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**COMMISSION DECISION**

**of 30.5.2016**

**establishing horizontal rules on the creation and operation of Commission expert groups**

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### establishing horizontal rules on the creation and operation of Commission expert groups

THE EUROPEAN COMMISSION,

Having regard to the Treaty on European Union,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Treaty establishing the European Atomic Energy Community,

Whereas:

- (1) In November 2010 the Commission established a new framework for Commission expert groups<sup>1</sup> providing for a set of horizontal rules on the creation and functioning of those groups.
- (2) It is appropriate to provide Commission departments with a revised set of rules, drawing on the Commission's experience in the implementation of the previous framework and taking into account suggestions put forward by the European Parliament, the European Ombudsman and civil society organisations.
- (3) Revised horizontal rules should confirm the Commission's commitment to strive for a balanced composition of the expert groups.
- (4) In order to make selection procedures more transparent and inclusive and to contribute to a balanced composition of expert groups, as a general rule the selection of the members of expert groups should be done via public calls for applications, except for public authorities and representative bodies established by Union legislation for advice in specific areas.
- (5) Transparency should be enhanced by releasing a new version of the Register of Commission expert groups and other similar entities ('the Register of expert groups'), reflecting the revised horizontal rules. In this context, synergies between the Register of expert groups and the Transparency Register should be ensured.
- (6) Rules to manage conflict of interest in relation to individuals appointed in a personal capacity, who are due to act independently and in the public interest, should be improved.
- (7) In order to bring more clarity and transparency with respect to the composition of expert groups, members should be classified according to a more accurate set of categories.
- (8) Personal data should be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council<sup>2</sup>.

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<sup>1</sup> C(2010) 7649 final of 10.11.2010.

<sup>2</sup> Regulation (EC) No 45/2001 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 (OJ L 8, 12.1.2001, p. 1).

HAS DECIDED AS FOLLOWS:

## **Chapter I**

### **General provisions**

#### *Article 1*

##### *Subject matter and scope*

1. This Decision establishes horizontal rules on the creation and operation of Commission expert groups and their sub-groups, as well as of other similar entities and their sub-groups, without prejudice to the provisions included in the legislative acts setting up those entities. The horizontal rules also apply to on hold-groups.
2. This Decision does not apply to the following:
  - (a) committees assisting the Commission in the exercise of its implementing powers, in accordance with Regulation (EU) No182/2011<sup>3</sup>;
  - (b) independent experts assisting the Commission in the evaluation of proposals (including entries in the field of Prize Contest) and monitoring projects in the implementation of activities in the area of research and technological development ;
  - (c) sector and cross-industry social dialogue committees the work of which aims at the conclusion of agreements implemented by the Council or by the social partners and at adopting frameworks for action and the activities of which are governed by Commission Decision of 20 May 1998<sup>4</sup>;
  - (d) joint bodies set up by international agreements;
  - (e) experts gathering for ad hoc events, such as one-off meetings and conferences.
3. Existing consultative entities which were not previously classified as ‘Commission expert groups’ or ‘other similar entities’ for the sole reason that they are composed of less than six members, shall be subject to the horizontal rules by the end of 2016.

#### *Article 2*

##### *Definitions*

For the purposes of this Decision, the following definitions shall apply:

- (1) ‘Commission expert groups’ means consultative bodies set up by the Commission or its departments for the purpose of providing them with advice and expertise as set out in Article 3 and which are foreseen to meet more than once.

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<sup>3</sup> Regulation (EU) N°182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

<sup>4</sup> Commission Decision of 20.5.1998 on the establishment of Sectoral Dialogue Committees promoting the Dialogue between the social partners at European level (OJ L 225, 12.8.1998, p. 27), and the Communication from the Commission - Partnership for change in an enlarged Europe - Enhancing the contribution of European social dialogue, COM(2004) 557 final, Annexes 1 and 4.

- (2) 'other similar entities' means consultative entities set up by the Union legislator, the role of which is the same as, or similar to, that set out in Article 3, which are foreseen to meet more than once and for which the Commission departments ensure administrative and/or financial management.
- (3) 'on-hold groups' means Commission expert groups and other similar entities which are temporarily not in operation, but are still registered in the Register of expert groups.
- (4) '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.

### *Article 3*

#### ***Role of expert groups***

1. Expert groups provide advice and expertise to the Commission and its departments in relation to:
  - (a) the preparation of legislative proposals and policy initiatives;
  - (b) the preparation of delegated acts;
  - (c) the implementation of Union legislation, programmes and policies, as well as coordination and cooperation with Member States and stakeholders in that regard;
  - (d) where necessary, the early preparation of implementing acts, before submission to the committee in accordance with Regulation (EU) N°182/2011.

## **Chapter II**

### **Setting up of expert groups**

### *Article 4*

#### ***Creation of expert groups***

1. Expert groups shall be set up either by Decision of the Commission ('formal expert group') or by a Commission department after having obtained the agreement of the responsible Commissioner and Vice-President and the Secretariat-General ('informal expert group').
2. The choice between setting up a formal or an informal expert group shall be determined at the appropriate hierarchical level, taking into account the anticipated political impact of the work of the group and specific circumstances.
3. A Commission department wishing to set up an expert group shall informally consult the Secretariat-General and other relevant Commission departments, in order to ensure coordination and avoid duplication.
4. A Commission department wishing to set up a formal expert group shall make use of the relevant standard template set out in Annex 1. Departments may depart from the standard template or supplement it where this is justified by specific requirements, in

compliance with this Decision. The Commission Decision establishing the expert group shall clearly indicate whether the members of the expert group are to be appointed by the Commission, the Director General concerned or by other relevant Commission officials.

5. A Commission department wishing to set up an informal expert group shall submit a request to the Secretariat-General via the Register of expert groups. The request shall be accompanied by the agreement of the responsible Commissioner and Vice-President, unless a financing decision or work programme authorising the setting up of the expert group has been previously adopted by the Commission. If all relevant information is provided on the Register of expert groups, and if the conditions of the horizontal rules are met, the Secretariat-General shall give the authorisation for setting up the expert group *via* its publication on the Register. The standard template referred to in paragraph 4 also provides guidance for the setting up of informal expert groups.
6. Expert groups may be set up for a fixed or unlimited duration.

#### *Article 5*

##### ***Mandate of expert groups***

1. When setting up an expert group the Commission or its departments shall clearly define its mandate, in accordance with the role of expert groups set out in Article 3, as well as the tasks of the expert group as precisely as possible, while also indicating its area of activity and the type of advice required.
2. Commission departments shall endeavour to merge different groups having a limited mandate falling within the same policy area into one single group with a wider mandate, in particular for groups composed exclusively of Type D and Type E members, the representatives of which may vary according to the agenda.

#### *Article 6*

##### ***Name of expert groups***

Without prejudice to the names of expert groups existing at the time of adoption of this Decision, the name of each expert group should, as far as possible, include the term “*Commission expert group*”.

#### *Article 7*

##### ***Composition of expert groups***

1. When setting up an expert group the types of its members, within the meaning of this Article, shall be specified.
2. Expert groups may be composed of the following types of members:
  - (a) individuals appointed in their personal capacity who are to act independently and in the public interest (‘Type A members’);
  - (b) individuals appointed to represent a common interest shared by stakeholders in a particular policy area, who do not represent an individual stakeholder, but a policy orientation common to different stakeholder organisations (‘Type B

- members’). Where appropriate, those individuals may be appointed on the basis of proposals put forward by the stakeholders concerned;
- (c) organisations in the broad sense of the word, including companies, associations, Non-Governmental Organisations, trade unions, universities, research institutes, law firms and consultancies (‘Type C members’);
  - (d) Member States' authorities, at national, regional or local level (‘Type D members’);
  - (e) other public entities, such as third countries' authorities, including candidate countries' authorities, Union bodies, offices or agencies and international organisations (‘Type E members’).
3. Third countries' authorities may be members of expert groups where an international agreement provides for the consultation of experts from the third country in the preparation of measures falling under an area covered by the agreement and under the conditions set out in the agreement. In addition, third countries' authorities may be members of expert groups where, for geographical or other objective reasons, the advice and expertise provided to the Commission would not be complete without their participation in the group.
4. Members who are no longer capable of contributing effectively to the expert group’s deliberations, who, in the opinion of the Commission department concerned, 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.

#### *Article 8*

##### ***Appointment of Type B and C members***

- 1. Type B and Type C members shall only be appointed if they are registered in the Transparency Register.
- 2. The competent Commission departments shall request individuals and organisations referred to in paragraph 1 who have been appointed as members of an expert group or sub-group before the adoption of this Decision to register in the Transparency Register as a condition to remain members of the expert group or sub-group. Registration shall take place by the end of 2016. Failing this, the member concerned shall be excluded from the group or sub-group and may be replaced for the remainder of their term of office. This change in membership shall be recorded in the Register of expert groups.
- 3. Where Type B members act as self-employed consultants, the competent Commission departments shall request them to register as such in the Transparency Register. Where Type B members do not act as self-employed consultants, the Commission departments shall request the organisation(s) of which they are employees to register in the Transparency Register.
- 4. Where Type B and C members are suspended or removed from the Transparency Register, the competent Commission departments shall suspend them from the expert group(s) of which they are members as long as their registration in the Transparency Register is not re-established. During suspension or removal, those members shall not be invited to participate in any meeting of the group and shall not receive any

document. If after six months from suspension or removal from the Transparency Register registration on the Transparency Register is not re-established, the Commission departments shall exclude relevant members from the group.

#### *Article 9*

##### *Nomination of representatives of Type C, D and E members*

1. The Commission or its departments shall request Type C, D and E members to nominate permanent representatives in the expert group or sub-group or appoint representatives on an ad hoc basis, depending on the meeting agenda of the group. Those members shall be responsible for ensuring that their representatives provide a high level of expertise.
2. Type D and E members shall only be represented by civil servants or public employees.
3. The Commission or its departments may refuse the nomination of a representative by Type C members if they consider this nomination inappropriate, which should be justified in the light of the requirements specified in the decision setting up the expert group and/or in the call for applications. In such case, the organisation concerned shall be asked to appoint another representative.

#### *Article 10*

##### *Selection process*

1. The selection of expert group members shall be carried out *via* public calls for applications, except for Type D and E members and for representative bodies established by Union legislation for advice in specific areas, such as the Advisory Councils established under Regulation 1380/2013 of the European Parliament and of the Council of 11 December 2013. For that purpose, Commission departments shall make use of the standard call for applications for the selection of expert group members as set out in Annex 2. Departments may depart from it or supplement it, where this is justified by specific requirements, in compliance with this Decision.
2. Calls for applications shall be published on the Register of expert groups. In addition, they may be published through other means, including on dedicated websites. Calls shall clearly outline the selection criteria, including the required expertise and, where existing, the interests to be represented in relation to the work to be performed. The minimum deadline for applications shall be four weeks.
3. Commission departments may select the members of expert groups via a continuously open call, to be published on the Register of expert groups, in which case a specific call would not be necessary.
4. The Commission may depart from provisions included in paragraphs 1 to 3, where this is deemed justified by overriding priorities or cases of urgency. Where the Commission decides that a public call is not a suitable instrument for the selection of the members of a specific expert group, the choice of experts shall be made on the basis of objectively verifiable criteria, which are published on the Register of expert groups.
5. When selecting the members of groups, Commission departments shall aim at ensuring, as far as possible, a high level of expertise, a geographical balance, as well

as a balanced representation of relevant know how and areas of interest, taking into account the specific tasks of the expert group, the type of expertise required and the response received to calls for applications.

6. When appointing individual experts, either in their personal capacity or to represent a common interest, the Commission departments shall strive to achieve a gender balance in the composition of the expert group. The medium-term aim shall be at least 40% of representatives of each gender in each expert group.
7. Members shall be appointed for a fixed or an unlimited period. They shall remain in office until replaced, or until the end of their term of office, where applicable. Their term of office may be renewed. The term of office of members appointed by direct invitation before the adoption of this Decision may only be renewed if these members are reappointed following a public call for applications.
8. As regards Type A and B members, provision may be made for the appointment of the same number of alternates as members. Alternates shall be appointed in accordance with the same conditions as the members and shall automatically replace any members who are absent or indisposed.
9. In order to ensure continuity and the smooth functioning of the group, Commission departments are encouraged to establish a reserve list of suitable candidates that may be used to appoint members' replacements. The Commission or its departments shall ask applicants for their consent before including their names on the reserve list.

#### *Article 11*

#### ***Conflict of interest***

1. In order to ensure the highest level of integrity of experts, as well as public confidence in the Commission's activities, individuals applying to be appointed as Type A members of expert groups or sub-groups shall disclose any circumstances that could give rise to a conflict of interest. In particular, all Commission departments shall require those individuals to submit a declaration of interests ('DOI') form on the basis of the standard DOI form, as set out in Annex 4, together with an updated curriculum vitae ('CV'), as part of their application to become members of an expert group or sub-group. Submission of a duly completed DOI form shall be necessary in order for an individual to be eligible to be appointed as a member of an expert group or sub-group in a personal capacity.
2. The DOI form shall consist of a series of standard questions requesting individuals who wish to act as experts appointed in a personal capacity to disclose any interest relevant to the subject of the work to be performed. Each individual shall assume full responsibility in relation to the content of the declaration submitted.

Individuals who answer questions in the affirmative shall be asked to supply further details. An affirmative answer in the DOI form does not automatically disqualify the individual concerned, but requires the competent Commission departments to have it screened in accordance with this Decision, in order to determine if a conflict of interest exists.

In principle, the conflict of interest assessment shall be performed by officials of the Unit responsible for the management of the group or sub-group in question. Officials operating in other departments may also be associated, as appropriate. For the purposes of the assessment, a number of factors shall be taken into account,

including the nature, type and magnitude of the individual's interest, as well as the degree to which the interest may be reasonably expected to influence the individual's advice. An interest shall be considered to be insignificant or minimal where it is unlikely to compromise or to be reasonably perceived as compromising the expert's capacity to act independently and in the public interest when advising the Commission.

Where the responsible officials consider to partially or fully exclude an individual from the work of an expert group or sub-group, they may contact the individual in order to obtain any additional information that may be needed for the final assessment of any conflict of interest.

3. Where the competent Commission department concludes that no conflict of interest exists, the individuals in question may be appointed as members acting in a personal capacity, provided they possess the expertise required and the other conditions in these rules are fulfilled.

Where the competent Commission department concludes that the individuals' interests may compromise or be reasonably perceived as compromising their capacity to act independently and in the public interest when providing advice to the Commission, one of the following measures shall be taken to deal with the conflict, depending on the specific circumstances:

- (a) the individual's application shall not be retained; in such case the competent Commission department shall inform the individual about the outcome of the conflict of interest assessment;
- (b) the individual's appointment as member of the expert group or sub-group in a personal capacity shall be made subject to specific restrictions, such as the expert's exclusion from certain meetings and/or activities carried out by the group, in particular participation in drafting opinions or recommendations or the expert's abstention from the discussion on specific items on the agenda and/or from any vote taken on those items;
- (c) the individual shall be appointed as member of the expert group or sub-group representing a common interest shared by a number of stakeholders (Type B member), after consultation of the stakeholders concerned.

The decision resulting from the assessment referred to in paragraph 2, including any arrangement for resolving the conflict of interest shall be taken at least at Head of Unit level and shall be recorded with an explanation on the specific conflict that has been identified and the way it has been managed. Information registered must be adequate, relevant and not going beyond what is necessary for the purpose of the management of the conflict of interest.

4. Type A members or alternate members of expert groups or sub-groups appointed before the adoption of this Decision shall be required to submit a duly completed DOI form on the basis of the standard DOI form, as set out in Annex 6, in order for the competent Commission departments to determine whether they may continue to participate in the work of the group. The Commission departments shall complete the conflict of interest assessment provided for in paragraph 2 and take all necessary measures to resolve any conflict of interest detected as referred to in paragraph 3 by the end of 2016.

Where the competent Commission department concludes that no conflict of interest exists, the individual in question may continue to be member of the group in a personal capacity.

Where the competent Commission department concludes that the individual's interests may compromise or be reasonably perceived as compromising the individual's capacity to act independently and in the public interest when advising the Commission, the individual shall be excluded from the group.

Where Type A members or alternate members of expert groups or sub-groups appointed before the adoption of this Decision refuse to submit duly completed DOI forms, they shall be excluded from the group.

5. Type A members shall be required to promptly inform the competent Commission department of any relevant change in the information previously provided, including as regards upcoming activities, in which case they must immediately submit a newly completed DOI form describing the change, in order to enable the Commission departments to assess it in due course. The chair of each expert group or sub-group shall, at the first meeting of each calendar year, remind all Type A members of this obligation.
6. DOI forms shall be made publicly available on the Register of expert groups, where the experts in question are Type A members of an expert group or sub-group. Technical measures shall be taken to indicate to search engines that DOI forms should not appear in search results.
7. Where a conflict of interest arises after the assessment referred to in paragraphs 2 and 4 is performed, the Commission departments shall take appropriate measures, in compliance with provisions included in paragraph 3.
8. A declaration of interests shall not be required in relation to :
  - (a) Type B members and representatives of Type C members, since they are not required to act independently, but represent an interest which is openly declared.
  - (b) representatives of Type D and E members, since they are not required to act independently, but express the views of the public authorities which they represent.
  - (c) observers, since they do not have voting rights and do not participate in the formulation of recommendations or advice;
  - (d) individuals participating as 'invited experts' in accordance with Article 15, since they are not permanent group members. Individuals invited as independent experts shall however be required to inform the competent Commission department before the meeting of any interest which may compromise their capacity to act independently and in the public interest when advising the Commission.

## **Chapter III**

### **Operation of expert groups**

#### *Article 12*

##### ***Chair***

Expert groups shall be chaired by a representative of the Commission or by a person appointed by the Commission or the Commission departments. Alternatively, the Commission or its departments may decide that the group shall elect its chairperson by simple majority of its members.

#### *Article 13*

##### ***Operation***

1. An expert group shall act at the request of the competent Commission departments or at the request of its chairman with the agreement of the Commission departments.
2. Meetings of expert groups and sub-groups shall, in principle, be held on Commission premises. Different expert groups may hold joint meetings on issues of common interest.
3. If not otherwise provided for, the Commission departments shall provide secretarial services for expert groups and sub-groups.
4. Commission officials from other departments with an interest in the proceedings may attend meetings of expert groups and its sub-groups.
5. Groups may be on-hold for a maximum of twelve months, after which their situation should be reviewed by the Commission department concerned, in consultation with the Secretariat-General, with a view to deciding whether they should be closed or re-activated.
6. In agreement with the competent Commission departments, the group may, by simple majority of its members, decide that deliberations shall be public.
7. Minutes on the discussion on each point on the agenda and on the opinions delivered by the group shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.
8. In principle, expert groups shall adopt their 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.

#### *Article 14*

##### ***Sub-groups***

1. The Commission or its departments may establish sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by the Commission or its departments. Sub-groups shall operate in compliance with this

Decision and shall report to the expert group to which they belong. They shall be dissolved as soon as their mandate is fulfilled.

2. Without prejudice to the members of sub-groups appointed before the adoption of this Decision, the members of sub-groups that are not members of the expert group to which they belong shall be selected via a public call, in compliance with Article 10.

#### *Article 15*

##### ***Invited experts***

The Commission's representative in the group 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-group on an ad hoc basis.

#### *Article 16*

##### ***Observers***

1. The Commission's representative in the group may grant observer status in a specific expert group or sub-group to individuals, organisations as referred to in Article 7. 2. (c) and public authorities as referred to in Article 7. 2. (e), either by direct invitation or as a result of a call for applications, as appropriate.
2. Authorities from third countries which are not candidate countries may be granted observer status if their participation in the expert group is in the interest of the Union, in particular in the light of the application of any international agreement, administrative arrangement or Union legislation.
3. Where organisations or authorities referred to in Article 7. 2. (c) and (e) are appointed as observers, they shall nominate their representatives in the relevant expert group or sub-group.
4. Observers and their representatives may be permitted by the Chair to take part in the discussions and provide expertise. However, they shall not have voting rights and shall not participate in the formulation of recommendations or advice of the expert group or sub-group.

#### *Article 17*

##### ***Rules of procedure***

1. Expert groups and sub-groups shall adopt rules of procedures by simple majority of its members on a proposal by and in agreement with the competent Commission departments. For this purpose, Commission departments shall make use of the standard rules of procedure for expert groups set out in Annex 3. Departments may depart from the standard rules of procedure or supplement them, where this is justified by specific requirements, in compliance with this Decision.
2. Expert groups and sub-groups existing at the time of adoption of this Decision may continue operating without rules of procedure being adopted.

## *Article 18*

### ***Professional secrecy and handling of classified information***

The members of the expert groups and sub-groups and their representatives as well as observers and 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) 2015/443<sup>5</sup> and 2015/444.<sup>6</sup> Should they fail to comply with those obligations, the Commission may take all appropriate measures.

## *Article 19*

### ***Relationship with the European Parliament and the Council***

1. As regards information to be transmitted to the European Parliament and participation of European Parliament experts in expert groups meetings, point 15, Annex I and Annex II of the Framework Agreement on relations between the European Parliament and the European Commission apply<sup>7</sup>, without prejudice to provisions included in paragraph 2.
2. As regards the preparation of delegated acts, paragraph 28 of the Interinstitutional Agreement on Better Law-Making<sup>8</sup>, as well as paragraphs 10 and 11 of the Common Understanding between the European Parliament, the Council and the Commission on Delegated Acts, annexed to that Interinstitutional Agreement, apply.

## *Article 20*

### ***Meeting expenses***

Travel and subsistence expenses incurred by participants in the activities of expert 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 of the available appropriations allocated to the Commission departments under the annual procedure for the allocation of resources.

## *Article 21*

### ***Special allowances***

1. In principle, participants in the activities of an expert group or sub-group shall not be remunerated for the services they offer. Payment of a 'special allowance' (remuneration) to members and invited experts is only possible in exceptional cases, in compliance with the procedure and conditions laid down in paragraphs 2 and 3.

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<sup>5</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>6</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).

<sup>7</sup> OJ L 304/47, 20.11.2010

<sup>8</sup> Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016 (OJ L 123, 12.5.2016, p. 1).

2. Special allowances may be granted if the activities carried out by the group or sub-group in question are essential to the development and monitoring of Union policies or legislation or to the adoption of implementation measures by the Commission, as referred to in Union legislation. In this context, the advice provided by experts receiving remuneration must be specific and of such a nature that without it the Union policy concerned could not reach its objectives.

Remuneration may only be given in relation to the specific work performed by Type A members.

Individuals receiving remuneration must be highly qualified, specialised, independent experts selected on the basis of objective criteria, following an open call for applications in accordance with Article 204 of the Financial Regulation and article 10 of this Decision.

The amount paid to experts must be proportionate to the specific tasks attributed to them. The amount must be set in light of objective criteria, such as the number of meetings to be attended, and may include preparatory work. The same rules as those applicable to experts assisting the Commission's departments for tasks in connection with current and future research and innovation programmes shall apply<sup>9</sup>: experts are entitled to a payment of a maximum of EUR 450 in the form of a daily unit cost for each full working day spent assisting the Commission's departments. The total payment will be calculated and rounded upwards to the nearest half day; the payment is made in euro.

Relevant information justifying the remuneration in relation to the work to be accomplished must be included in official Commission documents to be made publicly available either in the Register of expert groups or via a link from the Register to a dedicated website containing this information. For formal expert groups, this information must be provided in the Commission decision setting up the group. For informal expert groups this information must be included at least in the public call for applications used to select members of the group or a financing decision (or work programme).

Under Article 287.5 of the Rules of application of the Financial Regulation, the remuneration must be published if it exceeds EUR 15 000 for the task performed. In exceptional cases provided for in Article 287.6 of the Rules of application, if publication of the remuneration risks threatening the rights and freedoms of the individual concerned or harms the commercial interest of experts, the obligation to publish it may be waived.

3. Special allowances may be granted in accordance with Article 204 of the Financial Regulation and Article 287 of its Rules of Application, and in compliance with the conditions specified in paragraph 2. For research activities, they may be granted in accordance with Article 181(4) of the Financial Regulation. They shall consist of remuneration paid from the operational budget of the policy concerned. As it is the case for any operational expenditure, Commission departments shall make sure that

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<sup>9</sup> See Regulation (EU) No 1291/2013 of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 - The Framework Programme for Research and Innovation (2014-2020) (OJ L 347, 20.12.2013, p. 104) and Regulation (EU) No 1290/2013 of the European Parliament and of the Council laying down the rules for participation and dissemination in Horizon 2020 - The Framework Programme for Research and Innovation (2014-2020), and in particular Article 40 (OJ L 347, 20.12.2013, p. 81).

a financing decision (or work programme) has been adopted prior to the payment of that remuneration.

Services shall seek prior authorisation from the Secretariat-General and the Directorate General for Budget to provide remuneration by submitting a formal request, in accordance with the requirements set out in paragraph 2. In their request, departments shall adequately justify the requested remuneration in the light of the specific tasks that need to be undertaken by the expert group or sub-group and explain in detail the requested remuneration proposed for those tasks.

For formal expert groups, such request shall be included in the documents to be submitted in the inter-service consultation, with a view to setting up the group.

For informal expert groups, such request shall be submitted in the framework of the inter-service consultation relating to the above-mentioned financing decision or work programme.

4. Concerning existing expert groups where members are currently granted special allowances, the provisions laid down in paragraphs 2 and 3 shall be applied at the latest when the membership of those groups is renewed. These provisions do not affect the specific modalities relating to the experts assisting the Commission in current and future research and innovation programmes.

The Commission decisions establishing groups where special allowances are currently foreseen shall be revised in line with the provisions laid down in paragraphs 2 and 3 at the latest when the membership of those groups is renewed.

## **Chapter IV Transparency**

### *Article 22*

#### ***Publication of Commission expert groups and other similar entities on the Register of expert groups***

All Commission expert groups and other similar entities including their sub-groups shall be registered in the Register of expert groups. For each entity Commission departments shall provide information required in the Register of expert groups.

### *Article 23*

#### ***Publication of data related to the composition of expert groups***

1. Publication by Commission departments of data related to the composition of expert groups on the Register of expert groups is subject to the following provisions:
  - (a) the name of Type A, B, C and E members shall be published on the Register of expert groups;
  - (b) where Member States' authorities or third countries' authorities are appointed, it is sufficient to indicate the name of the country in question. The specific

- administrations of these countries to which experts usually participating in the meetings belong may be published in the Register of expert groups;
- (c) where Type C, D and E members nominate individuals as their permanent representatives, their names may be published on the Register of expert groups;
  - (d) the name of observers shall be published in accordance with the provisions referred to in paragraphs (a) to (c);
  - (e) the interest represented by Type B and C members shall be indicated.
2. Individuals who do not wish to have their names disclosed may submit a request to the competent Commission departments for a derogation from the rules on publication. A derogation shall be granted where justified on compelling legitimate grounds in relation to the specific situation of the individual, in particular where disclosure of the experts' name could endanger their security or integrity.

