



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT

Directorate C - Land
C.1 – Road Transport

Brussels, 20 May 2019

MOVE C1/(2019)

CALL FOR APPLICATIONS FOR THE SELECTION OF MEMBERS OF THE GROUP OF EXPERTS ON THE SMART TACHOGRAPH

1. BACKGROUND

Article 11 of Regulation (EU) No 165/2014¹ mandates the European Commission to adopt the necessary implementing acts to set up detailed provisions for the uniform application of the rules on the smart tachograph.

The first act adopted on the basis of the above-mentioned provision is the Commission Implementing Regulation (EU) 2016/799², laying down the requirements for the construction, testing and installation of smart tachographs. Regulation (EU) 2016/799 will have to be adapted in the future to technical progress.

The Commission's Directorate-General for Mobility and Transport ("DG MOVE") has set up a group of experts on the smart tachograph ("the group") in order to provide the Commission with advice and expertise on the early preparation of technical specifications for the adaptation of the smart tachograph to technical progress, before their submission to the committee in accordance with Regulation (EU) No 182/2011.

DG MOVE is launching a call for applications with a view to selecting members of the group.

2. FEATURES OF THE GROUP

2.1. Composition

The following categories of members may be part of the group:

a) Individuals appointed in a personal capacity who are technical experts in the field of the smart tachograph (Type A members). These individuals shall act independently and in the public interest.

¹ Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport (OJ L 60 of 28.2.2014, p.1).

² Commission Implementing Regulation (EU) 2016/799 of 18 March 2016 implementing Regulation (EU) No 165/2014 of the European Parliament and of the Council laying down the requirements for the construction, testing, installation, operation and repair of tachographs and their components (OJ L 139, 26.5.2016, p.1.)

b) Individuals appointed to represent a common interest shared by stakeholders in the field of smart tachograph, who do not represent an individual stakeholder, but a policy orientation common to different stakeholder organizations (Type B members).

c) Organisations, such as companies or associations with a proved interest and expertise in the field of smart tachograph (Type C members).

Organisations shall nominate their representatives and shall be responsible for ensuring that their representatives provide a high level of expertise. DG MOVE may ask Type C members with more than one representative that only one of them attends to a specific meeting, should it be justified for reasons of space availability.

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. 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 from applicants complying with the requirements referred to in chapter 4 of this call.

Members shall be appointed for 3 years. They shall remain in office until the end of their term of office. Their term of office may be renewed.

Registration in the Transparency Register is required for individuals representing a common interest and organisations to be appointed as Type B and Type C members, respectively.

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 DG MOVE, in compliance with the Commission's horizontal rules on expert groups³ ('the horizontal rules').

The group shall meet, at least, once a year on Commission premises. DG MOVE shall provide secretarial services.

Members and 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 an 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 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 may be reimbursed by the Commission. Reimbursement shall be made in accordance with the provisions in force within the Commission and within the limits 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 invited experts, 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) 2015/443⁴ and 2015/444⁵. 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 on an ad-hoc basis.

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

³ C(2016) 3301.

⁴ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

⁵ 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).

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 on the Register of Commission expert groups and other similar entities ('the Register of expert groups').

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

- the name of individuals appointed in a personal capacity;
- the name of individuals appointed to represent a common interest; the interest represented shall be disclosed.
- the name of member organisations; the interest represented shall be disclosed;

DG MOVE shall make available all relevant documents, including the agendas, the minutes and the participants' submissions on the Register of expert groups. In particular, DGMOVE 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 undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) No 1049/2001⁶⁷.

Personal data shall be collected, processed and published in accordance with Regulation (EU) 2018/1725⁸.

3. APPLICATION PROCEDURE

Interested individuals and organisations are invited to submit their application to the European Commission, DGMOVE.

Applications must be completed in one of the official languages of the European Union. However, applications in English would facilitate the evaluation procedure. Should another language be used, it would be desirable to include a summary of the application in English.

Organisations shall indicate the name of their representatives in the group.

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:

⁶ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L145, 31.5.2001, p. 43).

⁷ 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.

⁸ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data (repealing Regulation (EC) No 45/2001)).

