Republic of Lithuania.

Article 19 . Processing of personal data and protection of information when collecting, providing and using information about a person seeking or holding a position

1 . Special Investigations Service, main institutions of criminal intelligence, entities of criminal intelligence, intelligence institutions, entities appointing or appointing the person to the position, other persons, companies, institutions or organizations, to whom information about the person became known as a result of the collection, submission or use of information provided for in this section , seeking to hold or holding a position, must ensure that personal data received in accordance with the procedure established in this chapter are processed in accordance with the procedure established in the legal acts regulating the processing of personal data referred to in Article 27 of this law.

2 . The Special Investigations Service, while performing the collection and submission of information about a person specified in this article or other actions related to the functions specified in this article, processes personal data for the purposes of crime prevention and national security.

3 . Special Investigations Service, main institutions of criminal intelligence, entities of criminal intelligence, intelligence institutions, entities appointing or appointing the person to the position, other persons, companies, institutions or organizations, to whom information about the person became known as a result of the collection, submission or use of information provided for

in this section , seeking to hold or holding a position, must ensure that information about the person (including the fact of collecting information about the person and the position the person is seeking to hold) is protected from disclosure to third parties, except in cases provided for by law.

4 . The Special Investigations Service, the entity that appoints, provides or appoints a person to the position and other natural or legal persons performing any information administration actions provided for in this article (including familiarizing the person with the information provided about him in the cases specified in paragraphs 9 and 10 of Article 18 of this law) must to comply with the requirements for the administration of separate categories of information set forth in the Law on State and Service Secrets of the Republic of Lithuania and other laws.

CHAPTER IV

CORRUPTION PREVENTION SUBJECTS, THEIR RIGHTS AND OBLIGATIONS IN THE FIELD OF CORRUPTION PREVENTION

Article 20 . Corruption prevention entities

1 . The President of the Republic, the Seimas and the Government formulate the corruption prevention policy in accordance with the procedure established by the Law of the President of the Republic of Lithuania, the Statute of the Seimas, the Law of the Government of the Republic of Lithuania and other legal acts.

2 . The Government, implementing this law:

1) with the participation of the Special Investigation Service, prepares and submits to the Seimas for consideration the draft of the National Agenda on the Prevention of Corruption, submits proposals for its addition or change;

2) approves the plan of the National Agenda for the Prevention of Corruption;

3) controls and ensures the implementation of measures to create a corruption-resistant environment in public sector entities accountable to the Government, ministries and their subordinates and/or public sector entities assigned to their management area;

4) provides the necessary funds for the effective implementation of corruption prevention;

5) submit proposals to the Seimas regarding the adoption, amendment and addition of laws and other legal acts necessary for the implementation of corruption prevention.

3 . The Special Investigation Service, implementing this law:

1) participates in the Government's preparation of the draft of the National Agenda on Prevention of Corruption and submits proposals for its addition or change;

2) participates in the preparation of the draft plan of the National Agenda for the Prevention of Corruption;

3) performs monitoring of the implementation of the National Agenda on Corruption Prevention and its plan;

4) monitors, evaluates and analyzes the activities of public sector entities in creating a corruption-resistant environment and trends in the creation of a corruption-resistant environment in the private sector;

5) methodically leads and provides assistance to other public and private sector entities in creating a corruption-resistant environment or applying specific measures to prevent corruption;

6) coordinates the activities of creating a corruption-resistant environment in the public and private sectors;

7) submit proposals to the President of the Republic, the Seimas, the Government regarding the adoption, amendment or addition of laws and other legal acts necessary for the implementation of corruption prevention;

8) together with other state or municipal institutions or institutions, implements the corruption prevention measures entrusted to it;

9) performs other functions assigned to it by this or other laws.

4 . Other corruption prevention entities are:

1) Controllers of the Seimas;

2) Prosecutor's Office of the Republic of Lithuania;

3) municipal councils and anti-corruption commissions;

4) The Supreme Commission of Official Ethics;

5) the Supreme Election Commission of the Republic of Lithuania;

6) Public procurement service;

7) police and other pre-trial investigation institutions;

8) State Tax Inspectorate under the Ministry of Finance of the Republic of Lithuania;

9) Government representatives;

10) natural or legal persons who, voluntarily or in accordance with this law and/or other legal acts, carry out activities or measures that create a corruption-resistant environment or increase resistance to corruption.

