

# **CALL FOR APPLICATIONS FOR THE SELECTION OF MEMBERS OF THE COMMISSION EXPERT GROUP ON TECHNICAL REQUIREMENTS FOR INLAND WATERWAY VESSELS**

## **1. Background**

The Commission's Directorate-General for Mobility and Transport ('DG MOVE') has set up a group of expert on technical requirements for inland waterway vessels ("the group").

The group's overall mission and tasks shall be to:

- provide advice to the Commission for the preparation of legislative proposals and policy initiatives in technical requirements for inland waterway vessels sector
- give advice and provide input to the Commission during the preparation of the delegated acts foreseen in the Directive (EU) 2016/1629 of the European Parliament and of the Council of 14 September 2016 laying down technical requirements for inland waterway vessels, amending Directive 2009/100/EC and repealing Directive 2006/87/EC
- support the Commission in the general implementation and follow-up on the technical requirements for inland waterway vessels (including issues related to emissions from engines used in inland waterway vessels set up in the Regulation (EU) 2016/1628 of the European Parliament and of the Council of 14 September 2016 on requirements relating to gaseous and particulate pollutant emission limits and type-approval for internal combustion engines for non-road mobile machinery, amending Regulations (EU) No 1024/2012 and (EU) No 167/2013, and amending and repealing Directive 97/68/EC
- support the Commission with regard to the operation and development of the European Hull Data Base (art 19. 7 of the Directive (EU) 2016/1629)
- provide input for the preparation of implementing acts prior to their submission to the Committee in accordance with Regulation (EU) N°182/2011

The Commission is calling for applications with a view to selecting members of the group other than Member States' authorities and other public entities.

## **2. Features of the Group**

### **2.1. COMPOSITION**

The group shall consist of a maximum of 40 members. They shall be:

- Competent authorities from those EU Member States with inland waterways interests;
- Other public entities: authorities from third countries managing waterways of European interest (Switzerland),
- Organisations that represent the inland navigation professions, which are exercising activities that are directly associated with inland navigation, and whose interests are directly affected by an aspect specific to or of importance for inland navigation or that are concerned by the implementation of the Directive (EU) 2016/1629. These organizations shall be selected through the present call for applications from applicants complying with the requirements referred to in chapter 4 of this call.

All members shall appoint their representatives on an ad hoc basis, depending on the meeting agenda of the group and shall be responsible for ensuring that their representatives provide a high level of expertise. DG MOVE may refuse the nomination of a representative by an organisation if it considers this nomination inappropriate in light of the requirements specified in chapter 4 of this call and of the specific meeting agenda. In such case, the organisation concerned shall be asked to appoint another representative.

## **2.2. APPOINTMENT**

Members shall be appointed by the Director General of DG MOVE.

Members shall remain in office until replaced.

Registration in the Transparency Register is required in order for organisations to be appointed.

Members who are no longer capable of contributing effectively to the group's deliberations, who in the opinion of DG MOVE do not comply with the conditions set out in Article 339 of the Treaty on the functioning of the European Union or who resign, shall no longer be invited to participate in any meetings of the group and may be replaced for the remainder of their term of office.

## **2.3 RULES OF ENGAGEMENT AND OPERATION OF THE GROUP**

The group shall be chaired by a representative of DG MOVE.

The group shall act at the request of its chairman, in compliance with the Commission's horizontal rules on expert groups ('the horizontal rules')<sup>1</sup>.

In principle, the group shall meet at least every two years on Commission premises in order to discuss any relevant issue related to the above-mentioned group's overall mission. DG MOVE shall provide secretarial services.

Members' representatives should be prepared to attend meetings systematically, to contribute actively to discussions in the group, to be involved in preparatory work ahead of meetings, to examine and provide comments on documents under discussion, and to act, as appropriate, as 'rapporteurs' on ad hoc basis.

As a general rule, working documents will be drafted in English and meetings will be also conducted in English.

The group shall adopt its opinions, recommendations or reports by consensus. In the event of a vote, the outcome of the vote shall be decided by simple majority of the members. The members that voted against or abstained shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

In agreement with DG MOVE, the group may, by simple majority of its members, decide that deliberations shall be public.

Participants in the activities of the group and sub-groups shall not be remunerated for the services they offer. Travel and subsistence expenses incurred by participants in the activities of the group and sub-groups may be reimbursed by the Commission. Reimbursement shall be made in accordance with the provisions in force within the Commission and within the limits

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<sup>1</sup> C(2016) 3301 (Article 13.1).

of the available appropriations allocated to the Commission departments under the annual procedure for the allocation of resources.

