



Brussels, 5 July 2016
(OR. en)

10874/16

INST 289
CMPT 15

COVER NOTE

From: General Secretariat of the Council
To: Delegations
Subject: Replacement of a member of the European Court of Auditors - PT nominee

Delegations will find attached a translation of a letter dated 1 July 2016 from Mr Nuno BRITO,
Permanent Representative of Portugal.

Encl.: SGE16-06830

PERMANENT REPRESENTATION
OF PORTUGAL
TO THE EUROPEAN UNION
BRUSSELS

Brussels, 1 July 2016

Proc.A-212.3

Dear Sir,

Given the resignation of Dr Vítor Caldeira as a member of the European Court of Auditors and following a hearing before the Assembly of the Republic, the Portuguese Government wishes to nominate Dr João Alexandre Tavares Gonçalves de Figueiredo to the vacant post. Please find enclosed his CV.

(Complimentary close)

(s.) Nuno Brito

Permanent Representative

Mr Jim Cloos
Deputy Director-General
Council of the European Union
BRUSSELS

cc. Mr Eduardo Ruiz Garcia
Secretary-General
European Court of Auditors

ENCL.

RCB/PBC

PERSONAL INFORMATION João Alexandre Tavares Gonçalves De Figueiredo
OMISSIS
OMISSIS
OMISSIS

PROFESSIONAL EXPERIENCE

6/2008-2016 **Judge at the Portuguese Audit Court**

Participates in the approval process for the Opinion on the General Account of the Portuguese State.

Checks the legality of contracts concluded by administrative or corporate entities of the State's Central Administration, the Autonomous Regions and the local authorities: loans and leases, service provision, works, supply of goods, property purchases, operating lease contracts, works and service concessions, public-private partnerships, mergers of local businesses.

Carries out audits of contract performance and to determine financial liability.

Implements legislation on public financial management in the public sector and business sectors, national and European public procurement legislation, and key administrative legislation.

Helps draw up the Court's activity plans and reports.

President of the Court's IT Committee.

Member of the editorial board of the journal of the Court.

3/2005-6/2008 **State Secretary for Public Administration, Ministry of Finance, Government of Portugal**

Participated in Councils of Ministers and meetings of the State Secretaries.

Contributed to plenary sessions of the Assembly of the Republic and Parliamentary Committees.

Participated in EU Councils of Ministers.

Participated in the drawing up of General Accounts and Budgets of the State, Growth and Stability Programmes and key Portuguese public finance legislation during this period.

Responsible for the restructuring programme for the State's Central Administration (PRACE), which had an impact on all ministerial departments at central and decentralised level, and which aimed to improve management effectiveness and efficiency with a 26 % reduction in senior management positions and structures. Created the State's Shared Services. Created the Public Administration's central human resources database.

Responsible for the reform of the civil service employment schemes: employment relations, careers and remuneration of all civil servants; reform of the civil servants' pension scheme in line with the general pension scheme for Portuguese workers; reform of the health insurance systems for civil servants.

Responsible for the implementation of the Public Administration's performance appraisal system (SIADAP), used to evaluate services, managers and other officials.

Conducted negotiations with the civil servants' trade union federations.

9/2003-3/2005 **Lead Auditor at the Portuguese Audit Court**

Issued legal and financial opinions on: amendments to the Budgetary Framework Law (LEO); the applicability of the LEO's budgetary rules and principles to the local authorities; the assignment of State and social security credits for securitisation; the independence of the Audit Courts; the relationship of the Audit Courts to internal control; the Law on the Organisation and Procedure of the Court; the legal regime on the extra-contractual civil liability of the State; principals and standards that must be followed by

the direct and indirect State Administration.

Technical and legal support on checking the legality of public contracts and on financial audits, compliance audits, and performance audits.

Participated in international meetings involving foreign supreme audit institutions (SAIs) within the European Union, INTOSAI and EUROSAI.