Article 21 . Independent institutions

1 . Autonomous institutions, implementing the provisions of this law:

1) approves and implements corruption prevention action plans in the cases and procedure established by this law;

2) implements other measures to create a corruption-resistant environment entrusted to them by legal acts and, according to their competence, ensures that these measures are implemented to the required extent in subordinate and/or public sector entities assigned to their management area;

3) promotes, coordinates and controls the creation of a corruption-resistant environment in subordinate and/or public sector entities assigned to their management area;

4) determines the level of corruption resistance of subordinate and/or public sector entities assigned to their management area and submits proposals for the implementation of the necessary measures;

5) informs the public about the progress in creating a corruption-resistant environment in their institution and in the public sector entities assigned to their management area and/or subordinate to it;

6) takes active legal, organizational and other measures in accordance with competence to prevent violations of the law of a corrupt nature in their institution, its subordinates and (or) public sector entities assigned to the area of management, and if these violations are committed, to disclose and apply legal effects or other measures, with the exception of measures related to the conduct of a pre-trial investigation.

2 . Self-governing institutions take measures to ensure that the following corruption-resistant environment creation measures are applied in them and in public sector entities under their control and/or assigned to their management area, taking into account their size and/or administrative capacity:

1) prevention and investigation of violations of the law (including those of a corrupt nature);

2) corruption risk management assessment is carried out in the cases and procedure established by this law;

3) anti-corruption assessment of draft legal acts is carried out in the cases and procedure established by this law;

4) information about a person is collected and evaluated in the cases and procedure established in Chapter III of this law;

5) determination of the level of resistance to corruption is carried out in the cases and procedure established by this law;

6) control and monitoring of the practice of declaration of public and private interests of employees and coordination of public and private interests is carried out;

7) anti-corruption awareness of employees is increased;

8) in the cases and procedure established by this law, a corruption prevention action plan is prepared, and the implementation of this plan is monitored;

9) other means of creating an environment resistant to corruption, which are required to be implemented by this law or other legal acts.

3 . Self-governing institutions can take measures to ensure that measures to create a corruption-resistant environment other than those specified in paragraph 2 of this article are applied in them and in public sector entities under their control and/or under their management.

Article 22 . Private sector entities

1 . The participation of private sector entities in creating a corruption-resistant environment is based on the voluntariness of these entities and cooperation between the public and private sectors.

2 . The state promotes the involvement of private sector entities in creating a corruption-resistant environment in the public sector, as well as the activities of private sector entities in creating a corruption-resistant environment in the private sector.

Article 23 . Rights and obligations of public and private sector entities

1 . Public and private sector entities have the right to:

1) to submit proposals to state or municipal institutions or institutions on issues of creating a corruption-resistant environment;

2) determine measures to promote the creation of a corruption-resistant environment;

3) to receive methodological information on issues of creating a corruption-resistant environment from the Special Investigation Service or other corruption prevention entities specified in Article 20, Part 4 of this law.

2 . Public sector entities:

1) implements state policy in the field of creating a corruption-resistant environment according to competence;

2) ensures that the provisions of this law and other legal acts regulating the creation of a corruption-resistant environment are implemented;

3) removes violations of requirements of legal acts;

4) provides information necessary for the creation of a corruption-resistant environment to the entities responsible for the prevention of corruption or for the creation of a corruption-resistant environment;

5) organizes training for employees on issues of creating a corruption-resistant environment;

6) publishes on its website depersonalized information about the violations of the law of a corrupt nature identified by them in the last three years, their nature, number, actions taken while investigating them and applied legal effects or other measures intended to eliminate the consequences of such violations and prevent such violations in the future;

7) provides opportunities for individuals to submit opinions and proposals regarding the creation of a corruption-resistant environment;

8) strives to ensure that the principles of creating a corruption-resistant environment and the main requirements of this law are implemented in the entities of the public sector entity established and operating in foreign countries, to the extent that these requirements do not conflict with the legal acts of the foreign country in which such an entity is established and operates;

9) performs other duties specified in this law.

3 . In a public sector entity, the manager is responsible for creating a corruption-resistant environment. In performing this duty, the manager must take measures necessary for the implementation of this law.