- 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 fulfils the selection criteria listed in chapter 4 of this call (Annex II).

For individuals applying to be appointed as Type A or B members, as well as for individuals indicated by organisations as their representatives, a curriculum vitae (CV) shall also be provided, preferably not exceeding three pages. All CVs shall be submitted in the European format (<https://europass.cedefop.europa.eu/en/documents/curriculum-vitae/templates-instructions>).

Individuals applying to be appointed as Type A members must disclose any circumstances that could give rise to a conflict of interest by submitting a declaration of interests ('DOI') form on the basis of the standard DOI form for expert groups attached to this call. Submission of a duly completed DOI form is necessary in order to be eligible to be appointed in a personal capacity. DG MOVE shall perform the conflict of interest assessment in compliance with Article 11 of the horizontal rules.

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

Deadline for application

The duly signed applications must be sent by 20 June 2019 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-smart-tachograph@ec.europa.eu), the date of the e-mail will be the date of sending.
- Where applications are sent by post to the following address: European Commission, DGMOVE, Unit C.1 secretariat – Rue Jean-André de Mot 28, B-1049 Brussels, the postmark will be considered the date of sending
- Where applications are hand-delivered to the following address: European Commission, DGMOVE, Unit C.1 secretariat – Rue Jean-André de Mot 28, the date on the receipt given upon delivery will be considered the date of sending.

4. SELECTION CRITERIA

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

a) Proven and relevant competence and experience in at least one of the following fields related to the smart tachograph (all applicants):

- tachograph hardware and software;
- tachograph cards hardware and software;
- technology for the performance of the different tachograph functionalities: speed, position and distance measurement, time measurement, monitoring of driver activities, detection of events and

faults, self-testing, etc.

- security in accordance with Appendices 10 and 11 of Annex IC to Regulation (EU) 2016/799;
- communication protocols, in particular knowledge of at least one of the communication standards mentioned in Regulation (EU) 2016/799, such as NMEA, CEN DSRC or ISO/IEC 7816;
- construction and installation of Global Navigation Satellite Systems (GNSS) antennas, transceivers and receivers;
- construction and installation of dedicated short range communication (DSRC) antennas, transceivers and receivers;
- testing for the certification of the tachograph or its components;
- checks, installations and repairs of tachographs.

b) absence of circumstances that could give rise to a conflict of interest (individuals applying to be appointed as Type A members only);

c) proven capacity to represent effectively the position shared by stakeholders (individuals applying to be appointed as Type B members only)

d) competence, experience and hierarchical level of the proposed representatives (organisations only);

e) Good knowledge of the English language allowing active participation in the discussions (individuals applying to be appointed as Type A and B members, as well as representatives of Type C members).

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.

Where individual experts are appointed, either in their personal capacity or to represent a common interest, DGMOVE shall seek a geographical balance and a gender balance.

For any further information please contact Mr. Bernardo Martínez, e-mail: move-smart-tachograph@ec.europa.eu.

ANNEXES:

- I. Classification form
- II. Selection criteria form

- III. Standard declaration of interests⁹
- IV. Guidance for filling in the declaration of interests¹⁰
- V. Privacy statement

⁹ To be inserted as required. To be used only in relation to individuals applying to be appointed in a personal capacity.

¹⁰ Idem

Annex I - Classification form¹¹

To be filled in by all applicants

This application is made as: (*please select only one option*)

- An individual applying to be appointed in a personal capacity (Type A member);** if appointed I shall act independently and in the public interest.

or

- An individual applying to be appointed to represent a common interest** shared by stakeholders in a particular policy area (**Type B member**); if appointed I shall not represent an individual stakeholder.

Transparency Register identification number: [...] ¹²

or

- An organisation (Type C member).**

Transparency Register identification number: [...]

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):

¹¹ This form must be filled in, signed and returned with the application.

¹² If the individuals in question act as self-employed consultants, they should provide their own identification number. If the individuals in question do not act as self-employed consultants, they should provide the identification number of the organisation(s) of which they are employees, see Article 24 of the horizontal rules.

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

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.

To be filled in by individuals applying to be appointed as Type B members and 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.