11/2002-9/2003 **Head of the Training Department**

Directorate-General of Customs - Ministry of Finance - Portugal

Developed and monitored policies, plans and evaluation reports on the training of Portuguese customs officials in the implementation of the Portuguese and EU customs regimes.

Planned and monitored training initiatives for Portuguese customs officials.

4/2001-11/2002 **Director-General**

Director-General of the Prison Service - Ministry of Justice - Portugal

Ultimate responsibility for the service, including central services and 54 prisons, 6 300 officials, an operating budget of EUR 188 000 000 and an investment budget of EUR 55 400 000 (2002 figures).

Ultimate responsibility for enforcing custodial sentences handed down by the Courts to 13 500 prisoners (2002 figures).

Defined the strategic development options for the Portuguese prison system, and activity reports and plans.

Drew up a new draft law on custodial sentences and a draft legislative provision to strengthen the prison service's Audit and Inspection Service with the aim of ensuring oversight and the legal compliance of its prison practices and management.

Carried out the first study in Portugal on drug trends and consumption in prisons for the Centre for Research and Studies in Sociology at the University Institute of Lisbon (ISCTE).

Developed and implemented a programme to improve security in prisons, and a suicide prevention programme.

Carried out a prison building and renovation programme (Carregueira, Paços de Ferreira, Porto Judicial Police, Tires, Sintra, Montijo, Beja, Olhão, Leiria, Coimbra and Porto).

Edited the journal 'Temas Penitenciários'.

2/1999-4/2001 **President**

National Probation Service - Ministry of Justice - Portugal

Ultimate responsibility for the service, including 115 administrative units in 104 municipalities, 1 700 officials, and a budget of EUR 37 500 000 (1999 figures).

Ultimate responsibility for supporting the Courts in the application and implementation of measures relating to juvenile and family justice through the Service's 14 juvenile institutions (26 000 requests per year) and the adoption of procedures under international conventions relating to juveniles, on which the Service was the central authority.

Drew up the strategic plan for 2000-2003 and designed and developed a planning system.

Contributed to the reform of juvenile law (Law No 147/99 of 1 September 1999 and No 166/99 of 14 September 1999).

Created the conditions for the courts to order community service, including agreements with 440 public and private institutions prepared to take on individuals serving this type of sentence.

Developed and implemented an electronic surveillance system in Portugal for the supervision of young offenders at home (Law No 122/99 and Ministerial Implementing Order No 26/2001).

11/1995-2/1999 **Head of Cabinet of the Ministry of Justice**

Ministry of Justice - Portugal

Prepared decisions of the Ministry of Justice relating to the following areas: the judicial police, the prison service, probation, research and planning, asset and finance management, social services, European law, and international judicial cooperation in criminal matters.

Ensured the link between the Cabinet of the Ministry and the bodies responsible for those areas, as well as with the Supreme Court of Justice and the Supreme Administrative Court, the Supreme Council of the Judiciary, the Supreme Council of the Administrative and Fiscal Courts, the Attorney-General's Office and the Bar Association.

Contributed to the preparation of legislative provisions in major areas of justice policy, specifically: the law on religious freedom, the law on the trafficking and consumption of drugs, the law on the application of community service sentences, the law on the electronic monitoring of offenders at home, the reform of juvenile law, the law on the liberalisation of the notary profession, decree-laws on the procurement of works, goods and services and the recruitment of staff to the prison service, the creation of prisons, and the organisation and functioning of the judicial police.

Contributed to the preparation of budgets and plans for the Ministry of Justice.

Worked on international issues of the Ministry of Justice, in particular preparations for the participation of the Ministry of Justice in meetings of the EU JHA Council of Ministers and other international meetings, specifically those of the UN, the Council of Europe, the CPLP and the Conference of Ministers of Justice of Ibero-American Countries, as well as for its trips abroad.

Monitored the relationship between the Ministry of Justice and the trade union organisations in the sector.