Article 24 . Entities responsible for creating a corruption-resistant environment

1 . Autonomous institutions establish departments responsible for creating a corruption-resistant environment or appoint persons responsible for creating a corruption-resistant environment. These persons are responsible for creating a corruption-resistant environment in an

independent institution, as well as by decision of the head of an independent institution or another management body - and in public sector entities subordinate to the independent institution and/or assigned to its management area.

2 . A public sector entity that is not an independent institution must establish departments responsible for creating a corruption-resistant environment, appoint persons responsible for creating a corruption-resistant environment, or assign the functions attributable to them to certain employees, when 200 or more employees work or hold positions in this public sector entity and if in an independent institution or other public sector entity to which this public sector entity is subordinate and/or assigned to its management area, there is no established or designated entity responsible for creating a corruption-resistant environment in subordinate and/or public sector entities assigned to its management area.

3 . Other than those specified in paragraphs 1 and 2 of this article, public sector entities may establish departments responsible for creating a corruption-resistant environment, appoint persons responsible for creating a corruption-resistant environment, or assign the functions assigned to them to other employees.

4 . If there is no established unit responsible for creating a corruption-resistant environment in a public sector entity, a person responsible for creating a corruption-resistant environment is not appointed, or this function is not assigned to other employees, the creation of a corruption-resistant environment in such a public sector entity is ensured by an independent institution or another public sector entity, which the public sector entity is subordinate and/or assigned to its management area, the entity responsible for creating a corruption-resistant environment.

5 . The entities responsible for creating a corruption-resistant environment specified in paragraphs 1-4 of this article perform the following functions:

1) in accordance with the competence, in accordance with the procedure established by the Law on Civil Service, the Labor Code of the Republic of Lithuania and other legal acts, conducts the investigation of legal violations or participates in their investigation, if no other procedure for the investigation of violations is established in special laws or their implementing legal acts;

2) in the cases and procedure established by this law, determines the probability of the occurrence of corruption;

3) performs anti-corruption evaluations of draft legal acts in the cases and procedure established by this law;

4) in the cases and procedure established by this law, determines the level of resistance to corruption;

5) in accordance with competence ensures or, as needed, participates in ensuring the implementation of the Whistleblower Protection Law in a public sector entity;

6) according to competence, participates and gives an opinion in personnel formation procedures when evaluating information about a person obtained in accordance with the procedure established in Chapter III of this Law;

7) performs control and monitoring of the practice of declaration of public and private interests and coordination of public and private interests of employees of the public sector entity;

8) organizes the raising of anti-corruption awareness of the employees of the public sector entity;

9) prepares a corruption prevention action plan in the cases and procedure established by this law, monitors its implementation in accordance with competence;

10) makes proposals to the head of the public sector entity regarding the implementation and implementation of measures to create a corruption-resistant environment;

11) according to the need and competence, perform other functions that improve the corruption-resistant environment.

6 . The head of a public sector entity may assign the functions specified in paragraph 5 of this article to other departments or employees of the public sector entity, if in this case the corresponding function will be implemented in the most rational way.

Article 25 . Independence and operational guarantees of entities responsible for creating a corruption-resistant environment

1 . The entity responsible for creating a corruption-resistant environment is directly subordinated and accountable to the head of the public sector entity. The head of the public sector entity ensures the operational and organizational independence of the entity responsible for creating a corruption-resistant environment, the resources necessary for the activity of creating a corruption-resistant environment, the rights and operational guarantees of the entities responsible for this activity, including measures by which the entities responsible for creating a corruption-resistant environment and/or their employees are protected from possible adverse effects due to the functions they perform.

2 . The activities of entities responsible for creating a corruption-resistant environment are regulated in the regulations and/or job descriptions of entities responsible for creating a corruption-resistant environment approved by the public sector entity. They are prepared in accordance with the government-approved model regulations of entities responsible for creating a corruption-resistant environment and/or job descriptions, which must determine which provisions of these model documents apply without exceptions, and from which deviation is possible, if it is sufficiently motivated, the circumstances justifying the deviation by recording in the decision of the head of the public sector, which approves the regulations and/or job descriptions of the entities responsible for creating a corruption-resistant environment, or in another way that ensures sufficient traceability of the reasons and motives of the decisions made.