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

Please select one **or more policy areas** in which you/your organisation¹³ operate(s):

- 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

¹³

To be inserted as required.

- 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 individuals applying to be appointed as Type A members

Title:

Surname:

First name:

Date:

Signature

For individuals applying to be appointed as Type B members

Title:

Surname¹⁴:

First name¹⁵:

Date:

Signature

For organisations applying to be appointed as Type C members

Name of the organisation¹⁶:

Surname of the representative proposed:

First name of the representative proposed:

Surname of the person applying on behalf of the organisation:

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

Date:

Signature

¹⁴ It is mandatory to use exactly the same name used when registering in the Transparency Register.

¹⁵ Idem

¹⁶ Idem

Annex II: Selection criteria form¹⁷

Applicants are requested to describe how they fulfil the selection criteria listed in this call¹⁸.

<p>Proven and relevant competence and experience in at least one of the following fields related to the smart tachograph (all applicants):</p> <ul style="list-style-type: none"> - tachograph hardware and software; - tachograph cards hardware and software; - technology for the performance of the different tachograph functionalities: speed, position and distance measurement, time measurement, monitoring of driver activities, detection of events and faults, self-testing, etc. - security in accordance with Appendices 10 and 11 of Regulation (EU) 2016/799; - communication protocols, in particular knowledge of at least one of the communication standards mentioned in Regulation (EU) 2016/799, such as NMEA, CEN DSRC or ISO/IEC 7816; - construction and installation of GNSS antennas, transceivers and receivers; - construction and installation of DSRC antennas, transceivers and receivers; - testing for the certification of the tachograph or its components; - checks, installations and repairs of tachographs. 	
<p>Absence of circumstances that could give rise to a conflict of interest (individuals applying to be appointed as type A members only)</p>	
<p>Proven capacity to represent effectively the position shared by stakeholders (individuals applying to be appointed as Type B members only)</p>	

¹⁷ This form must be filled in, signed and returned with the application.

¹⁸ Selection criteria to be specified and adapted as required, in light of the call for applications in question.

Competence, experience and hierarchical level of the proposed representatives (organisations only)	
Good knowledge of the English language allowing active participation in the discussions (individuals applying to be appointed as Type A and B members, as well as representatives of Type C members)	

For individuals applying to be appointed as Type A members

Title:

Surname:

First name:

Date:

Signature

For individuals applying to be appointed as Type B members

Title:

Surname¹⁹:

First name²⁰:

Date:

Signature

For organisations applying to be appointed as Type C members

Name of the organisation²¹:

Surname of the representative proposed:

First name of the representative proposed:

Surname of the person applying on behalf of the organisation:

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

Date:

Signature

¹⁹ It is mandatory to use exactly the same name used when registering in the Transparency Register.

²⁰ Idem

²¹ Idem

Annex III: Standard declaration of interests (DOI) form for individuals applying to be appointed as members of expert groups or sub-groups in a personal capacity

Legal basis:

Commission Decision C(2016)3301 establishing horizontal rules on the creation and operation of Commission expert groups, Articles 2(4) and 11.

Definitions:

"**Conflict of interest**" means any situation where an individual has an interest that may compromise or be reasonably perceived to compromise the individual's capacity to act independently and in the public interest when providing advice to the Commission in relation to the subject of the work performed by the expert group or sub-group in question.

"**Immediate family member**" means the individual's spouse, children and parents. "Spouse" includes a partner with whom the individual has a registered non marital regime. "Children" means the child(ren) the individual and the spouse have in common, the own child(ren) of the individual and the own child(ren) of the spouse.

"**Legal entity**" means any commercial business, industry association, consultancy, research institution or other enterprise whose funding is significantly derived from commercial sources. It also includes independent own commercial businesses, law offices, consultancies or similar.

"**Body**" means a governmental, international or non-profit organisation.

"**Meeting**" includes a series or cycle of meetings.

Please answer each of the questions below. If the answer to any of the questions is "yes", please briefly describe relevant interests and circumstances, as appropriate.

If you do not describe relevant interests, your DOI form will be considered incomplete and, therefore, your application to be appointed as a member of an expert group or sub-group in a personal capacity shall be rejected.