11/1991-11/1995 **Head of Cabinet of the State Secretary attached to the Ministry of Justice**

Ministry of Justice - Portugal

Prepared decisions of the Secretary of State in the following areas: juvenile protection services, probation, recruitment and training of magistrates, planning and coordination of the fight against drugs, forensic medicine, computerisation of law, cooperation with the Portuguese-speaking African countries, nationality, voluntary institutional arbitration, consumer protection, environmental protection, child protection boards.

Ensured the relationship between the Cabinet of the State Secretary and the bodies responsible for those areas.

Contributed to the preparation of legislative provisions, specifically the code on special business recovery and bankruptcy procedures, the legal framework on the consumption and trafficking of narcotics, the legal framework on adoption, international legal instruments concerning judicial cooperation in criminal and civil matters and cooperation with the PALOP and child protection boards from 1992 to 1995.

Prepared public presentations and trips abroad for the State Secretary, in particular for the purposes of participation in meetings of the EU JHA Council of Ministers, the Council of Europe, the UN, the CPLP and the Conference of Ministers of Justice of Ibero-American Countries.

Drew up the study 'Contributos para uma reforma orgânica do Ministério da Justiça'

- 11/1987-11/1991 **Deputy Director-General**
National Probation Service - Ministry of Justice - Portugal
Senior manager of the operational activity of the Service carried out by 300 officials in the judicial districts of Lisbon and the south of the country, the Azores and Madeira, covering: technical support for the Courts in making decisions relating to criminal cases, enforcement of sentences, juveniles and families; technical support for the prison administration in making decisions as regards prisoners (specifically approvals for release and open regimes); psychological and social support for minors, young people and adults subject to legal proceedings, and their families; links with other public entities and private entities working towards crime prevention and social reintegration.
- 02/1987-11/1987 **Head of Research and Planning Department, Administration of Macau**
Institute for Social Action
Legal advice in relation to the Institute's social action.
Prepared procedures for the drawing up and signing of works contracts for the construction of social housing developments (Mong-Há social housing estate, with 650 dwellings and a value of MOP 48 million, and Fai Chi Kei estate, with 1100 dwellings).
Designed system of financial support and social facilities managed by private institutions.
Designed the Institute's planning system.
- 02/1985-02/1987 **Head of Organisation and Information Technology, Administration of Macau**
Civil Service Central Office
Issued opinions on basic rules of public services, on procedures for IT acquisitions and public service microfilming and on administrative rationalisation and bureaucracy reduction.
Standardised forms in the Administration of Macau.
Designed and set up a system for acquisition of IT and microfilming equipment by Macau's public services.
Developed a plan for computerisation of the common areas of administration and management of Macau's public services.
First survey of Macau Administration human resources (total workforce: 8 500 people).
Computerisation of the Administration and Civil Service Department.
Designed an integrated public relations system in the Administration of Macau.
Designed an integrated management system for the Administration and Civil Service Department.
- 06/1983-02/1985 **Director of Technical Coordination, Research and Planning Services**
National Probation Service, Ministry of Justice, Portugal
Coordinated activities relating to the publication of studies on social reintegration of offenders.
Established the format for welfare reports used for sentencing and for individual plans for readaptation in the probation system.
Designed the statistical data system for the Service's activities.
Developed protocol agreed with the prison services regulating the Service's operation in prisons.
Developed the service's activity plan in 1984.

