



PLGBC

Polish Green Building Council

POLISH GREEN BUILDING COUNCIL ————— MARCH 14, 2023

Code of Ethics

CODE OF ETHICS

POLSKIE STOWARZYSZENIE BUDOWNICTWA EKOLOGICZNEGO POLISH GREEN BUILDING COUNCIL (PLGBC)

dated March 14, 2023

PREAMBLE

- I. This Code sets out the general framework within which the conduct of each entity that is a Member of the Association should fall. The aim of the Code is to create a system, comprising a set of ethical and moral standards. Its purpose is to promote ethical behaviour, monitor its observance and involve Association Members in the initiatives undertaken. Irrespective of the above regulations, other specific documents on dealing with undesirable phenomena and behaviour, such as anti-corruption procedures, compliance, industry codes of ethics, may also be in place at Association Members.
- II. It is the expectation of the Association that its Members respect the values and ethical standards of the Association in the course of their activities.
- III. The managers of the Association's members should create working conditions that enable the principles of ethics to be respected, and should promote the Association's values and ethical standards primarily through their own example and behaviour in accordance with the principles contained in the Code.
- IV. The Association's aim is to push for a significant transformation of the built environment to make it healthy and sustainable as a response to climate change, including:
 - activities related to climate change mitigation and adaptation,
 - applying the principles of the circular economy,
 - enhancing well-being, quality of life and the health of society,
 - enhancing biodiversity.
- V. The means of achieving the Association's goals are set out in detail in the Association's Statute and other Association acts.
- VI. The Association's mission is to radically transform buildings, cities and their surroundings in such a way that the way they are planned, designed, built, used, retrofitted, demolished and recycled is as sustainable as possible.

§ 1 General provisions

1. The Code is a set of principles for the effective fulfilment of the mission, as well as for the achievement of the Association's objectives and statutory tasks.

2. Definitions:

Applicable law	Applicable Polish and EU law, including environmental law.
Association, PLGBC	Polish Green Building Council (PLGBC) based in Gliwice, KRS no.: 0000317576, REGON: 241056815, NIP: 6312579651.
Code	This Code of Ethics.
Compliance	Conduct that consists of observing and maintaining compliance with rules and procedures, in particular those arising from internal directives, procedures/regulations and requirements or from external laws, regulations, standards, agreements or contracts.
Conflict of interest	Situations where the interests of a Member of the Association could conflict with their duties to the Association. A conflict of interest may arise at different stages of the affairs or decision-making process. Conflict of interest is to be understood not only as a situation in which the interest of an Association Member conflicts with the interest of the Association, but also as situations in which the performance of two or more functions leads to a conflict of duties, and when an Association Member uses their membership or function in the Association to obtain personal, image or financial benefits for themselves, a member of their body or a person close to them or their business partners.
Damage	Damage within the meaning of the relevant environmental regulations, in particular the Act of 27 April 2001, Environmental Protection Law in its current version or its amending regulations.
Delegated Regulation	Commission Delegated Regulation (EU) 2021/2139 of 4 June 2021 supplementing Regulation (EU) 2020/852 of the European Parliament and of the Council by establishing the technical screening criteria for determining the conditions under which an economic activity qualifies as contributing substantially to climate change mitigation or climate change adaptation and for determining whether that economic activity causes no significant harm to any of the other environmental objectives.
Ethics	Ethical action in the area of sustainable construction.

Greenwashing	Actions, whether single or multiple or repeated, including, most notably, the dissemination of inaccurate or incomplete information by an Association Member, its body, employees or other persons associated with it, with the purpose of appearing or creating the impression before the public that the Association Member is an entity acting as an environmentally sustainable, i.e. environmentally friendly, including environmentally responsible or environmentally working. Refers to situations where an activity, product or service of a Member of the Association does not in fact have the claimed characteristics, despite claiming to be an environmentally friendly activity, product, service.
Member of the Association	Ordinary member, supporting member, honorary member, honorary supporting member - defined in the Statute of Association.
Pollution	Pollution within the meaning of the relevant environmental legislation, in particular the Act of 27 April 2001, Environmental Protection Law in its current version or its amending regulations.
Stakeholder	Entities (individuals, communities, institutions, organisations, authorities) that can influence the Association or are influenced by its activities.
Statute	The Statute of Polskie Stowarzyszenie Budownictwa Ekologicznego - POLISH GREEN BUILDING COUNCIL (PLGBC) in their current version.
Sustainable development	The idea of socio-economic development assuming such development that, while meeting the needs of contemporary societies, will not at the same time limit the development opportunities of future generations. It assumes parallel development of the economy, society and the environment.
Taxonomy Regulation	Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088.