First name:
Family name:
Expert group/sub-group:

1 EMPLOYMENT CONSULTANCY AND LEGAL REPRESENTATION

<i>Within the past 5 years, were you employed or have you had any other professional relationship with a natural or legal entity, or held any non-remunerated post in a legal entity or other body with an interest in the field of activity of the expert group/sub-group in question?</i>	yes	no
---	------------	-----------

1a	Employment	<input type="checkbox"/>	<input type="checkbox"/>
1b	Consultancy, including services as an advisor	<input type="checkbox"/>	<input type="checkbox"/>
1c	Non-remunerated post	<input type="checkbox"/>	<input type="checkbox"/>
1d	Legal representation	<input type="checkbox"/>	<input type="checkbox"/>

Activity	Time period (from... until month/year)	Name of entity or body	Description

2 MEMBERSHIP OF MANAGING BODY, SCIENTIFIC ADVISORY BODY OR EQUIVALENT STRUCTURE

<i>Within the past 5 years, have you participated in the internal decision-making of a legal entity or other body with an interest in the field of activity of the expert group/sub-group in question or have you participated in the works of a Scientific Advisory Body with voting rights on the outputs of that entity?</i>	yes	no
---	------------	-----------

2a	Participation in a decision-making process	<input type="checkbox"/>	<input type="checkbox"/>
2b	Participation in the work of a Scientific Advisory Body	<input type="checkbox"/>	<input type="checkbox"/>

Activity	Time period (from... until month/year)	Name of legal entity or body	Description

--	--	--	--

3 RESEARCH SUPPORT

	<i>Within the past 5 years, have you, or the research entity to which you belong, received any support from a legal entity or other body with an interest in the field of activity of the expert group/sub-group in question?</i>	yes	no
--	---	------------	-----------

3a	Research support, including grants, rents, sponsorships, fellowships, non-monetary support	<input type="checkbox"/>	<input type="checkbox"/>
-----------	---	--------------------------	--------------------------

Activity	Time period (from... until month/year)	Name of legal entity or body	Description

4 FINANCIAL INTERESTS

	<i>Do you have current investments in a legal entity with an interest in the field of activity of the expert group/sub-group in question, including holding of stocks and shares, and which amounts to more than 10,000 EUR per legal entity or entitling you to a voting right of 5% or more in such legal entity?</i>	yes	no
--	---	------------	-----------

4a	Shares	<input type="checkbox"/>	<input type="checkbox"/>
4b	Other stock	<input type="checkbox"/>	<input type="checkbox"/>

Investment	Name of legal entity	Description
-------------------	-----------------------------	--------------------

--	--	--

5 INTELLECTUAL PROPERTY

	<i>Do you have any intellectual property rights that might be affected by the outcome of the work carried out by the expert group/sub-group in question?</i>	yes	no
--	--	------------	-----------

5a	Patent, trademarks, or copyrights	<input type="checkbox"/>	<input type="checkbox"/>
5b	Others	<input type="checkbox"/>	<input type="checkbox"/>

Intellectual property	Description

6 PUBLIC STATEMENTS AND POSITIONS

	<i>Within the past 5 years, have you provided any expert opinion or testimony in the field of activity of the expert group/sub-group in question, for a legal entity or other body as part of a regulatory, legislative or judicial process? Have you held an office or other position, paid or unpaid, where you represented interests or defended an opinion in the field of activity of the expert group/sub-group in question?</i>	Yes	no
--	--	------------	-----------

6a	For a legal entity or other body as part of a regulatory, legislative or judicial process	<input type="checkbox"/>	<input type="checkbox"/>
6b	Represented interests or defended an opinion	<input type="checkbox"/>	<input type="checkbox"/>

Activity	Time period	Name of legal entity	Description

	(from... until month/year)	or body	

7 INTERESTS OF IMMEDIATE FAMILY MEMBERS

		yes	no
7a	To your knowledge, are there any interests of your immediate family members which could be seen as undermining your independence when providing advice to the Commission in the field of activity of the expert group/sub-group in question?	<input type="checkbox"/>	<input type="checkbox"/>

