

For Board Discussion.



California Privacy Protection Agency

Incompatible Activities Statement

~~The California Privacy Rights Act, the implementing statute for the California Privacy Protection Agency, states at Civil Code §1798.199.15 that Members of the Board are to "[R]efrain from any action incompatible with their duties and engaging in any incompatible occupation, whether gainful or not, during their term." California Government Code §19990 prohibits state officers and employees from engaging in certain activities that are determined to be inconsistent, incompatible, in conflict with or inimical to their duties as state officers or employees. The Members of Board of the California Privacy Protection Agency ("the Agency" herein) have adopted this statement, which is similar to the statement that that the governor's appointees on the Board have agreed to abide by, as the Incompatible Activities Statement for the Members of the California Privacy Protection Agency Board.~~

No employment, activity, or enterprise shall be engaged by a Member of the Board that might result in, or create the appearance of resulting in, <sup>in</sup> and of the following:

1. Using the prestige or influence of the Agency for the Member's private gain or advantage, or the private gain or advantage of another.
2. Using Agency time, facilities, equipment, or supplies for the Member's private gain or advantage, or the private gain or advantage of another.
3. Using confidential information acquired by virtue of Agency involvement for the Member's private gain or advantage, or the private gain or advantage of another.
4. Receiving or accepting money or any other consideration from anyone other than <sup>any</sup> the State for the performance of an act which the Member would be required or expected to render in the regular course of his or her duties. <sup>as provided</sup>

By Cal. Civ Code 1798.199.25

5. Performance of an <sup>incompatible</sup> act in other than his or her capacity as a Board Member knowing that such an act may later be subject, directly or indirectly, to the control, inspection, review, audit, or enforcement by the Agency. <sup>This shall not be read so as to limit or preclude a Board Member from exercising his or her privacy rights pursuant to CCPA</sup>
6. Receiving or accepting, directly or indirectly, any gifts, including money, any service, gratuity, favor, entertainment, hospitality, loan, or any other thing of value, from anyone who is doing or is seeking to do business of any kind with the Agency or whose activities are regulated or controlled in any way by the Agency, under circumstances from which it reasonably could be inferred that the gift was intended to influence the Member in his or her official duties or was intended as a reward for any official action on his or her part. <sup>In order to better enable the Board Member to avoid any appearance of impropriety, the Agency shall provide to each Board Member a periodically updated list of organizations under investigation or audit.</sup>

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7. Not devoting his or her full time, attention, and efforts to the Agency during his or her required or regular hours of duty as a Board Member.

~~I have read and understand this Incompatible Activities Statement, and have received a copy. I agree to abide by the responsibilities and requirements of the Incompatible Activities Statement, and I understand that failure to comply with these requirements and responsibilities may result in disciplinary action up to and including dismissal, and/or civil or criminal prosecution in accordance with applicable laws.~~

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Board Member Name

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Board Member Signature

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Date: