

# Universitat Internacional de Catalunya Fundació Privada

## Regulations

Canal Obert UIC Barcelona



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## Table of contents

### Content

Introduction .....	4
Chapter I. Purpose and scope of application .....	5
Article 1. Purpose .....	5
Article 2. Scope of application.....	5
Chapter II. Basic principles .....	5
Article 3. Principle of secure access .....	5
Article 4. Principle of good faith.....	5
Article 5. Principle of protection of the reporting person and prohibition of retaliation.....	6
Article 6. Principle of confidentiality .....	6
Article 7. Principles of presumption of innocence and the rights of defence, to honour and privacy, impartiality, independence and respect.....	6
Article 8. Principle of transparency .....	7
Article 9. Principle of disclosure of the Canal Obert .....	7
Article 10. Reporting behaviour contrary to UIC Barcelona’s ideology .....	7
Chapter III. The manager of the Canal Obert .....	7
Article 11. Designation .....	7
Article 12. Competences .....	7
Article 13. Management of the Canal Obert by an external supplier .....	8
Chapter IV. Rights and obligations of the reporting person and the person under investigation.....	8
Article 14. Rights of the reporting person.....	8
Article 15. Obligations of the reporting person .....	8
Article 16. Protection measures for persons concerned .....	9
Chapter V. Management of the reports.....	9
Article 17. Communication.....	9
Article 18. Anonymous reports .....	10
Article 19. Named reports.....	10
Article 20. Content of the reports .....	10
Article 21. Behaviour that may be reported to the IRS.....	10
Chapter VI. Procedure for processing reports .....	11
Subchapter 1. Report management.....	11
Article 22. Sending and processing reports.....	11
Article 23. Recording the reports .....	11
Article 24. Proof of receipt.....	12
Subchapter 2. Processing the inquiry.....	12

Article 25. Initial processing; resolution on admission or dismissal .....	12
Article 26. Dismissal of the reports .....	12
Article 27. Admission of the reports .....	12
Subchapter 3. Inquiry .....	13
Article 28. Verification period .....	13
Article 29. Verifications and evidence collection during the verification period.....	13
Article 30. Adoption of precautionary measures .....	13
Article 31. Actions relating to the person or persons concerned .....	14
Article 32. Completion of the inquiry.....	14
Chapter VII. External reporting channels and reporting to the relevant authorities.....	15
Article 33. Anti-Fraud Office of the Government of Catalonia .....	15
Chapter VIII. Dissemination of the Regulations and relevant training activities .....	16
Article 34. Dissemination of the Regulations .....	16
Article 35. Training activities to disseminate the UIC Barcelona Canal Obert .....	16
Chapter IX. Management of the Canal Obert .....	16
Article 36. Monitoring activities.....	16
Article 37. Conflict of interest .....	16
Chapter X. Drafting and revision of the Regulations.....	17
Article 38. Drafting and issuance of the Regulations .....	17
Article 39. Revision and updating of the Regulations .....	17
Final provision .....	17
ANNEX TO THE UIC BARCELONA CANAL OBERT REGULATIONS .....	18

## Introduction

Law 2/2023, of 20 February, *regulating the protection of persons who report breaches of the regulations and the fight against corruption*, transposes into Spanish Law Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019, regulating the minimum standards of reporting channels through which reporting persons may disclose breaches of European Union law in the context of their work-related activities.

The purpose of this Law is to protect persons who detect serious or very serious criminal offences or administrative breaches in the context of their work-related activities; protection which is extended to persons with work-related or professional ties, persons whose work-based relationship has ended, volunteers, paid or unpaid trainees and individuals involved in recruitment processes. Another purpose of this Law is to protect persons who provide assistance to reporting persons, persons connected with the reporting person or legal entities owned by the reporting person that may suffer retaliation.

To enforce these regulations, the UNIVERSITAT INTERNACIONAL DE CATALUNYA (hereinafter, "UIC Barcelona") has implemented an Internal Reporting System (hereinafter, "IRS) known as the "CANAL OBERT UIC BARCELONA" (hereinafter, "Canal Obert"), with a view to preventing and detecting any irregular, unlawful, illegal, criminal or discriminatory behaviour and providing the protection laid down in the regulations. This IRS is also a continuous improvement tool provided for in the UIC Barcelona Code of Good Governance and its prevention and transparency protocols and policies, and also enforces other internal regulations.

In this regard, the Canal Obert is the direct means by which members of the UIC Barcelona University Community may report alleged events, situations, behaviour, conduct or similar considered unlawful, illegal, criminal or discriminatory under the laws or regulations that apply within the UIC Barcelona University Community. The Canal Obert provides members a secure and confidential resource for reporting possible cases of irregularity that could damage the reputation of UIC Barcelona or the persons who comprise its university community.

In no way is the Canal Obert a means of lodging complaints, but is rather, in the spirit of the Law, an adequate internal reporting system for reporting cases of alleged irregularities to UIC Barcelona. Under no circumstances is the reporting person entitled or required to take part in the procedures resulting from reporting, only the opportunity to follow-up on the overall status of the situation for information purposes only.

The Board of Trustees, as the governing body at UIC Barcelona, is responsible for implementing the IRS. By virtue of this legal command, these Regulations, which have been agreed upon previously with the workers' legal representatives, are hereby available to the UIC Barcelona University Community.