#### *Article 24*

##### ***Synergies between the Register of expert groups and the Transparency Register***

1. Commission departments shall ensure that a link is provided from Type B and C members and alternate members of expert groups and sub-groups registered in the Register of expert groups to the profile of those members in the Transparency Register<sup>10</sup>.
2. Where Type B members or alternate members do not act as self-employed consultants, a link shall be provided to the profile of the organisation(s) of which they are employees.
3. Commission departments shall request Type B and C members and alternate members to indicate in the Transparency Register the expert group of which they are members. Departments shall also request Type B members and alternate members to state in the Transparency Register the common interest that they represent.

#### *Article 25*

##### ***Classification of members, alternate members and observers***

1. Commission departments shall classify members and alternate members of expert groups and sub-groups, as well as any observers on the Register of expert groups in accordance with the provisions included in this Decision and its annexes, on the basis of the information provided by applicants responding to a public call for applications.
2. Commission departments shall classify members, alternate members and observers appointed before the adoption of this Decision in accordance with the provisions included in this Decision and its annexes by the end of 2016. In case of doubt on the appropriate classification of Type B and C members, departments may request these members to fill in a classification form, as set out in Annex 8.

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<sup>10</sup> <http://ec.europa.eu/transparencyregister/public/homePage.do>

## *Article 26*

### ***Publication of documents related to expert groups***

1. The competent Commission departments shall make available all relevant documents of expert groups and sub-groups, 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 such website shall not be submitted to user registration or any other restriction. In particular, departments shall ensure publication of the agenda and other relevant background documents in due time ahead of the meeting, followed by timely publication of minutes.
2. Exceptions to publication shall only be foreseen where it is deemed that disclosure of a document would undermine the protection of any public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001<sup>11</sup>.

## **Chapter V**

### **Transitional measures and final provisions**

## *Article 27*

### ***Migration towards the new version of the Register of expert groups***

Migration tools ensuring automatic transfer of existing data, when technically possible, shall be put in place. Commission departments shall manually encode data which cannot be automatically migrated as well as additional data required as a result of these horizontal rules, by the end of 2016.

## *Article 28*

### ***Applicability***

This Decision is applicable as of the date of its adoption.

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<sup>11</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.

*Article 29*

***Repeal***

Commission Decision C(2014) 2220<sup>12</sup> is repealed.

Done at Brussels, 30.5.2016

*For the Commission*  
**Jean-Claude JUNCKER**  
*The President*

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<sup>12</sup> Commission Decision C(2014) 2220 final of 8 April 2014 on conditions for granting a special allowance to participants in the activities of a Commission expert group, as provided for in the horizontal rules for Commission expert groups (C(2010)7649).



Brussels, 30.5.2016  
C(2016) 3301 final

ANNEXES 1 to 8

**ANNEXES**

*to the*

**Commission Decision of XXX**

**establishing horizontal rules on the creation and operation of Commission expert groups**

## ANNEX 1

### Standard Commission Decision setting up an expert group

#### COMMISSION DECISION

#### setting up the group of experts on [name of group]

(20../.../EC)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Whereas:

- (1) [Article X of the Treaty assigned the Union and the Member States the task of ensuring that [...].]<sup>1</sup>
- (2) With a view to [...], [in accordance with the Communication from the Commission entitled [...]/White Paper from the Commission entitled [...]/Green Paper from the Commission entitled [...].]<sup>2</sup>, the Commission needs to call upon the expertise of specialists in an advisory body.
- (3) It is therefore necessary to set up a group of experts in the field of [...] and to define its tasks and its structure.
- (4) The group should help to develop [...];
- (5) The group should be composed of [...];
- (6) Rules on disclosure of information by members of the group should be laid down.
- (7) Personal data should be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council<sup>3</sup>.
- (8) [Decision [...]/.../...] should be repealed]<sup>4</sup>.
- (9) [It is appropriate to fix a period for the application of this Decision. The Commission will in due time consider the advisability of an extension]<sup>5</sup>,

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<sup>1</sup> To be inserted as required.

<sup>2</sup> To be inserted as required.

<sup>3</sup> Regulation (EC) No 45/2001 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 (OJ L 8, 12.1.2001, p. 1).

<sup>4</sup> To be inserted as required.

<sup>5</sup> To be inserted as required.

HAS DECIDED AS FOLLOWS:

*Article 1*

***Subject matter***

The group of experts on [name of group], (“the group”), is set up.

*Article 2*

***Tasks***<sup>6</sup>

The group’s tasks shall be:

- (a) to assist the Commission in the preparation of legislative proposals/policy initiatives in the field of [...];
- (b) to assist the Commission in the preparation of delegated acts;
- (c) to establish cooperation/coordination between the Commission and Member States or stakeholders on questions relating to the implementation of Union legislation, programmes and policies in the field of [...];
- (d) to assist the Commission in the early preparation of implementing acts, before submission to the committee in accordance with Regulation (EU) N°182/2011;
- (e) to bring about an exchange of experience and good practice in the field of [...].

*Article 3*

***Consultation***

- 1. The Commission may consult the group on any matter relating to [...]<sup>7</sup>.
- 2. [The Chairperson of the group may advise the Commission to consult the group on a specific question.]<sup>8</sup>

*Article 4*

***Membership***

- 1. The group shall be composed of [...] members.

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<sup>6</sup> This list may be adapted as required, in compliance with the horizontal rules.

<sup>7</sup> To be filled in as required.

<sup>8</sup> To be inserted for groups which are not chaired by the Commission.

2. Members shall be individuals appointed in a personal capacity [...] / Members shall be individuals appointed to represent a common interest [...] / Members shall be organisations [...] / Members shall be Member States' authorities [...] / Members shall be other public entities [...]<sup>9</sup>.
3. Members appointed in a personal capacity shall act independently and in the public interest / Members appointed to represent a common interest shall not represent an individual stakeholder, but a policy orientation common to different stakeholder organisations<sup>10</sup>.
4. Member States' authorities/organisations/other public entities shall nominate their representatives [...] <sup>11</sup> and shall be responsible for ensuring that their representatives provide a high level of expertise.
5. Members who are no longer capable of contributing effectively to the expert group's deliberations, who, in the opinion of the Commission department concerned, 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.

## *Article 5*

### ***Selection process***

1. The selection of the group's members shall be carried out *via* a public call for applications, to be published on the Register of Commission expert groups and other similar entities ('the Register of expert groups')<sup>12</sup>. In addition, the call for applications may be published through other means, including on dedicated websites<sup>13</sup>. The call for applications shall clearly outline the selection criteria, including the required expertise [and the interests to be represented<sup>14</sup>] in relation to the work to be performed. The minimum deadline for applications shall be four weeks.
2. Individuals applying to be appointed as members of the group in a personal capacity shall disclose any circumstances that could give rise to a conflict of interest. In particular, the Commission shall require those individuals to submit a declaration of interests ('DOI') form on the basis of the standard DOI form for expert groups<sup>15</sup>,

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<sup>9</sup> To be inserted as required

<sup>10</sup> To be inserted as required.

<sup>11</sup> To be inserted as required. Provision may be made for the Commission or its departments to refuse the nomination by an organisation of a representative if they consider this nomination inappropriate, which should be justified in the light of the requirements specified in the decision setting up the expert group and/or in the call for applications. In such case, the organisation concerned shall be asked to appoint another representative. See Art. 9.3 of the horizontal rules.

<sup>12</sup> Calls for applications are not used to select Member States' authorities and other public entities, as well as representative bodies established by Union legislation for advice in specific areas. See Art. 10.1 of the horizontal rules.

<sup>13</sup> To be inserted as required.

<sup>14</sup> This is only relevant for individuals appointed to represent a common interest and member organisations.

<sup>15</sup> See Article 11 of the horizontal rules and Annex 4.

together with an updated *curriculum vitae* (CV), as part of their application. Submission of a duly completed DOI form shall be necessary in order to be eligible to be appointed as a member in a personal capacity. The conflict of interest assessment shall be performed in compliance with the Commission's horizontal rules on expert groups ('the horizontal rules')<sup>16, 17</sup>.

3. Registration in the Transparency Register is required in order for individuals representing a common interest / organisations to be appointed<sup>18</sup>.
4. The members of the group shall be appointed by the Commission/the Director General of DG [...] <sup>19</sup> from specialists with competence in the areas referred to in Article 2 and Article 3.1 and who have responded to the call for applications.
5. Members shall be appointed for [...] years. They shall remain in office until replaced/until the end of their term of office<sup>20</sup>. Their term of office may be renewed<sup>21</sup>.
6. [The Commission/DG [...] shall appoint alternate members, in accordance with the same conditions as members, who shall automatically replace any members who are absent or indisposed.]<sup>22</sup>
7. [The Commission/DG [...] shall establish a reserve list of suitable candidates that may be used to appoint members' replacements. The Commission/DG [...] shall ask applicants for their consent before including their names on the reserve list.]<sup>23</sup>

## *Article 6*

### ***Chair***

[The group shall be chaired by a representative of the Commission/ [DG (...)] / [The Commission / DG (...) shall appoint the Chairperson of the group] / [The group shall elect a Chairperson from amongst its members by simple majority].<sup>24</sup>

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<sup>16</sup> Idem

<sup>17</sup> This paragraph is only relevant for individuals applying to be appointed in a personal capacity.

<sup>18</sup> To be inserted as required.

<sup>19</sup> To be deleted as required.

<sup>20</sup> To be deleted as required.

<sup>21</sup> To be inserted as required.

<sup>22</sup> To be inserted as required. According to the horizontal rules, appointing alternate members is not mandatory, see Article 10.8. Alternates may be appointed in relation to individuals appointed in a personal capacity and individuals representing a common interest.

<sup>23</sup> To be inserted as required. According to the horizontal rules, establishing a reserve list is not mandatory, see Article 10.9. However, DGs are encouraged to establish such a list, in order to ensure continuity and the smooth functioning of the group. In particular, a reserve list allows for replacements without having to launch a new call for applications.

<sup>24</sup> To be deleted as required.

## *Article 7*

### ***Operation***

1. The group shall act at the request of DG [...] / The group shall act at the request of its chairman with the agreement of DG [...] <sup>25</sup>, in compliance with the horizontal rules <sup>26</sup>.
2. Meetings of the group shall, in principle, be held on Commission premises.
3. DG [...] shall provide secretarial services. Commission officials from other departments with an interest in the proceedings may attend meetings of the group [and its sub-groups] <sup>27</sup>.
4. In agreement with DG [...], the group may, by simple majority of its members, decide that deliberations shall be public.
5. Minutes on the discussion on each point on the agenda and on the opinions delivered by the group shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.
6. 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. Members who have voted against shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.] <sup>28</sup>

## *Article 8*

### ***Sub-groups***

1. The Commission/DG [...] may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by the Commission / DG [...]. 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.
2. The members of sub-groups that are not members of the group shall be selected via a public call for applications, in compliance with Article 5 and the horizontal rules <sup>29</sup>.

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<sup>25</sup> To be deleted as required

<sup>26</sup> See Article 13.1 of the horizontal rules.

<sup>27</sup> To be inserted as required.

<sup>28</sup> To be inserted if it is foreseen that the group may vote in the absence of a consensus.

<sup>29</sup> See Articles 10 and 14.2 of the horizontal rules.

## *Article 9*

### ***Invited experts***

DG [...] 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.

## *Article 10*

### ***Observers***

1. Individuals/organisations/public entities<sup>30</sup> may be granted an observer status, in compliance with the horizontal rules, by direct invitation/as a result of a call for applications<sup>31</sup>.
2. Organisations/public entities<sup>32</sup> appointed as observers shall nominate their representatives.
3. 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]<sup>33</sup> and shall not participate in the formulation of recommendations or advice of the group.

## *Article 11*

### ***Rules of procedure***

On a proposal by and in agreement with DG [...] the group shall adopt its rules of procedure by simple majority of its members, on the basis of the standard rules of procedure for expert groups, in compliance with the horizontal rules<sup>34</sup>.

## *Article 12*

### ***Professional secrecy and handling of classified information***

The members of the group [and their representatives, as well as invited experts and observers]<sup>35</sup>, 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>36</sup> and

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<sup>30</sup> To be inserted as required.

<sup>31</sup> To be inserted as required.

<sup>32</sup> To be inserted as required.

<sup>33</sup> To be inserted if vote is foreseen.

<sup>34</sup> See Article 17 of the horizontal rules.

<sup>35</sup> To be inserted as required.

<sup>36</sup> Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

2015/444<sup>37</sup>. Should they fail to respect these obligations, the Commission may take all appropriate measures.

### *Article 13*

#### ***Transparency***<sup>38</sup>

1. The group [and sub-groups]<sup>39</sup> shall be registered in the Register of expert groups.
2. As concerns the group composition, the following data shall be published on the Register of expert groups:
  - (a) the name of individuals appointed in a personal capacity;
  - (b) the name of individuals appointed to represent a common interest; the interest represented shall be disclosed;
  - (c) the name of member organisations; the interest represented shall be disclosed;
  - (d) the name of other public entities;
  - (e) the name of observers;
  - (f) the name of Member States' authorities<sup>40</sup>;
  - (g) the name of third countries' authorities<sup>41</sup>;
  - (h) the name of [organisations' representatives/ Member States' representatives/ other public entities representatives...]<sup>42</sup>.
3. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available 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, the agenda and other relevant background documents shall be published 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

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<sup>37</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).

<sup>38</sup> To be adapted as required, in compliance with Articles 22-26 of the horizontal rules. Individuals who do not wish to have their names disclosed may submit a request to DG [...] for a derogation from this rule. A derogation shall be granted where justified on compelling legitimate grounds in relation to the specific situation of the individual, in particular where disclosure of the experts' name could endanger their security or integrity

<sup>39</sup> To be inserted as required.

<sup>40</sup> To be inserted as required. According to the horizontal rules, it is not mandatory to publish the name of the Member States' authorities, see Article 23.1 (c).

<sup>41</sup> To be inserted as required. According to the horizontal rules, it is not mandatory to publish the name of the third countries' authorities see Article 23.1 (c).

<sup>42</sup> To be inserted as required. According to the horizontal rules, it is not mandatory to publish the name of these representatives, see Article 23.1 (d).

disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001<sup>43</sup>.

#### *Article 14*

#### ***Meeting expenses***<sup>44</sup>

1. Participants in the activities of the group [and sub-groups]<sup>45</sup> shall not be remunerated for the services they offer.
2. Travel and subsistence expenses incurred by participants in the activities of the group [and sub-groups]<sup>46</sup> shall be reimbursed by the Commission<sup>47</sup>. 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.

#### *Article 15* <sup>48</sup>

#### ***Repeal***

Decision [.../.../EC]<sup>49</sup> is repealed.]

#### *Article 16*

#### ***Applicability***

This Decision shall apply until [...].

Done at Brussels, [...]

*For the Commission*

*[name of the Member of the Commission]*

*Member of the Commission*

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<sup>43</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>44</sup> According to the horizontal rules, it is not mandatory to reimburse expenses, see Article 20.

<sup>45</sup> To be inserted as required.

<sup>46</sup> To be inserted as required.

<sup>47</sup> According to the horizontal rules, reimbursement of expenses is not mandatory, see C(2016) 3301, Article 20.

<sup>48</sup> To be inserted as required.

<sup>49</sup> Reference to be inserted in case of an existing Commission Decision to be repealed.

## ANNEX 2

### Standard call for applications for the selection of expert group members

#### **CALL FOR APPLICATIONS FOR THE SELECTION OF MEMBERS OF THE EXPERT GROUP/SUB GROUP [...] <sup>1</sup>**

##### **1. Background**

[By decision of [...], the Commission has set up a group of experts [...] <sup>2</sup> / [DG [...] has set up a group of experts] <sup>3</sup> (“the group”).

The group’s tasks shall be to [...].

The Commission is calling for applications with a view to selecting members of the group [other than Member States' authorities/other public entities] <sup>4</sup>.

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

###### **2.1. COMPOSITION**

[In accordance with Article [...] of the above Decision] <sup>5</sup> the group shall consist of [up to] [...] members.

Members shall be individuals appointed in a personal capacity [...] / Members shall be individuals appointed to represent a common interest [...] / Members shall be organisations [...] / Members shall be Member States' authorities [...] / Members shall be other public entities [...] <sup>6</sup>.

Members appointed in a personal capacity shall act independently and in the public interest / members appointed to represent a common interest shall not represent an individual stakeholder, but a policy orientation common to different stakeholder organisations [...] <sup>7</sup>.

Member States' authorities/organisations/other public entities shall nominate their representatives [...] <sup>8</sup> and shall be responsible for ensuring that their representatives provide a high level of expertise. The Commission/DG [...] 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 Article [...] of the Commission decision

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<sup>1</sup> The level of details provided in the call for applications may be adapted, in particular depending whether the group has been set up through a Commission decision to which reference can be made.

<sup>2</sup> Decision [.../.../...]. To be inserted when the call relates to a formal group, i.e. a group set up by a Commission decision.

<sup>3</sup> To be inserted when the call relates to an informal group, i.e. a group set up at the level of the DG.

<sup>4</sup> To be inserted only if Member States' authorities or other public entities are members of the group in question.

<sup>5</sup> To be inserted only if the group has been set up via a Commission decision.

<sup>6</sup> To be inserted as required

<sup>7</sup> To be inserted as required.

<sup>8</sup> To be inserted as required.

setting up the group [...] <sup>9</sup>. In such case, the organisation concerned shall be asked to appoint another representative.

## **2.2. APPOINTMENT**

Members shall be appointed by the Commission / the Director General<sup>10</sup> of DG [...] from applicants complying with the requirements referred to in chapter 4 of this call / referred to in Article [...] of the Commission decision [...] <sup>11</sup>.

Members shall be appointed for [...] years. They shall remain in office until replaced / until the end of their term of office<sup>12</sup>. Their term of office may be renewed<sup>13</sup>.

Registration in the Transparency Register is required in order for individuals representing a common interest / organisations to be appointed<sup>14</sup>.

The Commission/DG [...] shall appoint alternate members, in accordance with the same conditions as members, who shall automatically replace any members who are absent or indisposed<sup>15</sup>.

In order to ensure continuity and the smooth functioning of the group, the Commission/DG [...] shall establish a reserve list of suitable candidates that may be used to appoint replacements. The Commission/ DG [...] shall ask applicants for their consent before including their names on the reserve list.<sup>16</sup>

Members who are no longer capable of contributing effectively to the group's deliberations, who in the opinion of DG [...] 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<sup>17</sup>**

The group shall be chaired by a representative of the Commission/ DG [...] / The Commission / DG [...] shall appoint the Chairperson of the group / The group shall elect a Chairperson from amongst its members by simple majority of its members.<sup>18</sup>

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<sup>9</sup> To be adapted as required.

<sup>10</sup> To be deleted as required.

<sup>11</sup> To be inserted as required.

<sup>12</sup> To be deleted as required.

<sup>13</sup> To be inserted as required.

<sup>14</sup> To be inserted as required.

<sup>15</sup> To be inserted as required. According to the horizontal rules, appointing alternate members is not mandatory, see Article 10.8. Alternates may be appointed in relation to individuals appointed in a personal capacity and individuals representing a common interest.

<sup>16</sup> To be inserted as required. According to the horizontal rules, establishing a reserve list is not mandatory, see Article 10.9. However, DGs are encouraged to establish such a list. In particular, a reserve list allows for individual replacements without having to launch a new call for applications.

<sup>17</sup> To be adapted as required.

<sup>18</sup> To be deleted as required.

The group shall act at the request of the Commission / DG [...] / The group shall act at the request of its chairman with the agreement of the Commission / DG [...]<sup>19</sup>, in compliance with the Commission's horizontal rules on expert groups ('the horizontal rules')<sup>20</sup>.

In principle, the group shall meet [...] times per year on Commission premises in order to discuss [...]. The Commission / DG [...] shall provide secretarial services.

Members [and members' representatives<sup>21</sup>] 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<sup>22</sup>] and meetings will be also conducted in [... English<sup>23</sup>].