Interests	Time period (from... until month/year)	Name of legal entity or body	Description

7b	If interests of your immediate family members are declared, it is your responsibility to inform them about the collection and publication of information on their interests included in the DOI and to provide them with the privacy statement attached to the guidance for filling in this DOI, and this at the latest when you file the DOI form with the Commission.
-----------	---

8 OTHER RELEVANT INFORMATION

		yes	no
8a	Are there any other elements that could be seen as undermining your independence when providing advice to the Commission in the field of activity of the expert group/sub-group in question?	<input type="checkbox"/>	<input type="checkbox"/>

Description:

I hereby declare on my honour that I have read the guidance for completing this form. I also declare on my honour that the information disclosed in this form is true and complete to the best of my knowledge.

Should there be any change to the above information, including as regards upcoming activities, I will promptly notify the competent Commission department and complete a new DOI form describing the changes in question.

I am informed that my personal data are stored, processed and published by the Commission in accordance with Regulation (EU) 2018/1725.

Date: _____

Signature: _____

Your DOI form shall be made publicly available on the Register of Commission Expert Groups and Other Similar Entities, as long as you are appointed as member of the expert group or sub-group in a personal capacity. Technical measures will be taken to indicate to search engines that your DOI form should not appear in search results.

ANNEX IV: Guidance for filling in the declaration of interests (DOI) form by individuals applying to be appointed as members of expert groups or sub-groups in a personal capacity

According to the Commission's horizontal rules on expert groups ('the horizontal rules'), Commission expert groups and other similar entities are consultative bodies²², the role of which is to provide advice and expertise to the Commission and its departments in relation to a number of tasks²³. Individuals appointed as members of expert groups or sub-groups in a personal capacity are due to act independently and in the public interest²⁴.

In order to ensure the highest integrity of experts, you are requested to duly complete the DOI form. You are required to disclose any circumstances that could give rise to a conflict of interest, i.e. any situation where your interests may compromise or may reasonably be perceived to compromise your capacity to act independently and in the public interest in providing advice to the Commission, in relation to the subject of the work performed by the expert group or sub-group in question. In particular, you must disclose in this DOI form any relevant professional and financial interests.

You must also declare relevant interests of your immediate family members. If interests of your immediate family members are declared, it is your responsibility to inform them about the collection and publication of information on their interests included in this DOI form and to provide them with the privacy statement attached to this guidance, and this at the latest when you file the DOI form with the Commission.

Please submit the completed DOI form to the competent Commission department, together with your CV, as part of your application to become member of an expert group or sub-group in a personal capacity. If there is any change concerning the information provided in the form, including on upcoming activities, you must promptly inform the competent Commission departments by completing a new DOI form which describes the changes in question.

Please note that having a declared interest does not necessarily mean having a conflict of interest. Answering "Yes" to a question on this DOI form does not automatically disqualify you or limit your participation in an expert group or sub-group. The competent Commission departments will review your answers in accordance with the horizontal rules and determine whether a conflict of interest relevant to the subject at hand exists²⁵.

Where the competent Commission departments conclude that no conflict of interest exists, you are eligible to be appointed in a personal capacity. Where the competent Commission departments conclude that your interests may compromise or be reasonably perceived to compromise your capacity to act independently and in the public interest when providing advice to the Commission in relation to the subject of the work performed by the expert group or sub-group in question, they shall take one of the following measures to deal with the conflict of interest detected, depending on the specific circumstances:

²² C(2016) 3301, Article 2.1.

²³ Idem, Article 3.

²⁴ Idem, Article 7.2. (a).

²⁵ Idem, Article 11.

- You shall not be appointed in a personal capacity to the expert group or sub-group in question; in such case the competent Commission department shall inform you about the outcome of the conflict of interest assessment performed;
- You shall be appointed as member of the expert group or sub-group in a personal capacity with a number of specific restrictions: you may be excluded from certain meetings and/or activities carried out by the group, such as drafting opinions or recommendations; you may also be required to abstain from discussing certain agenda items and/or from any vote on those items;
- You shall be appointed as member of the expert group or sub-group representing a common interest shared by a number of stakeholders, after consultation of the stakeholders concerned;

Your DOI form shall be made publicly available on the Register of Commission Expert Groups and Other Similar Entities, as long as you are appointed as member of the expert group or sub-group in a personal capacity. Technical measures will be taken to indicate to search engines that your DOI form should not appear in search results.