3 . Employees of the department responsible for creating a corruption-resistant environment, persons responsible for creating a corruption-resistant environment or other employees who are assigned these functions must have:

1) abilities and qualifications sufficient to perform the functions specified in Article 24, Part 5 of this Law;

2) the opportunity to constantly improve qualifications in the field of creating a corruption-resistant environment;

3) the possibility to provide data on identified violations, corruption risk factors, proposals for creating a corruption-resistant environment and other significant information directly to the head of the public sector entity;

4) sufficient operational and independence guarantees to be able to objectively and impartially perform the functions specified in Article 24, Part 5 of this Law.

4 . Entities responsible for creating a corruption-resistant environment, in the performance of their functions, have the right to:

1) to receive from state and municipal institutions or institutions, as well as registers, state information systems owned or managed by them and necessary information for investigating law violations of a corrupt nature and creating a corruption-resistant environment;

2) to receive explanations from the employees of the public sector entity in which he works or for which he performs the functions of creating a corruption-resistant environment regarding possible violations of the law of a corrupt nature;

3) process personal data when it is necessary, and only those personal data that are needed for creating a corruption-resistant environment, ensuring corruption prevention, identifying and investigating corruption-related law violations, in accordance with legal acts regulating the protection of personal data.

CHAPTER V FINAL PROVISIONS

Article 26 . Control of the implementation of measures established by this law

1 . If a public sector entity does not take sufficient measures to create a corruption-resistant environment, as defined in Article 21, Part 2 of this law, does not implement or improperly implements measures to create a corruption-resistant environment and does not ensure proper corruption risk management, the Special Investigation Service has the right to:

1) publicly publish information about insufficient or inappropriate actions of a public sector entity in creating a corruption-resistant environment;

2) to inform the independent institution to which the public sector entity is subordinated or assigned according to the area of management, and to submit proposals for the application of measures to create a corruption-resistant environment, except in cases where the public sector entity is an independent institution;

3) propose the issue of insufficient or inappropriate actions of a public sector entity in creating a corruption-resistant environment for consideration in Government committees, commissions or working groups established by the Prime Minister, if the public sector entity is

accountable to the Government or ministries, or in Seimas committees, commissions or working groups established by them;

4) inform the representative of the Government and/or the Government about the insufficient or inappropriate actions of the public sector entity in creating a corruption-resistant environment, when the public sector entity is a municipality.

2 . The Special Investigations Service, before performing the actions specified in paragraphs 1-4 of paragraph 1 of this article, informs the public sector entity for which these actions are expected of the expected actions. The public sector entity has the right to provide the Special Investigations Service with explanations and other information related to non-executed or improperly implemented measures to create a corruption-resistant environment.

3 . If, when applying measures to create a corruption-resistant environment or carrying out measures to prevent corruption, data is obtained about a possible violation of a legal act, this data is transferred according to competence to the entities responsible for creating a corruption-resistant environment or to other competent entities who carry out further actions related to the investigation of the violation.

4 . The actions of the Special Investigation Service specified in points 1-4 of part 1 of this article may be appealed in accordance with the procedure established by legal acts.

5 . Officials of the Special Investigation Service shall be responsible for violations of this law in accordance with the procedure established by the Law on the Special Investigation Service.

Article 27 . Processing of personal data

1 . When the Special Investigation Service implements this law, personal data is processed in accordance with the Law of the Republic of Lithuania on personal data, the prevention, investigation, disclosure or prosecution of criminal acts, the execution of sentences or national security or defense purposes, the Law on Legal Protection and the Law on the Special Investigation Service.

2 . For other competent institutions of the Republic of Lithuania, as defined in the Law on the Legal Protection of Personal Data Processed for the Prevention, Investigation, Disclosure or Criminal Prosecution of Criminal Offenses, Execution of Sentences or National Security or Defense Purposes, in the implementation of this Law, personal data is processed in accordance with the Personal Data, for the prevention, investigation, detection or prosecution of criminal acts, execution of sentences or national security or defense purposes, the law on legal protection and special laws regulating their activities.

3 . In the implementation of this law by other entities, personal data is processed in accordance with the 2016 April 27 Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons in the processing of personal data and on the free movement of such data and which repeals Directive 95/46/EC (General Data Protection Regulation), the Law on Legal Protection of Personal Data of the Republic of Lithuania and this law .

I announce this law adopted by the Seimas of the Republic of Lithuania.