- 04/1979-06/1983 **Advanced Public Administration Technical Officer**
 State Secretariat of Public Administration, Portugal
 Drafted opinions on basic rules of public services.
 Technical advice on and reorganisation of municipal councils.
 Technical advice and restructuring of the Ministry of Industry, Energy and Export.
 Technical advice to the Republic of Guinea-Bissau.
 Studies on municipal structures and management.
 Comparative study of macrostructures of the administrations of Member States of the European Communities.
- 1999-2004 **President (2001-2004) and Board member (1999-2001) of the Confederation of European Probation (CEP)**
 Chaired General Assemblies and Board meetings of the CEP (organisation bringing together Ministry of Justice bodies of 36 European countries with responsibility for enforcing non-custodial criminal penalties, with its central office in the Netherlands).
 Chaired other meetings with the Vice-Presidents, Secretary-General and Executive Officers, at the secretariat in the Netherlands, and workshops organised by the CEP.
 Established CEP development strategy, planning, budgeting and activity assessment.
 Meetings with representatives of prison boards of member countries, the EU Commission and the Council of the EU.
 Supervised budget management and CEP Newsletter.
- 1999-2002 **Member of the Management Board of the Centre for Professional Training in the Justice System**
 Ministry of Justice, Portugal
 Defined policies, plans and actions regarding professional training of the prison population and other citizens subject to criminal sanctions.
 Prepared training budgets.
 Drafted assessment reports on training provided.
- 1994-2003 **Member of the Committee on Access to Administrative Documents - Assembly of the Republic, Portugal**
 Promoted the principle of transparency in public administration and free access to administrative documents.
 Followed the application of the Access to Administrative Documents Act, submitted and assessed proposed amendments.
 Assessed claims submitted by citizens on refusal of access to documents by public administration departments and bodies.
 Organised actions on disclosure and training on public service transparency and access to administrative documents.
 Approved plans and activity reports of the Committee.
- 1992-1993 **Member of the Commission for Quality and Rationalisation of Public Administration**
 Presidency of the Ministerial Council, Portugal
 Participated in the work of the Commission, established by the Prime Minister, which led to a report with measures on state disengagement, relations between administration and citizen, structural solutions and flexibility in management of public administration.

1985-1986

Member of Commission for Implementation of the Chinese Language - Administration of Macau

Participated in the work of the Commission, established by the Governor of Macau, which led to the adoption of a report with measures on progressive use of Chinese as official language of administration of the territory at all levels, specifically including recruitment of officials and local leaders, the development of the legal system, use in government bodies and courts, and Chinese-Portuguese translation systems.

EDUCATION AND TRAINING

09/1973-07/1978 **Degree in Law**

Law Faculty, University of Lisbon, Portugal

Took part as lecturer or trainer, and as a trainee, in many national and international conferences, congresses, seminars, and workshops on diverse subjects, notably on reform of public administration, public management, public finances, administrative law, external and independent financial control, courts of auditors, criminal justice, probation and reintegration into society, juvenile justice, prevention and suppression of drug trafficking and consumption, and juvenile delinquency (see attachment).

PERSONAL SKILLS

Mother tongue Portuguese

Other languages

| | UNDERSTANDING | | SPEAKING | | WRITING |
|---------|---------------|---------|-------------|------------|---------|
| | Listening | Reading | Interaction | Production | |
| French | C1 | C2 | C1 | C2 | B2 |
| English | B2 | B2 | B2 | B2 | B2 |
| Spanish | C1 | C1 | A2 | A2 | A1 |

Levels: A1 and A2: basic user; B1 and B2: independent user; C1 and C2: advanced user

(Common European Framework of Reference for Languages)

Communication skills Good communicative ability, developed over the years in the course of senior management roles in major public services and through political activity, as State Secretary, involving very many public utterances, participation in parliamentary debates, appearances on television and radio programmes and contact with other media, as well as participation in innumerable congresses, workshops etc. and leading and coordinating national and international meetings.

Organisational skills Good coordination, organisation and leadership skills, developed through leading and reorganising public services and performing political roles, closely linked to public administration reforms.

Digital competence

SELF-ASSESSED

| Information processing | Communication | Content creation | Security | Problem solving |
|-------------------------------|----------------------|-------------------------|------------------|------------------------|
| Independent user | Independent user | Independent user | Independent user | Independent user |

Digital competence — self-assessment grid

ADDITIONAL INFORMATION

INTERNATIONAL EXPERIENCE

Besides chairing and taking part in Confederation of European Probation (CEP) Board meetings, mentioned above, of which he is currently an honorary member, he has taken part in numerous meetings of bodies of the European Union, OECD, UN, Council of Europe, Community of Portuguese-Speaking Countries, conferences of Ibero-American Justice Ministers and Ministers for Public Administration, the International Organisation of Superior Audit Institutions (INTOSAI) and its European regional group (EUROSAI), the Contact Committee of the Heads of the Supreme Audit Institutions of the EU and its liaison officers, and the Latin American Centre for Development Administration (CLAD).