§ 2 Implementation of the statutory objectives in the activities of the Association's Members

1. In order to implement the priorities of the Association, the conditions to which the Members of the Association commit themselves to strive in order that their activities can be considered environmentally sustainable, i.e. environmentally friendly, shall be established:
 - a) to comply with the legislation in force concerning the environment, health, safety and social sustainability;
 - b) making a significant contribution to one or more of the six environmental objectives described in the applicable EU legislation, namely:

- i) climate change mitigation;
 - ii) climate change adaptation;
 - iii) the sustainable use and protection of water and marine resources;
 - iv) the transition to a circular economy;
 - v) pollution prevention and control;
 - vi) protection and restoration of biodiversity and ecosystems;
- c) not causing serious damage to the environment and for specific environmental objectives;
- d) compliance with technical qualification criteria setting out the minimum requirements to be met by an economic activity in order to be considered environmentally sustainable, arising from applicable law, including the Taxonomy Regulation and the Delegated Regulation.
- 2) Entities interested in membership in the Association (candidates) are obliged to submit a declaration - a statement in which they (i) declare the fulfilment of the objectives of the Association during the period of their membership, (ii) declare their awareness of the consequences resulting from the breach of the objectives and principles of this Code, and (iii) declare whether, when and in what form in the period prior to its submission an event contrary to the principles of this Code took place in their activity, in particular: committing a crime, Greenwashing practices, Damage or Pollution. A model declaration is prepared by the Board of the Association.
- 3) In accordance with the defined objectives of the Association and the membership declarations made, all Members of the Association are obliged to implement and maintain, within the framework of their activities, a policy of sustainable development, encompassing sustainable economic, social and environmental growth, in particular to respect and implement the priorities referred to in this paragraph. In the case of ordinary members of the Association, the principles that apply to business activities shall apply appropriately, taking into account the non-entrepreneurial nature of their activities.

§ 3 Principles of conduct and cooperation of Association Members

- 1) A member of the Association declares to take action to implement the principles arising from this Code in their organisation.
- 2) A member of the Association is obliged to:
- a) act within the limits of the law in force, to observe the norms resulting from the Statutes and other legal acts of the Association, and to undertake such actions and display such attitudes that serve to preserve the good name of the Association, as well as to shape its image and good name in the eyes of the public;
 - b) conduct its own operations so as to comply with the defined sustainability principles and ensure that its organisation, employees and associates share these objectives, and continuously monitor and progressively reduce its negative environmental impacts;

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- c) run continuous development programmes on environmental sustainability for its employees;
 - d) actively support the PLGBC's mission and goals by integrating sustainability into their professional and business activities;
 - e) demonstrate their commitment by conducting and promoting professional, business and scientific practices that are ethical and honest;
 - f) strictly adhere to the guidelines for promoting its membership in advertising and promotional materials. The logo or membership may not be used as an accreditation or badge of sustainability, or indicate endorsement of a product or service;
 - g) use the signs of the Association only according to the rules established by the Board of Directors;
 - h) not to use the Association's logo, name, trademarks or publications by promoting commercial interests contrary to the PLGBC principles;
 - i) mutual, constructive dialogue within the framework of member cooperation, placing the development of sustainable construction above their own sectoral interests or business objectives;
 - j) offer sustainable services or products, take care of its supply chain so that its stakeholders, including suppliers and service providers, also comply with these principles;
 - k) care for the environment and natural resources in accordance with the most up-to-date practices and legislation, including the principles of a circular economy;
 - l) report openly and transparently on its activities and share best practices with other Association Members;
 - m) make a sustained effort and demonstrate real progress in promoting sustainable construction through available communication channels;
 - n) avoid such situations where there may be a Conflict of Interest with the Association's activities;
 - o) be guided in their mutual relations by the provisions of generally applicable law, the Statute, the principles of social coexistence and the provisions of this Code.
3. The basic principle in the relationship between Members of the Association is partnership understood as building lasting, based on mutual trust, loyalty and mutually beneficial relationships within the Association. Members of the Association actively co-operate with the PLGBC authorities and other Association Members in the implementation of the Association's vision, mission and goals; in dialogue they adopt a constructive and progressive approach with other Association Members, seeking to advance the common good rather than their own interests or business objectives.
4. A Member of the Association shall endeavour to ensure that its activities are transparent, ethical and in compliance not only with legal regulations, but also with the standards and procedures specific to the industry in which it operates. In their relations with Stakeholders, Members of the Association are guided by the principles of reliability, credibility, professionalism and fair competition.
5. The Board of Directors and employees of the Association are entitled to speak on behalf of the Association.
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A member of the Association is not entitled to speak on behalf of the Association unless he or she has been formally authorised to do so by the Board of Directors or the Association's marketing and communications officer in the form of at least an email. This authorisation is each time limited in scope and duration.