## Chapter I. Purpose and scope of application

### Article 1. Purpose

The purpose of these Regulations is to govern the Canal Obert and provide it content, establishing the general guidelines and rules for reporting any irregular, illegal, unlawful, criminal or discriminatory event or behaviour or any event or behaviour that runs contrary to the principles and values of UIC Barcelona's ideology or the ethical principles and values set out in the Code of Good Governance which, by action or omission, may have taken place within UIC Barcelona; as well as to prevent and protect the rights of the persons who report these situations.

Use of the Canal Obert does not entail any internal administrative formalities, and under no circumstances shall the reporting person be considered party to the inquiry.

### Article 2. Scope of application

These Regulations are applicable to any member of the UIC Barcelona University Community, or any person directly or indirectly connected thereto, who reports or is the subject of a report made via the Canal Obert of any alleged event, situation, behaviour, conduct or similar considered unlawful, illegal, criminal or discriminatory under the laws or regulations that apply within the UIC Barcelona University Community.

## Chapter II. Basic principles

### Article 3. Principle of secure access

The Canal Obert shall be accessible via the UIC Barcelona website (<https://www.uic.es/en/canal-obert>).

The Canal Obert incorporates mechanisms which ensure that all reports are confidential and provides a safe reporting space. Since the anonymity of the reporting persons must also be guaranteed, steps must be taken to ensure that the digital environment used to report the breach is secure for such purposes.

### Article 4. Principle of good faith

It is presumed that any person who uses the Canal Obert to disclose to UIC Barcelona any irregular, illegal, unlawful, criminal or discriminatory behaviour or behaviour contrary to the principles and values of UIC Barcelona's ideology or the ethical principles and values set out in the Code of Good Governance and all other policies approved by UIC Barcelona does so in good faith.

It is presumed that the reporting person is not acting out of a desire for revenge or psychological harassment or to cause work-related harm or offend the honour of persons referred to in the report.

If it is proven that a report has been made in bad faith or with negligence, the measures protecting the reporting person shall be lifted and they may be subject to the disciplinary, administrative, civil or penal measures that UIC Barcelona deems appropriate.

## Article 5. Principle of protection of the reporting person and prohibition of retaliation

In the case of all reports, the rights of the reporting person, the person or persons referred to in the report, the witnesses and any natural or legal third parties who may be connected to the reporting person shall be protected. No one may take actions against the reporting person that constitute retaliation, the threat of retaliation or any negative consequence for having reported allegedly unlawful, illegal, criminal or discriminatory actions or actions not aligned with the ideology or Code of Good Governance at UIC Barcelona.

UIC Barcelona undertakes to ensure that both the reporting person and those persons mentioned above are protected from any direct or indirect retaliation of any nature or origin; in this case, retaliation is taken to mean any act or omission that is prohibited by law or directly or indirectly constitutes adverse treatment which places the persons subject thereto at a disadvantage with respect to another person in a work-related context, simply due to their condition as reporting person or for having made a public disclosure.

## Article 6. Principle of confidentiality

All reports made via the Canal Obert shall be confidential and, where desired by the reporting person, anonymous.

The necessary steps shall be taken to protect the identity and ensure the confidentiality of the personal data of all persons referred to in reports filed via the Canal Obert. The identity of the reporting person shall be regarded as confidential information in all stages of the investigation and resolution process and shall not be disclosed to third parties or the person or persons concerned.

Nonetheless, the personal data of the reporting person and persons concerned may be communicated to courts and tribunals, the Public Prosecutor, the State law enforcement agencies and any other relevant authorities, where necessary for the conduct of criminal proceedings brought as a result of the investigations triggered by the reports or a report made in bad faith or with negligence, under the terms of Article 3 of these Regulations.

## Article 7. Principles of presumption of innocence and the rights of defence, to honour and privacy, impartiality, independence and respect

Once the report has been received, the rights of privacy, honour and defence and the presumption of innocence of all persons concerned shall be ensured.

The manager of the Canal Obert is –broadly speaking– the person in charge of receiving, processing and resolving the reports objectively and on the basis of the principles of impartiality, independence and respect for all other principles and rights contained in these Regulations.

## Article 8. Principle of transparency

The Canal Obert is a transparency tool whose aim is to build trust among the UIC Barcelona University Community and uphold the laws, principles and values set out in the Code of Good Governance and all other internal regulations at UIC Barcelona.

## Article 9. Principle of disclosure of the Canal Obert

A general communication will be sent to all UIC Barcelona workers and collaborators to notify them of the existence of the Canal Obert and the consequences of using it to file a report.

Awareness of the Canal Obert and its purposes will be promoted among UIC Barcelona staff.

## Article 10. Reporting behaviour contrary to UIC Barcelona's ideology

Respect for UIC Barcelona's ideology and the values it represents is fundamental for the University. As a result, any work-related, academic or any other type of conduct that is not aligned with UIC Barcelona's ideology or the Code of Good Governance at UIC Barcelona may be reported via the Canal Obert.

## Chapter III. The manager of the Canal Obert

### Article 11. Designation

The manager of the Canal Obert shall be designated by the Board of Trustees. The appointment must be reported to and registered with the Government of Catalonia's Anti-Fraud Office.