VALDAS ADAMKUS, PRESIDENT OF THE REPUBLIC

Changes:

1.
Seimas of the Republic of Lithuania, Law
No. [IX-1483](#) , 04/03/2003, Gazette, 2003, no. 38-1728 (24-04-2003), until 1031010ISTA0IX-1483
Law amending Articles 2, 3, 6, 11 and 16 of the Law on Prevention of Corruption of the Republic of Lithuania
2.
Seimas of the Republic of Lithuania, Law
No. [X-1571](#) , 06/05/2008, Gazette, 2008, no. 71-2700 (2008-06-21), until 1081010ISTA00X-1571
Law amending Articles 5 and 8 of the Law on Prevention of Corruption of the Republic of Lithuania
3.
Seimas of the Republic of Lithuania, Law
No. [XI-1367](#) , 28/04/2011, Gazette, 2011, no. 57-2703 (2011-05-12), until 1111010ISTA0XI-1367
Law amending Articles 5 and 9 of the Law on Prevention of Corruption of the Republic of Lithuania and supplementing the law with Article 9-1
4.
Seimas of the Republic of Lithuania, Law
No. [XI-1475](#) , 21-06-2011, Gazette, 2011, no. 81-3962 (07/05/2011), until 1111010ISTA0XI-1475
Law amending Article 2 of the Law on Prevention of Corruption of the Republic of Lithuania
5.
Seimas of the Republic of Lithuania, Law
No. [XI-2250](#) , 2012-10-02, Gazette, 2012, no. 122-6109 (2012-10-20), until 1121010ISTA0XI-2250
Law amending Articles 6 and 9 of the Law on Prevention of Corruption of the Republic of Lithuania
6.
Seimas of the Republic of Lithuania, Law
No. [XI-2284](#) , 10/17/2012, Gazette, 2012, no. 126-6327 (10/31/2012), until 1121010ISTA0XI-2284
Law on Supplementing Article 9 of the Law on Prevention of Corruption of the Republic of Lithuania
7.
Seimas of the Republic of Lithuania, Law
No. [XII-2711](#) , 11/03/2016, published in TAR 11/09/2016, until 2016-26496
Corruption Prevention Law of the Republic of Lithuania No. IX-904 Article 9 Amendment Act
8.
Seimas of the Republic of Lithuania, Law
No. [XII-2742](#) , 11/08/2016, published in TAR 11/15/2016, up to 2016-26840
Corruption Prevention Law of the Republic of Lithuania No. Act to amend Article 6 of IX-904
9.
Seimas of the Republic of Lithuania, Law
No. [XIII-1003](#) , 12-01-2018, published in TAR 23-01-2018, until 01-01-2018
Corruption Prevention Law of the Republic of Lithuania No. IX-904 Article 9 Amendment Act
10.
Seimas of the Republic of Lithuania, Law

No. [XIII-1165](#) , 17/05/2018, published in TAR on 28/05/2018, until 2018-08535
Corruption Prevention Law of the Republic of Lithuania No. An Act to amend Articles 6 and 9 of IX-904

11.

Seimas of the Republic of Lithuania, Law

No. [XIII-1298](#) , 2018-06-27, published in TAR 07-03-2018, until 2018-11179

Corruption Prevention Law of the Republic of Lithuania No. IX-904 Law amending Articles 5, 8 and supplementing the Law with Article 10-1

12.

Seimas of the Republic of Lithuania, Law

No. [XIII-3076](#) , 2020-06-23, published in TAR 2020-06-29, until 2020-14351

Corruption Prevention Law of the Republic of Lithuania No. IX-904 Article 9 Amendment Act

13.

Seimas of the Republic of Lithuania, Law

No. [XIII-3130](#) , 2020-06-25, published in the TAR on 07-09-2020, until 2020-15375

Corruption Prevention Law of the Republic of Lithuania No. IX-904 Law amending Articles 7, 13, 14 and 15

14.

Seimas of the Republic of Lithuania, Law

No. [XIV-471](#) , 2021-06-29, published TAR 2021-07-14, until 2021-15850

Corruption Prevention Law of the Republic of Lithuania No. Act to amend IX-904

15.

Seimas of the Republic of Lithuania, Law

No. [XIV-1993](#) , 2023-05-25, published in TAR on 06-09-2023, until 2023-11563

Corruption Prevention Law of the Republic of Lithuania No. Act to amend Article 17 of IX-904