The members of the group and their representatives, as well as possible invited experts and observers, are subject to the obligation of professional secrecy, which by virtue of the Treaties and the rules implementing them applies to all members of the institutions and their staff, as well as to the Commission's rules on security regarding the protection of Union classified information, laid down in Commission Decisions (EU, Euratom) 2015/443<sup>2</sup> and 2015/444<sup>3</sup>. Should they fail to respect these obligations, the Commission may take all appropriate measures.

On a proposal by and in agreement with DG MOVE the group shall adopt its rules of procedure on the basis of the standard rules of procedure for expert groups.

DG MOVE may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the group or sub-groups on an ad hoc basis.

Individuals, organisations and public entities may be granted an observer status, in compliance with the horizontal rules, by direct invitation. Organisations and public entities appointed as observers shall nominate their representatives. Observers and their representatives may be permitted by the Chair to take part in the discussions of the group and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the group.

DG MOVE may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by DG MOVE. Sub-groups shall operate in compliance with the horizontal rules and shall report to the group. They shall be dissolved as soon as their mandate is fulfilled. The members of sub-groups that are not members of the group shall be selected via a public call for applications.

#### **2.4. TRANSPARENCY**

The group shall be registered in the Register of Commission expert groups and other similar entities ('the Register of expert groups').

As concerns the group composition, DG MOVE shall publish the following data on the Register of expert groups:

- the name of member organisations; the interest represented shall be disclosed;
- the name of other public entities;
- the name of observers;

DG MOVE shall make available all relevant documents, including the agendas, the minutes and the participants' submissions, either on the Register of expert groups or *via* a link from the Register to a dedicated website, where this information can be found. Access to dedicated websites shall not be submitted to user registration or any other restriction. In particular, DG MOVE shall ensure publication of the agenda and other relevant background documents in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be foreseen where it is deemed that disclosure of a document would

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<sup>2</sup> Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

<sup>3</sup> Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001<sup>4</sup>.

Personal data shall be collected, processed and published in accordance with Regulation (EC) No 45/2001.

### **3. Application procedure**

For the sake of clarity: Member States and other public entities will be invited by DG MOVE. They are not concerned by the present call for applications<sup>5</sup>.

Interested organisations are invited to submit their application to the European Commission, DG MOVE.

Applications must be completed in one of the official languages of the European Union. However, applications in English would facilitate the evaluation procedure. If another language is used, it would be helpful to include a summary of the applicant's selection criteria form in English.

An application will be deemed admissible only if it is sent by the deadline and includes the documents referred to below. All documents submitted by applicants should be duly filled in, legible, signed and numbered sequentially.

#### Supporting documents

Each application shall include the following documents:

- a cover letter explaining the applicant's motivation for answering this call and stating what contribution the applicant could make to the group;
- a classification form duly filled in specifying the member category for which the application is made (Annex I).
- a selection criteria form duly filled in documenting how the applicant fulfills the selection criteria listed in chapter 4 of this call (Annex II).

Additional supporting documents (e.g. publications) may be requested at a later stage.

#### Deadline for application

The duly signed applications must be sent by 7 April 2017 at the latest. The date of sending will be established as follows:

- Where applications are sent by e-mail to the following e-mail address: MOVE-D3-SECRETARIAT@ec.europa.eu, the date of the e-mail will be the date of sending. The subject of the email shall mention the following: "Call for applications – Technical requirements for the vessels"
- Where applications are sent by post to the following address: European Commission, DG MOVE, Unit D3 secretariat – Rue De Mot/De Motstraat 28 6/006, B-1049 Brussels, the postmark will be considered the date of sending.
- Where applications are hand-delivered to the following address: European Commission, DG MOVE, Unit D3 secretariat – Rue De Mot/De Motstraat 28 – 1040 Brussels, the date on the receipt given upon delivery will be considered the date of sending.

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<sup>4</sup> These exceptions are intended to protect public security, military affairs, international relations, financial, monetary or economic policy, privacy and integrity of the individual, commercial interests, court proceedings and legal advice, inspections/investigations/audits and the institution's decision-making process.

<sup>5</sup> See Article 10.1 of the horizontal rules.