### Article 12. Competences

The manager of the Canal Obert is responsible for:

- a. Managing the reports received via the Canal Obert's inbox.
- b. Initiating the procedure for processing reports.
- c. Sending an acknowledgement of receipt of the report to the reporting person.
- d. Notifying the persons concerned of the report.
- e. Respecting and ensuring respect for the Canal Obert's principles.
- f. Respecting and ensuring respect for the rights of the reporting persons and the persons concerned.

- g. Reporting, where appropriate, cases which constitute a serious or very serious criminal offence or administrative breach to the relevant authority, entity or body.
- h. Reporting, where appropriate, the resolutions of the inquiries to the Board of Trustees, when the outcome thereof must be reported to the relevant authorities, entities or bodies.
- i. Issuing an annual report on the actions undertaken during the period.
- j. Maintaining records of all reports and inquiries.

## Article 13. Management of the Canal Obert by an external supplier

To ensure the confidentiality of the information and, where appropriate, the anonymity of the reporting person, it is considered best practice to use a technical platform controlled by a specialised external company with extensive experience in creating, implementing and managing regulatory risk management programs.

## Chapter IV. Rights and obligations of the reporting person and the person under investigation

### Article 14. Rights of the reporting person

The reporting person has the following rights:

- a. To decide whether to report the breach anonymously or not.
- b. To decide whether to report the breach verbally or in writing.
- c. To indicate, where appropriate, an address, e-mail address or safe location where they wish to receive communications from the manager of the Canal Obert.
- d. To opt not, where appropriate, to receive communications.
- e. To be informed of the admission or dismissal of their report.
- f. To provide any documentation or information they deem necessary at any point during the investigation.
- g. Protection of the reporting person's personal data shall be ensured via the system in place at UIC Barcelona for such purposes. As a result, any personal data received via the Canal Obert shall be processed on the basis of the legitimate interest and objective pursued by UIC Barcelona, as controller, with a view to verifying the reported information, without prejudice to the rights of the reporting person under the personal data protection regulations.

### Article 15. Obligations of the reporting person

All persons who report information via the Canal Obert have the following obligations:

- a. To have reasonable or sufficient evidence or grounds for believing that the information they are reporting is true.
- b. To refrain from making generic, malicious or abusive reports.
- c. To describe the reported events or behaviour in as much detail as possible, submitting any available documentation or information.



- d. To keep confidential the alphanumeric number returned by the IRS to follow up on the report.

## Article 16. Protection measures for persons concerned

During the inquiry, the persons concerned shall have the following rights:

- a. Right to the presumption of innocence.
- b. Right to honour.
- c. Right to be informed of any report concerning them filed via the Canal Obert. The manager of the Canal Obert shall inform the person concerned of the existence of a report within five (5) working days of its receipt. This right shall not apply in the following cases: **(i)** when the report is ultimately not processed through the Canal Obert; **(ii)** when doing so may hinder the investigation.
- d. Right to defence; to this end, the person under investigation shall be entitled to view the inquiry report, but under no circumstances shall they be entitled to information which may identify the reporting person.
- e. In the event the report is dismissed, either because the events could not be proven or because they are not unlawful or irregular, the person concerned shall have the right to have this outcome recorded in the inquiry or the report records.
- f. The personal data of the person concerned or any other third party referred to in the report shall be protected and processed on the basis of the legitimate interest pursued by UIC Barcelona as data controller; without prejudice to the rights of such persons under the personal data protection regulations.

## Chapter V. Management of the reports

### Article 17. Communication

Reports may be made anonymously or otherwise, taking care to explain and describe the subjects and the events and circumstances on which the report is based and submitting, where appropriate, any documents deemed necessary.

A report shall be taken to mean the disclosure of one or more irregular or unlawful events or cases of irregular or unlawful conduct:

- a. Via the online Canal Obert form provided for such purposes (<https://www.uic.es/ca/canal-obert>).
- b. In a letter addressed to: UNIVERSITAT INTERNACIONAL DE CATALUNYA, FUNDACIÓ PRIVADA, Attn.: Manager of the UIC Barcelona Canal Obert, Carrer Immaculada, 22 (08017 Barcelona).
- c. By e-mail to: [canalobert@uic.es](mailto:canalobert@uic.es).
- d. By requesting a face-to-face meeting, telephone call or online meeting via video conference by sending a message to [canalobert@uic.es](mailto:canalobert@uic.es).

In the event a person other than the manager of the Canal Obert receives a report intended for the Canal Obert, they must immediately forward the report to the Canal Obert, with due respect for the measures in place to protect the reporting person laid

down in these Regulations, the data protection regulations and all other applicable regulations.

In this regard, training and awareness-raising initiatives shall be designed and implemented in order to inform employees of how to act in the event they receive a report that does not concern them.

## Article 18. Anonymous reports

Any information that a reporting person wishes to report anonymously must be reported via the system referred to in point (a) of Article 17 of these Regulations, through the option that sends the reporting person to a safe website which fully ensures the anonymity of all reports filed in the digital environment (including the IP address), using an anonymisation network.