PUBLICATIONS

"Deontologia e Ética do Serviço Público. Contributos para uma Sistematização da Ética Profissional dos funcionários", Secretariado da Modernização Administrativa, November 1988;

"A União Económica e Monetária e a Política Orçamental – A problemática dos défices", in *Revista do Tribunal de Contas* n.º 43, Jan-Jun 2005, Lisbon, pp. 41-71;

"Por uma carta latina-ibero-americana de competências comuns para dirigentes públicos: a proposta de Portugal", with Valadares Tavares, Luis, in *Revista do Serviço Público*, vol. 57, n.º 1, Jan/Mar 2006, Escola Nacional de Administração Pública, Brasília;

"Eficiência e Legalidade na Administração Pública", in *Revista do Tribunal de Contas*, n.º 51, Jan/June 2009, originally published by the OECD with the title "Efficiency and Legality in the Performance of the Public Administration", Conference on Public Administration Reform and European Integration, Budva, Montenegro, 26-27 March 2009;

"Contributos para a determinação do âmbito da fiscalização prévia do Tribunal de Contas" in *Revista do Tribunal de Contas*, n.º 51, Jan/June 2009;

"Desempenho dos Serviços Públicos e sua avaliação: adaptação a novos desafios", in *Colóquio Internacional – A moderna gestão financeira pública: uma resposta à crise económica?*, published by the Portuguese Court of Auditors on the occasion of its 160th anniversary, Lisbon, 2009;

"As reformas na Administração Pública", preface to *Regime Geral da Função Pública. Coletânea de Legislação*, organised by Maria Laura Veríssimo Dias and Paulo Guilherme Fernandes Lajoso, July 2009;

"As reformas na Administração Pública de 2005 a 2008: Alguns aspetos fundamentais" in *Revista do Tribunal de Contas*, n.º 52, Jul/Dec 2009.

"As reformas da proteção social na Administração Pública de 2005 a 2009", preface in *A Proteção Social dos Trabalhadores em Funções Públicas*, by Isabel Viseu and Vasco Hilário, Coimbra Editora, July 2011.

"Conflito de interesses e ética do serviço público", co-author with Augusto Santos Silva, scientific article to be published in the *Manual of Fraud in Portugal*, to be published in 2016 by the Economics Faculty of the University of Porto.

"SIDA, Direito e Ética", in *Criminalidade e Cultura – Cadernos do Centro de Estudos Judiciários*, n.º 2/90, p. 225-240;

"Antecedentes Legislativos da Reinserção Social" in *Cidadão Delinquente: Reinserção Social*, Portuguese Ministry of Justice, 1983, pp. 17-47;

"Delinquente, Estado, Sociedade: o Desafio da Reinserção Social", in *Prisões e Reinserção Social*, Bulletin no 37, December 1983 – February 1984, of the Centro de Reflexão Cristã (Christian Reflection Centre), pp. 13-26;

"Mercado Social de Emprego e Promoção da Cidadania" in *Mercado Social de Emprego – Encontro Nacional de Interlocutores – 2000*, published by the Comissão para o Mercado Social de Emprego (Commission for the Employment Social Market), pp 121-124;

"A Justiça de Menores na Europa" in *Infância e Juventude*, n.º 01-1, Jan-Mar 2001, pp. 9-20;

"Medidas para a Prevenção da Delinquência Juvenil" in *Infância e Juventude* n.º 01-2, Apr-Jun 2001, pp. 19-24;

"Execução de Medidas Tutelares Educativas" in *Direito Tutelar de Menores – O Sistema em Mudança*, Law Faculty of the University of Coimbra and the Prosecutor-General's Office, Coimbra Editora 2002, pp. 195-210