#### **4. Selection criteria**

DG MOVE will take the following criteria into account when assessing applications:

- proven and relevant competence and experience obtained by exercising activities that are directly associated with inland navigation, including at European level and/or international level, in areas relevant to technical requirements for inland waterway vessels and the application of Directive (EU) 2016/1629
- sufficient level of representation of the organisation in relation to the specific category of stakeholders of which they represent the interests.
- the degree to which their interests are directly affected by an aspect specific to or of importance for inland navigation

#### **5. Selection procedure**

The selection procedure shall consist of an assessment of the applications performed by DG MOVE against the selection criteria listed in chapter 4 of this call, followed by the establishment of a list of the most suitable applicants, and concluded by the appointment of the members of the group.

When defining the composition of the group, DG MOVE shall aim at ensuring, as far as possible, a high level of expertise, as well as a balanced representation of relevant know how and areas of interest, while taking into account the specific tasks of the group, the type of expertise required, as well as the relevance of the applications received.

For any further information please contact Ms Marta WOLSKA, Telephone: (32-2)29 80373, e-mail:

#### ANNEXES:

- Classification form
- Selection criteria form
- Privacy statement

## **Annex I - Classification form<sup>6</sup>**

To be filled in by all applicants

This application is made as:

- An organisation (Type C member).**

Transparency Register identification number: [...]

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To be filled in by organisations applying to be appointed as Type C members

This application is made as the following **type of organisation**: (*please select only one option, taking into account the definitions indicated below*).

- a) Academia, research Institutes and Think Tanks
- b) Banks/Financial institutions
- c) Companies/groups
- d) Law firms
- e) NGOs
- f) Professionals' associations
- g) Professional consultancies
- h) Trade and business associations
- i) Trade unions
- j) Other (please specify):

### Definitions for organisation types

#### **Academia, Research Institutes and Think Tanks**

Universities, schools, research centers, think tanks and other similar bodies performing academic and/or educational activities.

#### **Banks/Financial institutions**

Banks and other similar bodies providing financial services, including financial intermediation. All sorts of banks should be classified within this category, including national central banks.

#### **Companies/groups**

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<sup>6</sup> This form must be filled in, signed and returned with the application.

Individual companies or groups of companies operating in the business sector, whether they are national companies or multinational ones.

### **Law firms**

Business entities formed by one or more lawyers to engage in the practice of law. The primary service rendered by a law firm is to advise clients (individuals or corporations) about their legal rights and responsibilities, and to represent clients in civil or criminal cases, business transactions, and other matters in which legal advice and other assistance are sought.

### **NGOs**

Non-profit organisations which are independent from public authorities and commercial organisations. Some NGOs are organised around specific issues, such as environment, consumer affairs, health and human rights.

### **Professionals' associations**

Non-profit organisations seeking to further the interests of individuals engaged in a particular profession, such as physicians, nurses, architects, engineers and lawyers. Professionals' associations are different from business associations, as they promote and defend the interests of individuals carrying on a specific profession, not the interests of companies operating in the business sector.

### **Professional consultancies**

Firms carrying on, on behalf of clients, activities involving advocacy, lobbying, promotion, public affairs and relations with public authorities.

### **Trade and business associations**

Private bodies representing the interests of its members operating in the business sector.

### **Trade unions**

Organisations of workers. The most common activities performed by trade unions include the negotiation of wages, work rules, rules governing hiring, firing and promotion of workers.

### **Other organisations**

Organisations which are not possible to classify in any other category.

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To be filled in by organisations applying to be appointed as Type C members

The applicant shall represent the following **interest**: (*please select one or more options, taking into account the definitions indicated below*):

- a) Academia/Research
- b) Civil society
- c) Employees/Workers
- d) Finance
- e) Industry
- f) Professionals
- g) SMEs
- h) Other (please specify):

Definitions for interests represented

**Academia/Research**

Universities, schools, research centers, think tanks and other similar bodies performing academic and/or educational activities.

**Civil society**

Civil society can be defined as the aggregate of non-governmental organisations and institutions that manifest interests and will of citizens or as individuals and organisations in a society which are independent of the government.

**Employees/workers**

Individuals working part-time or full-time under a contract of employment whether oral or written, express or implied, and having recognized rights and duties.

**Finance**

The management of revenues or the conduct or transaction of money matters, as in the fields of banking, insurance and investment.

**Industry**


Companies and groups of companies whose number of employees and turnover or balance sheet total are higher than the ones of SMEs (see below).

**Professionals**

Individuals operating in a particular profession, such as physicians, nurses, architects, engineers and lawyers.



## SMEs

"SME" stands for small and medium-sized enterprises – as defined in EU law: [EU recommendation 2003/361](#) .