## Article 19. Named reports

Named reports may be made in any of the manners indicated in Article 17 of these Regulations, in which case the reporting person must indicate their identification and contact details as specified below:

- a. In writing: via the Canal Obert's online form, e-mail ([canalobert@uic.es](mailto:canalobert@uic.es)) or in a letter sent to the address indicated in the above-mentioned article.
- b. Verbally: by sending a written request for a face-to-face meeting, telephone call or online meeting via video conference to ([canalobert@uic.es](mailto:canalobert@uic.es)). In any case: **(i)** the reporting person shall be informed that the conversation will be recorded and that their personal data will be processed in accordance with the applicable regulations; **(ii)** records of the meeting, conversation or video conference will be kept in the form of recordings or verbatim transcripts. In the case of verbatim transcripts, the reporting person will be able to verify, rectify and accept the transcript by means of their signature.

## Article 20. Content of the reports

All reports must contain at least the following information:

- a. The reporting person's identification details, unless the report is anonymous.
- b. As detailed and specific a description of the events as possible.
- c. Identification, where possible, of the persons involved in the events.
- d. Where appropriate, identification of the responsible entity or body.
- e. The reporting person's relationship with UIC Barcelona.
- f. Any additional documentation or information that support the reported events.

## Article 21. Behaviour that may be reported to the IRS

Any events, situations, behaviour, conduct or similar considered unlawful, illegal or criminal under the laws or regulations that apply within the UIC Barcelona University Community shall be understood as reportable.

A table describing the events, situations, behaviour, conduct or similar that may be reported via the Canal Obert is attached hereto as an ANNEX.

## Chapter VI. Procedure for processing reports

### Subchapter 1. Report management

#### Article 22. Sending and processing reports

The reporting person may report the information in any of the manners set out in these Regulations. No reports shall be handed in the month of August or periods in which UIC Barcelona is closed.

Reports shall be received and processed by the manager of the Canal Obert.

#### Article 23. Recording the reports

Once the report has been received, it shall be recorded in the information management system and assigned a unique alphanumeric identification code that will serve to identify the relevant inquiry and, where appropriate, as the password for the reporting person.

The information management system will be contained in a secure database whose access is restricted exclusively to the manager of the Canal Obert and those persons expressly designated thereby in view of the reported conduct.

The content of the inquiries will be recorded in a register, which must contain the following details:

1. Date on which the report or reports were received and express indication of whether the reports are anonymous or not.
2. Unique identification code assigned to the inquiry.
3. Summary of the report and the reported events, situations, behaviour, conduct or similar, as well as an account of all documents, if any, attached to the report or reports.
4. Where appropriate, persons other than the manager of the Canal Obert who have access to the procedures.
5. Person or persons concerned.
6. Account of all actions undertaken.
7. Where applicable, measures taken during the procedure.
8. Resolution and completion date.

A decision shall be made as to the most adequate system for ensuring that the inquiry contains all reports, documentation and other information. Irrespective of whether a record of the inquiry is automatically generated, a physical file will be created for each report, which shall be safeguarded by the manager of the Canal Obert.

The register and inquiries handled in each case are not public and shall be retained for the length of time required to fulfil their purpose and under no circumstances longer than 10 years.

## Article 24. Proof of receipt

Proof of receipt shall be issued for all reports received via the Canal Obert, including those made anonymously (in this case, appropriate measures for not disclosing the identity of the reporting person shall be established).

## Subchapter 2. Processing the inquiry

### Article 25. Initial processing; resolution on admission or dismissal

Once the initial report has been recorded, the manager of the Canal Obert will succinctly analyse whether the reported events fall within the scope of the conduct referred to in Article 21 of these Regulations and the Annex thereto and whether they occurred within the UIC Barcelona University Community.

Following this initial analysis, the manager of the Canal Obert will issue a communication, within no more than fifteen (15) calendar days from the recording of the report, admitting or dismissing the report.

In any case, reasons substantiating this provisional resolution shall be provided.

### Article 26. Dismissal of the reports

Reports will be dismissed in the following cases:

- a. Where the reported events lack veracity or are false.
- b. Where the reported events do not fall within the scope of the conduct described in Article 21 of these Regulations and the Annex thereto and/or did not occur within the UIC Barcelona University Community.
- c. Where it is clear that knowledge of the reported events was acquired through the commission of a criminal offence or unlawful or illegal conduct. In this case, the report shall be forwarded to UIC Barcelona's legal advisor, who will decide whether to transfer the case to the Public Prosecutor, the European Public Prosecutor or the relevant authority, entity or body.

In the event a report is not admitted, the inquiry shall be recorded as closed in the register. This does not preclude the possibility of reopening the inquiry at the request of the manager of the Canal Obert, if so advised as a result of further information arising on the issue.

### Article 27. Admission of the reports

In situations not covered in the above article, the manager of the Canal Obert shall issue a communication admitting the report.

When the manager of the Canal Obert considers, without the need for further verification, that the reported information constitutes a criminal offence or misdemeanour, they shall

notify either the Public Prosecutor (or, where appropriate, the European Public Prosecutor) or the relevant authority, entity or body.

## Subchapter 3. Inquiry

### Article 28. Verification period

Once the report has been admitted, the manager of the Canal Obert shall be required to carry out the verifications and collect any evidence deemed necessary to corroborate the events, situations, behaviour, conduct or similar.