If you decline to complete a DOI form, you are not eligible to be appointed as a member of the expert group or sub-group in question in a personal capacity.

Personal data shall be collected, processed and published by the Commission in accordance with Regulation (EU) 2018/1725.

Annex: privacy statement

ANNEX V : PROTECTION OF YOUR PERSONAL DATA

This privacy statement provides information about the processing and the protection of your personal data.

Processing operation: *Selection of members of Commission expert groups and other similar entities ("the expert groups") and their sub-groups²⁶ and publication of personal data on the Register of Commission expert groups and other similar entities ("the Register of expert groups").²⁷*

Data Controller: *Secretariat-General, Unit G4, and Commission services and departments responsible for the management of the expert groups.*

Table of Contents

- 1. Introduction**
- 2. Why and how do we process your personal data?**
- 3. On what legal ground(s) do we process your personal data?**
- 4. Which personal data do we collect and further process?**
- 5. How long do we keep your personal data?**
- 6. How do we protect and safeguard your personal data?**
- 7. Who has access to your personal data and to whom is it disclosed?**
- 8. What are your rights and how can you exercise them?**
- 9. Contact information**
- 10. Where to find more detailed information?**

²⁶ Provisions included in this privacy statement referring to expert groups equally apply to their sub-groups.

²⁷ The legacy notification under Regulation (EC) No 45/2001 on the Register of Commission expert groups and other similar entities is under revision, and data protection records under Regulation (EU) No 2018/1725 on the selection of members of expert groups and on publication of personal data on the Register of Commission expert groups and other similar entities are being created.

1. Introduction

The European Commission (hereafter 'the Commission') is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [Regulation \(EU\) 2018/1725](#) of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data (repealing Regulation (EC) No 45/2001).

This privacy statement explains the reasons for the processing of your personal data, the way we collect, handle and ensure protection of all personal data provided, how that information is used and what rights you have in relation to your personal data. It also specifies the contact details of the responsible Data Controller with whom you may exercise your rights, of the Data Protection Officer and of the European Data Protection Supervisor.

This privacy statement concerns the following processing operations:

(1) "selection of members of the expert groups " undertaken by the Commission service which runs the selection process for your group and which is the Data Controller for the selection process, and

(2) "publication of personal data on the Register of expert groups" undertaken by the Commission, Secretariat-General, Unit G.4 which is the Data Controller together with the Commission service managing your group.

As a rule, the selection of expert group members is carried out via public calls for applications, except for Member States' authorities and other public entities and for certain representative bodies established by Union legislation for advice in specific areas.

The Register of expert groups is a public 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 personal data on the members of the expert groups, and their alternate, if any, members' representatives, as well as of the groups' observers and their representatives. The Register also includes documents that are produced and discussed by expert groups and which can contain personal data.

2. Why and how do we process your personal data?

Purpose of the processing operations:

The Data Controllers collect and use your personal data to manage expert groups, in particular by selecting their members and observers, and to ensure transparency on expert groups' membership and activities. In that context, in order to select among the applicants who best fulfil the selection criteria mentioned in the call for applications, Commission services collect and assess personal information of candidate members and observers of the expert groups, of representatives of candidate members and observers, and of immediate family members of candidate members and observers appointed in personal capacity.

Furthermore, Commission services collect and assess personal information of observers and members' and observers' representatives of the expert groups which are not selected through a public call for applications.

For candidates, personal data is stored by the Commission service managing the expert group. Some types of personal data of members appointed in personal capacity are made publicly available on the Register of expert groups (see sections 4 and 5 of this privacy statement). Some types of personal

data of the representatives of organisations, Member States and other public entities may also be made publicly available on the Register of expert groups.

Your personal data will not be used for an automated decision-making including profiling.