The main factors determining whether a company is an SME are:

1. **number of employees** and
2. either **turnover** or **balance sheet total**.

Company category Employees Turnover or Balance sheet total

Medium-sized      < 250      ≤ € 50 m    ≤ € 43 m

Small                < 50        ≤ € 10 m    ≤ € 10 m

Micro                < 10        ≤ € 2 m     ≤ € 2 m

These ceilings apply to the figures for individual firms only. A firm which is part of larger grouping may need to include employee/turnover/balance sheet data from that grouping too.

### **Other interest**

Interest which is not possible to classify in any other category.

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To be filled in by organisations applying to be appointed as Type C members

Please select one **or more policy areas** in which your organisation operates:

- Agriculture
- Archaeology
- Architecture
- Audiovisual and media
- Audit
- Banking
- Biodiversity
- Civil protection
- Civil service
- Climate
- Competition
- Conservation
- Consumer affairs
- Culture
- Cultural Heritage
- Cultural Landscape
- Customs
- Development
- Disaster Risk Reduction
- Economy
- Education
- Employment and social affairs
- Energy
- Engineering (chemical)
- Engineering (civil)
- Engineering (infrastructure)
- Engineering (IT)
- Engineering (maritime)
- Engineering (space policy)
- Engineering (space research)
- Enlargement
- Environment
- Equal opportunities
- External relations
- External trade
- Finance
- Fisheries and aquaculture
- Food safety
- Forestry
- Fundamental rights
- Humanitarian aid
- Industry
- Information society
- Innovation
- Insurance

- Labour
- Land management
- Law (civil)
- Law (corporate)
- Law (criminal)
- Law (taxation)
- Linguistics and Terminology
- Livestock
- Medical profession
- Migration
- Natural resources
- Plant production
- Public affairs
- Public health
- Public relations
- Raw materials
- Research
- Science
- Science diplomacy
- Security
- Smart specialisation
- Social service
- Space and Satellites (policy)
- Space and Satellites (research)
- Sport
- Statistics
- Sustainable Development
- Systemic eco-innovation
- Tax
- Trade
- Training
- Transport
- Urban development
- Water
- Youth
- Other

For organisations applying to be appointed as Type C members

Name of the organisation<sup>7</sup>: .....

Surname of the person applying on behalf of the organisation: .....

First name of the person applying on behalf of the organisation: .....

Date: .....

Signature .....

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<sup>7</sup> It is mandatory to use exactly the same name used when registering in the Transparency Register.

## Annex II: Selection criteria form<sup>8</sup>

Applicants are requested to describe how they fulfil the selection criteria listed in this call.

Proven and relevant competence and experience obtained by exercising activities that are directly associated with inland navigation, including at European level and/or international level, in areas relevant to technical requirements for inland waterway vessels and the application of Directive (EU) 2016/1629	
sufficient level of representation of the organisation in relation to the specific category of stakeholders of which they represent the interests	
the degree to which their interests are directly affected by an aspect specific to or of importance for inland navigation	

### For organisations applying to be appointed as Type C members

Name of the organisation<sup>9</sup>: .....

Surname of the person applying on behalf of the organisation: .....

First name of the person applying on behalf of the organisation: .....

Date: .....

Signature .....

<sup>8</sup> This form must be filled in, signed and returned with the application.

<sup>9</sup> It is mandatory to use exactly the same name used when registering in the Transparency Register.

## **Annex III: Protection of your personal data**

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#### **1. Introduction**

This privacy statement explains the reason for the processing, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you may exercise in relation to your data (the right to access, rectify, block etc.).

The European institutions are committed to protecting and respecting your privacy. As this service/application collects and further processes personal data, Regulation (EC) N°45/2001<sup>10</sup> of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, is applicable.

This statement concerns the Register of Commission Expert Groups and Other Similar Entities ('Register of expert groups') undertaken by the European Commission, Secretariat-General, Head of Unit B.2 (Institutional Affairs). The Register is a database containing a list of Commission expert groups and other similar entities and their sub-groups. For each expert group, the Register provides valuable information including on the Commission department which is running the group, as well as on the group members, mission and tasks. The Register also includes relevant documents which are produced and discussed by expert groups.

Personal data submitted to Commission departments as part of rejected applications are not published on the Register of expert groups. The competent Commission departments keep these data for six months and do not process them for other purposes.

#### **2. Why do we process your data?**

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<sup>10</sup> [Regulation \(EC\) N° 45/2001](#) (OJ L8 of 12/01/2001).