The information must be verified within a period of no more than thirty (30) calendar days from the communication admitting the report, at the end of which the manager of the Canal Obert will either issue a communication deciding to extend the verification period for an additional thirty (30) calendar days, where deemed necessary given the complexity of the verification and evidence collection process, or a communication bringing the verification period to an end.

### Article 29. Verifications and evidence collection during the verification period

To carry out the verification and evidence collection process, the manager of the Canal Obert has full authority to collect any information or documentation deemed necessary from all the bodies and persons that comprise UIC Barcelona and the UIC Barcelona University Community, all of whom are duty bound to cooperate with the manager of the Canal Obert and provide any support required.

The manager of the Canal Obert may solicit assistance from any departments, functional areas or staff at UIC Barcelona that they deem necessary for any tasks, advice or support related to the verification and evidence collection process. Where necessary to clarify or complement the information and/or documentation provided by the reporting person, and provided that the report was not made anonymously, such assistance may be requested from the reporting person (taking the necessary steps to protect their identity and ensure the confidentiality of the reports and their content). The manager of the Canal Obert may also seek advice from third parties and use reports issued by third-party experts.

A record of all actions carried out by the manager of the Canal Obert (including interviews) shall be kept as part of the inquiry.

### Article 30. Adoption of precautionary measures

The manager of the Canal Obert may, at any time, adopt any measures deemed necessary and urgent to refrain from jeopardising the verification and/or evidence collection process or protect the confidentiality of the reporting person.

## Article 31. Actions relating to the person or persons concerned

The following is a descriptive but not exhaustive list of all actions that the manager of the Canal Obert may undertake with respect to the person or persons concerned, in compliance with the legal requirements applicable in each case, making sure to transmit the factual circumstances of the report (as well as, where appropriate, any documentation or information) to the person or persons concerned to ensure that they have prior knowledge thereof for the purposes of their right to defence and taking care not to provide information or documentation which could reveal the identity of the reporting person:

1. Conduct interviews. The interview must be recorded, provided that the person or persons concerned give their express consent; without this consent, the interview shall be conducted in the presence of two witnesses chosen by the manager of the Canal Obert, in which case the minutes must be kept and, in all instances, signed by the manager of the Canal Obert, the two witnesses and, where appropriate, the interviewee.
2. Use of electronic devices. Verification measures may be applied to electronic devices, including the content of any communications sent or received. In any case, to apply such measures, the following must be taken into account: (i) to respect the applicable legal provisions in force at all times; (ii) to use such measures only with UIC Barcelona staff; (iii) to perform such measures only on electronic devices owned by UIC Barcelona and given to the person concerned for use; (iv) to ensure the principles of necessity, suitability, proportionality and transparency, always respecting the dignity of the person concerned; (v) to only access information which is strictly necessary for the purpose of the investigation; and (vi) to avoid any personal or family-related information that may exist on the electronic devices.

Any measures on electronic devices must be performed on-site at UIC Barcelona, by a specialised external company (IT expert), before a notary public, who shall leave a written record of the content, and, where appropriate, with prior warning, the workers' representative.

## Article 32. Completion of the inquiry

After the verification period and any possible extension under the terms set out in Article 28 of these Regulations, the manager of the Canal Obert shall bring this period to a close by issuing a communication, following which they shall have fifteen (15) calendar days to issue a decision and complete the inquiry.

The decision issued by the manager of the Canal Obert to this end must contain the following:

1. The details identifying the inquiry (at least, name of the reporting person, if named, date of receipt and recording of the report and the unique alphanumeric identification code).

2. Description of the events, situations, behaviour, conduct or similar that gave rise to the inquiry.
3. Account of the communications issued during the inquiry.
4. Description of the investigation and evidence collection actions, indicating any documents included in the file.
5. If there is knowledge of any administrative or judicial body investigating or processing the reported events.
6. Whether or not precautionary measures have been adopted.
7. Conclusions of the events, in the view of the manager of the Canal Obert.
8. Legal grounds, where necessary, in the view of the manager of the Canal Obert.
9. Final decision on the inquiry.
10. Signature of the manager of the Canal Obert.

The final decision may be:

1. Proposal to close the case, without further action, as no events, situations, behaviour, conduct or similar considered unlawful, illegal or criminal under the laws or regulations that apply within the UIC Barcelona University Community were detected.
2. Proposal to transfer the reported events, situations, behaviour, conduct or similar to the Public Prosecutor, the European Public Prosecutor and/or the relevant authority, entity or body.

Notwithstanding the previous two points, the manager of the Canal Obert may bring a proposal for disciplinary action or any other type of action deemed appropriate to the governing bodies at UIC Barcelona.

The final decision shall be communicated by the manager of the Canal Obert and, in all instances, to the Board of Trustees at UIC Barcelona.

Given the fact that this is not a complaints procedure, no appeals of any kind or other types of resources may be lodged against the reports or final decision.

## Chapter VII. External reporting channels and reporting to the relevant authorities

### Article 33. Anti-Fraud Office of the Government of Catalonia

Without prejudice to the use of the Canal Obert, all persons may file a report with the relevant regional authority. In Catalonia, this authority is the Anti-Fraud Office of the Government of Catalonia<sup>1</sup>. Both anonymous and named reports may be filed with the Anti-Fraud Office: (i) via Internet ([bustiaoac@antifrau.cat](mailto:bustiaoac@antifrau.cat)); or (ii) in person, at the register of the Anti-Fraud Office of Catalonia, Carrer Ribes, 1-3, 08017 Barcelona, or any public authority register.