6. In their dealings with Stakeholders, a Member of the Association shall refrain from statements or other actions that could harm the mission or image of the Association.
7. A member of the Association must not take actions that will put the Association at risk of reputational damage, in particular publish unverified information, omit facts necessary for the evaluation of information, the absence of which may mislead Stakeholders.
8. It is unethical and therefore unacceptable for the Association to engage in Greenwashing practices, in particular the unjustified presentation that a Member of the Association carries out environmentally friendly activities.
9. It is unacceptable for a Member of the Association to express negative opinions or judgements about other Members of the Association or the Association to third parties (not connected with the Association).
10. In the case of ordinary members, the obligations that apply to business activities shall appropriately, taking into account the non-entrepreneurial nature of their activities.
11. In the event that a Member of the Association becomes aware of a violation of the provisions of this Code or of generally applicable laws by another Member, that Member shall notify the Association's Board of Directors of this fact in accordance with the procedure set out in this Code, enabling an investigation to be initiated.

§ 4 Liability of the Association Member

1. A member of the Association is liable for violation of the provisions of this Code. Violation of the norms of this Code is an action to the detriment of the Association as referred to in the Statute.
2. The following, in particular, are considered to be violations of the Code:
 - a) a breach of the provisions of the applicable legislation relating to the environment, health, safety and social sustainability by a Member of the Association, confirmed by a final administrative decision or a final sentence of a penalty, unless the breach is obvious;
 - b) breach of the provisions of § 2 (Implementation of the statutory objectives in the activities of the Members of the Association) and § 3 (Rules of conduct and cooperation of the Members of the Association) of this Code;
 - c) the candidate's failure to provide full, accurate and complete information in the declaration referred to in § 2 2) (iii).
3. In particular, a breach as referred to in paragraph 1. above shall be (i) causing Environmental Damage or Pollution, (ii) failing to take action to mitigate Environmental Damage or Pollution, prevent further Environmental Damage or Pollution and its adverse effects, or (iii) failing to remedy the effects of Environmental Damage or Pollution.

4. Any Member of the Association, its body, a member of the Board or a Stakeholder is obliged to report to the Association's Board of Directors a suspected violation of this Code by a Member of the Association. The report should contain the details of the reporting party, the designation of the Member of the Association committing the violation, a description of the situation and evidence of the violation.
5. In order to preserve the protection of those reporting suspected violations of the Code, a contact channel in the form of an e-mail box is introduced: etyka@plgbc.org.pl, to which reports can be sent. It is also possible to send reports in writing to the Association's address with the annotation "Notification - Code of Ethics", whereby the absence of this annotation means that the Association is exempted from ensuring the protection of the reporter as referred to in this paragraph. The person reporting a suspected violation in the appropriate form shall be protected by pseudonymization or anonymization the identity of the reporter, unless the reporter requests that his or her details be disclosed. For the purpose of verifying the report and following up on the report, the Association may collect and process the personal data of the Member of the Association concerned by the report and of the notifier, the detailed rules of data processing being regulated separately.
6. Anonymous submissions will not be considered.
7. In the event that the Board of Directors of the Association becomes aware of a suspected breach of the provisions of this Code by a Member of the Association, the Board of Directors of the Association shall, after examining the report, adopt a resolution by a majority of those present at the meeting or voting (in the case of voting by means of distance communication):
 - a) issue a decision that there are no grounds for an investigation, in the event that the notification is unfounded, or
 - b) initiate and conduct an investigation of a breach of the Code, either by itself or by delegating the matter to the Ethics Panel set up in accordance with paragraph 8 below, or
 - c) refer the matter to the General Assembly if it concerns a dispute for which this body of the Association has jurisdiction in accordance with the Statute.
8. The investigation is conducted by the Association's Board of Directors or by the Ethics Panel, appointed by resolution of the Board from among the members of the Board in the number of no less than 3 persons to consider a given case. In particularly complicated cases, the Ethics Panel may request the assistance of experts in a given field of science or knowledge. A member of the Ethics Panel may not be a person who does not guarantee objectivity and impartiality, in particular they may not be an employee of a Member of the Association against whom proceedings have been instituted for infringement of the provisions of this Code, a member of its governing body or be in a personal relationship, a relationship of dependence or any other relationship which may influence its decisions. The Board of Directors may adopt rules of procedure for the Ethics Panel in a given case, specifying the rules for the conduct of the proceedings and the rules for incurring the expenses and costs of the work of the Ethics Panel.
9. The purpose of the investigation is in particular to establish:
 - a) whether there has been a breach of the Code,
 - b) who has committed a breach of the Code,
 - c) when a breach of the Code occurred,