Purpose of the processing operation: The European Commission, Secretariat-General, Head of Unit B.2 (Institutional Affairs) ('the Data Controller') collects and uses your personal information to ensure transparency on expert groups' membership and activities.

The processing and publication on the Register of expert's personal data is necessary for the performance of a task carried out in the public interest, since it increases the transparency on Commission expert groups (article 5 (a) of Regulation (EC) N° 45/2001).

As regards, in particular, the declarations of interests filled in by experts appointed in a personal capacity, the processing of personal data of these experts serves the public interest of enabling the Commission to verify the experts' independence in providing advice to the Commission. Furthermore, the public disclosure of declarations of interests allows for public scrutiny of the interests declared by experts appointed in a personal capacity, which is necessary in order to ensure public confidence in the independence of these experts. The public disclosure of declarations of interests also ensures a high degree of transparency with respect to the membership of expert groups and aims at contributing to fostering the integrity of the experts in question.

Art 27 of Regulation (EC) N° 45/2001 is not applicable.

### **3. Which data do we collect and process?**

The personal data collected and further processed may be:

- Name;
- Professional title;
- Professional profile;
- Nationality;
- Gender;
- Interest represented (only for individuals applying to be appointed as members of expert groups or sub-groups representing a common interest and for the designated representatives of organisations applying to be appointed members of expert groups or sub-groups);
- Information included in the declarations of interest (only for individuals applying to be appointed as members of expert groups or sub-groups in a personal capacity).

### **4. How long do we keep your data?**

The Data Controller only keeps the data for the time necessary to fulfil the purpose of collection or further processing.

When an individual is no longer participating in a group listed in the Register of expert groups, all personal information related to this individual is removed from the Register. The competent Commission departments keep personal information for 5 years after the date where relevant individuals cease to participate in the work of the group.

Declarations of interests of individuals appointed as members or alternate members in a personal capacity of expert groups or sub-groups are published on the Register as long as they are members.

When a group is closed down, it remains published in the Register of expert groups for five years, with the indication 'Closed'. During such time, personal information other than the above-mentioned declarations of interests is visible on the Register.

An XML file is created daily with all the information regarding active groups. All versions of this file, showing the situation of the Register as of the day it was created, are stored in a file server for 5 years.

**5. How do we protect your data?**

All data in electronic format (e-mails, documents, uploaded batches of data etc.) are stored either on the servers of the European Commission or of its contractors, the operations of which abide by the European Commission's security decision of 16 August 2006 [C(2006) 3602] concerning the security of information systems used by the European Commission.

The Commission's contractors are bound by a specific contractual clause for any processing operations of your data on behalf of the Commission, and by the confidentiality obligations deriving from the transposition of Directive 95/46/CE.

**6. Who has access to your data and to whom is it disclosed?**

Information collected is publicly available on the Register of expert groups.

The XML files referred to in point 4 are not available neither via the internal application of the Register or the public version of the Register, and are only accessible to a reduced number of users in the System Owner and System Supplier's teams.



## **7. What are your rights and how can you exercise them?**

According to Regulation (EC) n°45/2001, you are entitled to access your personal data and rectify and/or block it in case the data is inaccurate or incomplete.

If you do not wish to have your name published on the Register of expert groups, you may submit a request to the relevant Commission department for a derogation from publication. A derogation shall be granted where justified on compelling legitimate grounds in relation to your specific situation, in particular where disclosure of the experts' name could endanger your security or integrity.

You can exercise your rights by contacting the secretariat of the competent Commission department or in case of conflict the Data Protection Officer and if necessary the European Data Protection Supervisor using the contact information given at point 8 below.

## **8. Contact information**

If you have comments or questions, any concerns or a complaint regarding the collection and use of your personal data, please feel free to contact the secretariat of the competent Commission department, using the following contact information:

The Data Processor:

- *[Unit(s) in charge of the processing operations on personal data*
- *Phone number*
- *Fax number*
- *Mailbox address]*

The Data Protection Officer (DPO) of the Commission: [DATA-PROTECTION-OFFICER@ec.europa.eu](mailto:DATA-PROTECTION-OFFICER@ec.europa.eu)

The European Data Protection Supervisor (EDPS): [edps@edps.europa.eu](mailto:edps@edps.europa.eu).

## **9. Where to find more detailed information?**

The Commission Data Protection Officer publishes the register of all operations processing personal data. You can access the register on the following link: <http://ec.europa.eu/dpo-register>

This specific processing has been notified to the DPO with the following reference: DPO-2194.8.