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<sup>1</sup> <https://www.antifrau.cat/index.php/en/mailbox/report-corruption>



## Chapter VIII. Dissemination of the Regulations and relevant training activities

### Article 34. Dissemination of the Regulations

These Regulations shall be published on the UIC Barcelona website, in the information on the UIC Barcelona Canal Obert.

### Article 35. Training activities to disseminate the UIC Barcelona Canal Obert

The manager of the Canal Obert is responsible for disseminating the Regulations within UIC Barcelona, to the UIC Barcelona University Community and to people connected thereto.

UIC Barcelona shall provide the UIC Barcelona University Community regular training with regard to the purpose, objectives and functioning of the Canal Obert.

## Chapter IX. Management of the Canal Obert

### Article 36. Monitoring activities

Canal Obert activity shall be audited internally or externally.

On a yearly basis, the manager of the Canal Obert shall draft a report on the functioning of the Canal Obert, in which they shall suggest potential improvements and/or changes to the Regulations, if any, and which must be submitted to the Board of Trustees at UIC Barcelona.

### Article 37. Conflict of interest

The manager of the Canal Obert (and anyone who works with them) shall act at all times in accordance with the principles of impartiality, independence and respect for all other principles and rights set out in these Regulations, as well as strict compliance with the regulations applicable in each case.

A conflict of interest shall exist when the objectivity of the manager of the Canal Obert or any member of the Board of Trustees, which is ultimately responsible for the Canal Obert, is comprised due to their relationship with the reporting person or person or persons concerned, or with the reported events, situations, behaviour, conduct or similar. In this event, the person or persons in question must abstain from participating in the verification and investigation process.

If the reporting person foresees a conflict of interest while or after reporting the event, they may alternatively file their report with the Anti-Fraud Office of the Government of Catalonia.



## Chapter X. Drafting and revision of the Regulations

### Article 38. Drafting and issuance of the Regulations

The Board of Trustees at UIC Barcelona is responsible for drafting and issuing these Regulations, with prior acceptance from the Board of Governors and the workers' legal representatives.

The Board of Trustees at UIC Barcelona shall be responsible for approving these Regulations.

### Article 39. Revision and updating of the Regulations

The Regulations and their content shall be revised and updated at the request of the manager of the Canal Obert, to ensure compliance with any legal developments that may be approved and applied and adapt them to the experience accrued through their practical application.

### Final provision

These Regulations entered into force on 17 October 2023, the day on which they were approved by the Board of Trustees at the Universitat Internacional de Catalunya, Fundació Privada.

# ANNEX TO THE UIC BARCELONA CANAL OBERT REGULATIONS

BEHAVIOUR	DESCRIPTION OF THE CONDUCT
Events related to swindling or fraud	<p>Deceiving another person for economic benefit, prompting them to make a transaction (purchase, sale, rental...) which harms themselves or a third party.</p> <p>Obtaining an unauthorised transfer through computer manipulation, to the detriment of another person.</p> <p>Performing any kind of transaction with credit or debit cards or accessing the data contained therein to clone or use them to make unauthorised payments.</p> <p>Manipulating, in any proceedings, evidence collected to substantiate claims or using other similar types of fraud with the intent of misleading the judge or court and leading them to make a decision which adversely affects the economic interests of the other party or a third party (procedural fraud).</p> <p>Falsely claiming power of disposal to dispose of, encumber or lease movable or immovable property.</p> <p>Concealing the existence of any charges or levies to dispose of movable or immovable property.</p> <p>Disposing of or re-encumbering, to the detriment of the first buyer or a third party, movable or immovable property unencumbered prior to the final transmission following sale.</p>
Events related to business corruption	<p>Promising, offering or conferring an unjustified benefit or advantage of any kind to the executives, managers, workers or collaborators of a company or enterprise, association, foundation or organisation, favouring that person or a third party over others, through non-compliance with their obligations in the purchase or sale of goods or in the procurement of professional services, directly or through another person.</p> <p>Receiving, requesting or accepting (directly or through another person) an unjustified benefit or advantage of any kind in return for unduly favouring another person in the purchase or sale of goods or services or in business transactions.</p> <p>Offering, promising or conferring any undue benefit or advantage, material or otherwise, to corrupt or attempt to influence, directly or through a third party, a public authority or official for personal or third-party benefit, or satisfying their requests in exchange for their exercising or refraining from exercising their public functions to obtain or retain a contract or business or obtain any competitive advantage in international activities.</p>
Events related to bribery	<p>Offering or providing gifts, favours or remuneration of any kind to a public official, authority or any person involved in the exercise of public duties, domestically or abroad, in return for their committing: a) an act in breach of the duties of their position, or b) an act related to their position or c) entangling or refraining from performing a required action.</p> <p>Accepting the request for a gift or remuneration from a public authority, official or any person involved in the exercise of public duties in return for carrying out the abovementioned conduct.</p> <p>Offering or providing gifts or favours in consideration of the person's public or political office.</p> <p>Providing gifts or favours to a public official in return for lawful conduct such as deliberately speeding up or delaying a procedure or obtaining information that is not yet public.</p>
Events related to the falsification of credit or debit cards	<p>Modifying, copying, reproducing or otherwise falsifying credit or debit cards or traveller's cheques.</p>