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- d) what were the circumstances of the breach of the Code,
 - e) whether the breach of the Code has had a negative impact on the Association.
10. During the course of the investigation, the Member of the Association against whom a procedure for violation of the Code has been initiated shall have the right to provide explanations and to refer to the circumstances presented within the time limit set by the investigator. Failure to provide an explanation or reference by the Member of the Association shall be treated as a failure to deny the facts and circumstances established in the course of the investigation.
11. The investigation should be conducted in compliance with the principle of objectivity and impartiality, within a reasonable time. The investigator shall warn the Member of the Association under investigation about the completion of the collection of evidence and the expected time of the Ethics Panel's report or the Board's decision referred to in Paragraph 12 or Paragraph 13.
12. Where an Ethics Panel has been appointed, the investigation should conclude with a report from the Ethics Panel, approved by its full membership, presented to the Board of Directors, (i) establishing the circumstances indicated in paragraph 9 above and (ii) recommending a penalty (indicated in paragraph 15 below).
13. The Board of Directors, after receiving the report of the Ethics Panel or, if no Ethics Panel has been appointed, after an investigation, shall issue a decision in the form of a resolution stating:
- a) the occurrence of the infringement and the penalty, or
 - b) no infringement and discontinuance of the investigation.
- The decision shall contain a statement of reasons in each case.
14. The type of penalty applied shall correspond to the materiality of the infringement, taking into account the principle of proportionality and its preventive and educational function, promoting behaviour in line with the Association's objectives and the applicable law.
15. The penalty for violation of this Code is:
- a) warning,
 - b) reprimand,
 - c) exclusion from the list of Members of the Association, but this does not release the excluded Member of the Association from the obligation to pay their due obligations to the Association.

Penalties are not cumulative.

16. The decisions referred to in paragraph 13 shall be taken by the Board of Directors by a simple majority of votes, in the presence of at least half of the total number of members of the Board.
17. The decision referred to in Paragraph 13, together with its justification, shall be delivered to the punished Member of the Association. Decisions made as a result of the investigation are open to the members of the Association, which means that the members are not entitled to disclose the content of the decision outside

the circle of the Association Members, except for the situation when the disclosure results from an obligation imposed by law, a decision of a competent authority or a court ruling.

18. A Member of the Association, on whom a penalty has been imposed, is entitled to lodge an appeal against the decision of the Board to impose a penalty. The appeal should be lodged through the Board, within 14 days from the date of delivery of the decision on the penalty to the penalized Member of the Association. The appeal should contain a justification. The appeal is considered by the General Assembly of Members at the next meeting.
19. In the event of an appeal, the penalty imposed by the Board of Directors shall have the character of an invalid penalty and shall therefore be of no effect until the General Assembly of Members has considered the appeal.
20. The General Assembly of Members may rule on:
 - a) to cancel the penalty imposed,
 - b) to modify the penalty imposed (except that a modification to the detriment of the appellant is not permissible),
 - c) uphold the penalty.
21. The resolution of the General Assembly is final. The resolution of the General Assembly shall be delivered to the Member of the Association concerned.
22. No investigation shall be undertaken if it appears from the circumstances of the case that 10 years have passed since the violation was committed, whereby in cases where the violation is the submission of an untrue, including incomplete, incomplete or unreliable statement contained in the declaration referred to in § 2, paragraph 2 of the Code, concerning events prior to the application to the Association, the time limit shall be calculated from the date of receipt of the declaration to the Association as the date of the violation. In the case of violations that are qualified as offences under the Applicable Law, the time limits referred to in the first sentence may not be shorter than the limitation periods contained in the relevant provisions of the Applicable Law.

§ 5 Monitoring the application of the Code

The Association's Board of Directors monitors the application of this Code by the Members of the Association on an ongoing basis. Notwithstanding the foregoing, each Member of the Association monitors its own compliance with the Code, including within its own structure, and is obliged to take action and apply such measures or methods within its activities as are consistent with those adopted in the Code.

§ 6 Final provisions

1. All members of the Association, their representatives and members of their organisations regardless of legal form, as well as the bodies of the Association are obliged to comply with this Code.
2. In cases not provided for in this Code or in the Statute, the Board of Directors of the Association shall be the competent body to consider matters falling within the scope of this Code and to determine the manner of procedure, subject to the rules formulated in the Code.
3. This Code shall enter into force:
 - a) for the current Members of the Association, 6 months after its adoption,
 - b) for new Members of the Association - on the date of adoption.
4. Amendments to the Code shall follow the form and procedure provided for the adoption of the Code.