3. On what legal ground(s) do we process your personal data

We process your personal data, because processing is necessary for the performance of a task carried out in the public interest (Article 5(1)(a) of Regulation (EU) No 2018/1725), since it allows for the selection of members of expert groups (individuals appointed as members in a personal capacity, individuals appointed to represent a common interest and organisations) and also increases the transparency on expert groups. Processing is also necessary to comply with a legal obligation to which the controller is subject (Article 5(1) b) of Regulation (EU) No 2018/1725). The Union act for such necessary processing under Article 5(1)(a) and (b) of Regulation (EU) No 2018/1725 is Commission Decision C(2016)3301 of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups and in particular Articles 10 and 22 thereof.

As regards, in particular, the declarations of interests filled in by candidate members to be appointed in a personal capacity in expert groups, the processing of personal data serves the public interest of enabling the Commission to verify in the process of selection the experts' independence in providing advice to the Commission. Furthermore, the public disclosure of declarations of interests of those experts once appointed allows for public scrutiny of the interests declared by these experts, 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.

Any publication of names of the representatives of organisations, Member States' authorities and other public entities in the Register of expert groups is based on consent (Article 5(1)(d) of Regulation (EU) 2018/1725).

4. Which personal data do we collect and further process?

In order to carry out these processing operations, the Data Controller may collect the following categories of personal data:

- *Name;*
- *Function;*
- *Contact details (for example, e-mail address, telephone number, mobile telephone number, fax number, postal address, company and department, country of residence, IP address);*
- *Information for the evaluation of selection criteria or eligibility criteria (for example, expertise, technical skills and languages, educational background, professional experience, including details on current and past employment);*
- *Nationality;*
- *Gender;*
- *Interest represented (only for individuals applying to be appointed as members of expert groups or sub-groups representing a common interest shared by stakeholders in a particular policy area and for organisations applying to be appointed as members of expert groups or sub-groups, as well as for their designated representatives);*
- *Information included in the declarations of interests (only for individuals applying to be appointed as members of expert groups or sub-groups in a personal capacity).*

The provision to the Commission service of the personal data required is mandatory to meet a legal requirement of selecting members of expert groups. In principle, the types of personal data listed above, with the exception of contact details and information for the evaluation of selection criteria or eligibility criteria, are made publicly available on the Register of expert groups, in order to comply with the legal requirement to ensure transparency on the composition and functioning of expert groups. If you do not provide the personal data required, possible consequences are that you will not be considered for selection as a member of an expert group or, if already selected, your membership will be suspended.

With the consent of the representatives of organisations, Member States' authorities and other public entities, their names may also be published on the Register.

5. How long do we keep your personal data?

The Data Controller only keeps your personal data for the time necessary to fulfil the purpose of collection or further processing. The following modalities apply:

- The competent Commission services keep personal data submitted to them as part of rejected applications for six months after the end of the selection process and do not process them for other purposes; these data are not published on the Register of expert groups.
- The expert group and some types of personal data of its members and observers, as described in section 4, are published on the Register of expert groups during the duration of existence of the expert group.
- When an individual is no longer member or observer or representative of a member or observer of an expert group listed in the Register of expert groups, all personal data related to this individual, including a declaration of interests, is removed from the Register and is therefore not public anymore.
- The competent Commission services keep personal data for the period during which the relevant individual is a member or an observer or a representative of a member or of an observer of the group and for five years after the date on which the individual is no longer member or observer or representative of a member or observer of the group.
- When a group is closed down, it remains published in the Register of expert groups for five years, with the indication 'Closed'. Those types of personal data other than the declarations of interests of members and observers appointed in personal capacity that were published while the group was active remain visible on the Register of expert groups during these five years. On the contrary, the said declarations of interests are removed from the Register after closure of a group and are therefore not public anymore; they are however kept by the competent Commission service for a period of five years after the closure of the group.
- An XML file is created daily with all the information regarding active groups. All versions of this file, showing the situation of the Register of expert groups as of the day it was created, are stored in a file server for 5 years and are not public.