Events related to the financing of terrorism	Transferring, purchasing, possessing, using or performing any kind of activity with goods or securities of any kind, knowing that they will be used to commit a terrorist offence.
Events related to incitement to hatred or violence	Fostering, in any way, hostility, discrimination or violence against a person or group on the basis of their belonging to a particular collective (due to ideology, religion, ethic or national background, sex or sexual orientation, gender or disability). Producing, creating or possessing written or any other kind of material whose content is ideal for fostering, promoting or inciting hatred or violence, for the purpose of disseminating or facilitating such material to third parties. Denying, trivialising or glorifying breaches of international law (genocide, crimes against humanity, war crimes) with the stated intention. Humiliating, disparaging or bringing into disrepute any of the abovementioned groups, or glorifying or justifying behaviour resulting in humiliation, disparagement or disrepute in these terms.
Events related to industrial property	Reproducing, plagiarising, copying, distributing or publicly communicating all or part of a literary, artistic or scientific work, or its transformation, interpretation or performance, without authorisation from the holders or transferees of the relevant intellectual property right. With regard to the delivery of information society services, copying or using, without the relevant licences, documentation, files, computer programs, user manuals, software, updates, etc. without due authorisation from the right holder. Actively facilitating access or the online location of works or other subject matter subject to intellectual property rights without authorisation from the holders or transferees of the relevant rights or providing a list of links to the aforementioned work or content, even if initially provided by the service recipients.
Events related to intellectual property	Manufacturing, producing, importing or marketing products that bear a distinctive sign identical or similar to one that is registered, where the products are the same or similar to those covered by a duly registered property right. Manufacturing, importing, possessing or putting on the market objects covered by a patent or utility model.
Events related to consumers and false advertising	Making false allegations or ascribing uncertain characteristics to product or service offers or advertisements on the part of manufacturers or traders, such that they cause manifest and serious harm to consumers.
Events related to money laundering	Taking part in business or transactions involving money or goods that are or may be derived from crime. Assisting to conceal or disguise the unlawful origin of certain goods or helping the person evade the legal consequences of their actions. Concealing or disguising the nature, origin, location, destination or movement of goods or property, knowing that they are derived from crime or serious negligence. Engaging in business with persons who are subject to criminal proceedings or have links to criminal organisations. Assisting to conceal profits derived from crime or lending the appearance of legality to the obtained assets.
Events related to the Social Security system or tax authorities	Committing fraud against European, State, regional, provincial or local tax authorities or the Social Security system, by avoiding paying taxes or Social Security contributions or unduly receiving reimbursements, tax benefits or deductions. Distorting conditions to receive subsidies or aid from public authorities or concealing conditions that would have prevented receipt thereof. Not complying with the obligation to keep accounting and tax records on the part of persons who pay estimated tax or to keep separate accounts for the same activity and financial period or concealing or simulating the company's actual situation, not entering certain business undertakings, actions or transactions in the compulsory records or entering figures other than the actual figures, or keeping false accounting records.

Events related to illegal political party financing	<p>Making donations of any amount to a political party, federation, coalition or constituent group directly or through another person.</p> <p>Entering into a simulated agreement or contract by which donations or contributions are delivered to a political party, federation, coalition or constituent group directly or through another person.</p>
Events related to damage to computer systems	<p>Manipulating (erasing, damaging, impairing, altering, blocking or rendering inaccessible) third-party data, computer programs or electronic documents, with serious consequences.</p> <p>Obstructing or interrupting the functioning of a third-party computer system through any of the abovementioned acts (entering or transferring data, destroying, damaging, erasing or replacing a computer system).</p> <p>Unlawfully producing, acquiring or transferring specific hacking programs designed primarily to commit such conduct (interference with third-party computers without authorisation and with intent to harm).</p> <p>Producing, acquiring or transferring other access mechanisms (computer password, access code or similar) to facilitate the commission of the abovementioned acts.</p>
Events related to the discovery and revelation of secrets. Unauthorised access to computer systems	<p>Accessing papers, e-mails, bills or any other type of document, intercepting telecommunications or using technical interception and recording devices with the intention of discovering third-party secrets or violating their privacy against their will.</p> <p>Accessing, using or modifying, with the intention of harming a third party, confidential personal or family-related data stored on public or private computer, electronic or telematic files.</p> <p>Accessing or providing others the means to access computer systems, without being authorised to do so and in breach of the security measures, or remaining within the system against the owner's will.</p> <p>Producing or using technical devices or instruments without authorisation to intercept non-public transmissions of computer data within a computer system, including electromagnetic emissions.</p> <p>Unlawfully producing or transferring to third parties technical instruments or hacking programs to facilitate other persons' access to third-party computer systems.</p> <p>Producing, acquiring, transferring or facilitating to others, without being authorised to do so, mechanisms for accessing third-party computer systems (password, code) and revealing or altering personal data.</p> <p>Disseminating, revealing or transferring to third parties data, facts or images that violate the right to privacy or confidential, personal or family-related data stored in computer, electronic or telematic records or public or private records, obtained by accessing a computer system without the owner's consent.</p>
Events related to influence peddling	<p>Influencing a domestic or foreign public official or authority, taking advantage of any situation resulting from their personal relationship with the official or authority or with any other public official or authority to achieve a resolution that may directly or indirectly generate personal or third-party financial gain.</p> <p>Where a private individual offers to influence a public official, requests gifts, presents or any other kind of remuneration from third parties or accepts a third-party offer or promise.</p>
Events related to violations of workers' rights	<p>Imposing on workers labour or Social Security conditions which adversely affect, suppress or restrict the rights afforded to them in legal provisions, collective agreements or individual contracts through deceit or abuse; whether directly or through a third party, to the extent to which, where appropriate and for legal reasons, they are subject to the control and direction of the company.</p> <p>Producing serious discrimination at work, in either the public or private sphere, against any person on the basis of their ideology, religion or beliefs, ethnicity, race or nationality, sex, sexual orientation, family situation, illness or disability, for serving as the workers' legal or trade-union representative, due to their family relationship with other workers in the company or for using any of the languages that are official in Spain, and not restoring the principle of equality under the law following an injunction or administrative penalty as restitution for economic losses.</p>

	Impeding or restricting the exercise of trade union activities or the right to strike through deceit or taking advantage of a situation of need.
Events related to the concealment of assets	<p>Hampering the collection of money on the part of creditors through any of the unlawful acts listed below:</p> <ul style="list-style-type: none"> <li>a) Gaining control of their assets to the detriment of the creditors or making monetary transactions or transactions leading to liabilities for the purpose of hindering seizure or initiated or foreseeable enforcement proceedings.</li> <li>b) Making monetary transactions or transactions leading to liabilities to avoid satisfying any civil liberties arising from an offence that have been or shall foreseeably be laid down in a judgement.</li> <li>c) Submitting to the enforcement of a judicial or administrative judgement an incomplete account of all assets, thereby hampering enforcement, or failing to submit such an account. The list of assets shall be considered incomplete when the debtor enjoys third-party assets without justifying the reason.</li> <li>d) Using seized or deposited assets without being authorised to do so.</li> </ul>
Events related to bankruptcy fraud	<p>As a debtor, making a monetary transaction or transaction leading to liabilities to interfere with the order of repayments to creditors. The debtor is required to file for bankruptcy or an arrangement with creditors, which must be accepted.</p> <p>Intentionally making the company's crisis situation or insolvency worse or submitting false information knowing that it is false, in order to file for bankruptcy or an arrangement with creditors.</p>
Events related to urban planning	Constructing without authorisation on land intended for roads, green areas, public domain or places whose scenic, ecological, artistic, historical or cultural value has been legally or administratively recognised or that for such reasons warrant special protection or are considered land which cannot be developed.
Events related to situations affecting natural resources and the environment	<p>Causing or directly or indirectly producing emissions, discharges, radiation, extraction or excavation, silting, noise, vibrations, injections or deposits in the atmosphere, soil, subsoil or inland, marine or ground waters, including the high sea, including any influencing transboundary areas; as well as water abstraction which, alone or in conjunction with others, may lead to or cause substantial damage to the quality of the soil, air, water, animals or plants, in breach of the laws or any other general provisions in place to protect the environment, and which may seriously upset the balance of natural systems.</p> <p>Collecting, transporting, recycling, transforming, disposing or exploiting waste or failing to correctly monitor or supervise such activities, such that they cause or are likely to cause substantial damage to the quality of the soil, air, water, animals or plants, death or serious injury to people or may seriously upset the balance of natural systems, in breach of the laws and any other general provisions.</p> <p>Establishing waste storage or disposal sites that have not been previously authorised by the relevant body in the Autonomous Community in which they are located.</p> <p>Causing serious damage to elements on the basis of which a natural site has been designated a protected area.</p>
Events related to situations affecting public health	<p>Producing, dispatching, supplying or marketing substances harmful to health or chemical products that may cause serious damage where, despite being authorised to do so, they are dispatched or supplied without fulfilling the procedures set out in the respective laws and regulations.</p> <p>Manufacturing, importing, exporting, supplying, distributing, marketing, offering or storing for such purposes medicinal products for both human and veterinary use without the proper authorisation or which are deteriorated, expired, etc.</p> <p>Altering, imitating or simulating medicinal products is considered a serious crime against public health.</p> <p>Cultivating, producing, trafficking or otherwise promoting, encouraging or facilitating the illegal consumption of toxic drugs, narcotics or psychotropic substances or possessing them for such purposes.</p>

	Manufacturing, transporting, distributing, marketing and/or possessing equipment, materials or substances listed in Table I and Table II of the United Nations Convention, knowing that they are to be used for the illicit cultivation, production or manufacture of drugs.
Events related to violations of the rights of foreign citizens	Helping a person who is not a citizen of a European Union member country enter or transit through Spain, in breach of the laws on the entry and transit of foreigners.
Events related to nuclear energy and ionising radiation	Discharging, emitting or introducing into the air, soil or water a quantity of materials or ionising radiation or putting the life, integrity, health or property of one or several persons or the quality of the air, soil or water or animals or plants at risk through exposure by any means to such radiation.
Events related to situations governed by UIC Barcelona's internal regulations	Any conduct or action that violates the ideology or any rule, regulation, code, statute of limitations or similar (of a regulatory nature) in place at UIC Barcelona.