6. How do we protect and safeguard your personal data?

Personal data submitted in paper form is stored in the competent Commission service. All personal data in electronic format (e-mails, documents, databases, uploaded batches of data, etc.) are stored either on the servers of the Commission or of its contractors. All processing operations are carried out pursuant to the [Commission Decision \(EU, Euratom\) 2017/46](#) of 10 January 2017 on the security of communication and information systems in 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 General Data Protection Regulation in the EU Member States ('GDPR' [Regulation \(EU\) 2016/679](#))

In order to protect your personal data, the Commission has put in place a number of technical and organisational measures. Technical measures include appropriate actions to address online security, risk of data loss, alteration of data or unauthorised access, taking into consideration the risk presented by the processing and the nature of the personal data being processed. Organisational measures include restricting access to the personal data solely to authorised persons with a legitimate need to know for the purposes of this processing operation.

7. Who has access to your personal data and to whom is it disclosed?

Access to your personal data collected in the course of the process of selection of members of expert groups is provided to the Commission staff responsible for carrying out this processing operation and to authorised staff according to the "need to know" principle. Such staff abide by statutory, and when required, additional confidentiality agreements.

Certain personal data collected, as explained in sections 4 and 5, is publicly available on the Register of expert groups.

The XML files referred to in section 5 are only accessible to a reduced number of users in the Secretariat-General (System Owner) and IT development team within the Commission (System Supplier).

8. What are your rights and how can you exercise them?

You have specific rights as a 'data subject' under Chapter III (Articles 14-25) of Regulation (EU) 2018/1725, in particular the right to access your personal data and to rectify them in case your personal data is inaccurate or incomplete. Under certain conditions, you have the right to erase your personal data, to restrict the processing of your personal data, to object to the processing and the right to data portability.

You have the right to object to the processing of your personal data on grounds relating to your particular situation in accordance with Article 23(1) of Regulation (EU) 2018/1725.

As indicated in section 4, if you are a representative of an organisation, Member State or another public entity, you may consent to have your name published on the Register of expert groups. You can withdraw your consent at any time by notifying the Data Controller. The withdrawal will not affect the lawfulness of the processing carried out before you have withdrawn the consent.

Finally, and only as regards the publication of your name on the Register of expert groups, you may submit a request to the competent Commission service for a derogation where justified on compelling legitimate grounds in relation to your specific situation (such as the case where the publication of your name on the Register of expert groups could endanger your security or integrity).

You can exercise your rights by contacting the Data Controller or, in case of conflict, the Data Protection Officer. If necessary, you can also address the European Data Protection Supervisor. Their contact information is given under section 9 below.

Where you wish to exercise your rights in the context of one or several specific processing operations, please provide their description (i.e. their Record reference(s) as specified under Heading 9 below) in your request.

Any request for access to personal data will be handled within one month. Any other request mentioned above will be addressed within 15 working days.

9. Contact information

- The Data Controller

Regarding the personal data collected in the course of the process of selection of the members of the expert groups, if you would like to exercise your rights under Regulation (EU) 2018/1725, or if you have comments, questions or concerns, or if you would like to submit a complaint, please contact [functional mailbox of the Commission service managing the expert group].

Likewise, as regards the data published on the Register of expert groups,, please contact the Data Controller, SG-EXPERT-GROUPS@ec.europa.eu.

- The Data Protection Officer (DPO) of the Commission

You may contact the Data Protection Officer (DATA-PROTECTION-OFFICER@ec.europa.eu) with regard to issues related to the processing of your personal data under Regulation (EU) 2018/1725.

- The European Data Protection Supervisor (EDPS)

You have the right to have recourse (i.e. you can lodge a complaint) to the European Data Protection Supervisor (edps@edps.europa.eu) if you consider that your rights under Regulation (EU) 2018/1725 have been infringed as a result of the processing of your personal data by the Data Controller.

10. Where to find more detailed information?

The Commission Data Protection Officer (DPO) publishes the register of all processing operations on personal data by the Commission, which have been documented and notified to him. You may access the register via the following link: <http://ec.europa.eu/dpo-register>.

These specific processing operations will be included in the DPO's public register with the following Record references: DPR-EC-01066 and DPR-EC-00656.