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.]<sup>24</sup>

In agreement with the Commission / DG [...], 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]<sup>25</sup> 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]<sup>26</sup> shall be reimbursed by the Commission<sup>27</sup>. 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 and observers]<sup>28</sup>, 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>29</sup> and

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<sup>19</sup> To be deleted as required.

<sup>20</sup> See Article 13.1 of the horizontal rules.

<sup>21</sup> To be inserted as required.

<sup>22</sup> To be adapted as required.

<sup>23</sup> Idem.

<sup>24</sup> To be inserted if it is foreseen that the group may vote in the absence of a consensus.

<sup>25</sup> To be inserted as required.

<sup>26</sup> To be inserted as required.

<sup>27</sup> To be inserted as required. According to the horizontal rules, it is not mandatory to reimburse expenses, see Article 20.

<sup>28</sup> To be inserted as required.

<sup>29</sup> Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

2015/444<sup>30</sup>. Should they fail to respect these obligations, the Commission may take all appropriate measures.

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

The Commission / DG [...] 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/ public entities<sup>31</sup> may be granted an observer status, in compliance with the horizontal rules, by direct invitation/as a result of this call for applications<sup>32</sup>. Organisations/public entities<sup>33</sup> 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<sup>34</sup> and shall not participate in the formulation of recommendations or advice of the group.

The Commission/DG [...] may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by the Commission / DG [...]. 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, the Commission / DG [...] shall publish the following data on the Register of expert groups<sup>35</sup>:

- 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;
- the name of other public entities;
- the name of observers;

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<sup>30</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).

<sup>31</sup> To be inserted as required.

<sup>32</sup> To be inserted as required. According to the horizontal rules, it is not mandatory to select observers via a public call, see Article 16.1. If the call is used to select both members and observers, the text of the call must be adapted accordingly.

<sup>33</sup> To be inserted as required.

<sup>34</sup> To be inserted if vote is foreseen.

<sup>35</sup> To be adapted as required, in light of the composition of the group in question.

- the name of Member States' authorities<sup>36</sup>;
- the name of third countries' authorities<sup>37</sup>.
- the name of [organisations' representatives/ Member States' representatives/ other public entities representatives...]<sup>38</sup>

The Commission / DG [...] 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, the Commission / DG [...] 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) N° 1049/2001<sup>39</sup>.

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

### **3. Application procedure**

Interested individuals / Interested organisations<sup>40</sup> are invited to submit their application to the European Commission, DG [...].

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 CV in English.

Organisations shall indicate the name of their representative(s) in the group<sup>41</sup>.

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

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<sup>36</sup> To be inserted as required. According to the horizontal rules, it is not mandatory to publish the name of the Member States' authorities, see Article 23.1 (c).

<sup>37</sup> To be inserted as required. According to the horizontal rules, it is not mandatory to publish the name of the third countries' authorities, see Article 23.1 (c).

<sup>38</sup> To be inserted as required. According to the horizontal rules, it is not mandatory to publish the name of these representatives, see Article 23.1 (d).

<sup>39</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>40</sup> To be inserted as required.

<sup>41</sup> To be inserted as required.

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).

For individuals applying to be appointed as members of the group in a personal capacity or to represent a common interest, 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 members of the group in a personal capacity 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. The Commission / DG [...] shall perform the conflict of interest assessment in compliance with the horizontal rules<sup>42</sup>.

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

#### Deadline for application

The duly signed applications must be sent by [...] at the latest. The date of sending will be established as follows<sup>43</sup>:

- Where applications are sent by e-mail to the following e-mail address: [...], the date of the e-mail will be the date of sending.
- Where applications are sent by post to the following address: European Commission, DG [...], Unit [...] secretariat – [address], B-1049 Brussels, the postmark will be considered the date of sending.
- Where applications are hand-delivered to the following address: European Commission, DG [...], Unit [...] secretariat – [address], the date on the receipt given upon delivery will be considered the date of sending.

#### **4. Selection criteria<sup>44</sup>**

The Commission / DG [...] will take the following criteria into account when assessing applications:

- proven and relevant competence and experience, including at European and / or international level, in areas relevant to [...] (all applicants);

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<sup>42</sup> Article 11 of the horizontal rules.

<sup>43</sup> To be inserted as required.

<sup>44</sup> To be adapted in light of the group's membership and of the work to be performed.

- absence of circumstances that could give rise to a conflict of interest [...] (individuals applying to be appointed in a personal capacity only);
- proven capacity to represent effectively the position shared by stakeholders [...] (individuals applying to be appointed in order to represent a common interest only);
- competence, experience and hierarchical level of the proposed representatives (organisations only);
- good knowledge of the [English]<sup>45</sup> language allowing active participation in the discussions (individual applicants and organisations' representatives).

## **5. Selection procedure**

The selection procedure shall consist of an assessment of the applications performed by the Commission / DG [...] 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 [...] 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, the Commission / DG [...] shall seek a geographical balance and a gender balance.

For any further information please contact [Mr / Ms [...]], Telephone: (32-2) [...], e-mail: [...].

### ANNEXES:

- Classification form
- Selection criteria form
- Standard declaration of interests<sup>46</sup>
- Guidance for filling in the declaration of interests<sup>47</sup>
- Privacy statement

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<sup>45</sup> To be adapted as required.

<sup>46</sup> To be inserted as required. To be used only in relation to individuals applying to be appointed in a personal capacity.

<sup>47</sup> Idem

## Annex I - Classification form<sup>48</sup>

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: [...] <sup>49</sup>

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

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<sup>48</sup> This form must be filled in, signed and returned with the application.

<sup>49</sup> 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.

- 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**

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 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.

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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 organisation<sup>50</sup> 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

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<sup>50</sup> To be inserted as required.

- 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 individuals applying to be appointed as Type B members

Title: .....

Surname<sup>51</sup>: .....

First name<sup>52</sup>: .....

Date: .....

Signature .....

For organisations applying to be appointed as Type C members

Name of the organisation<sup>53</sup>: .....

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 .....

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<sup>51</sup> It is mandatory to use exactly the same name used when registering in the Transparency Register.

<sup>52</sup> Idem

<sup>53</sup> Idem

## Annex II: Selection criteria form<sup>54</sup>

Applicants are requested to describe how they fulfil the selection criteria listed in this call<sup>55</sup>.

Proven and relevant competence and experience, including at European and/or international level, in areas relevant to [...]	
Proven capacity to represent effectively the position shared by stakeholders [...]	
Competence, experience and hierarchical level of the proposed representatives [...]	
Good knowledge of the English language [...]	

### For individuals applying to be appointed as Type B members

Title: .....

Surname<sup>56</sup>: .....

First name<sup>57</sup>: .....

Date: .....

Signature .....

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

Name of the organisation<sup>58</sup>: .....

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 .....

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<sup>54</sup> This form **must** be filled in, signed and returned with the application.

<sup>55</sup> Selection criteria to be specified and adapted as required, in light of the call for applications in question.

<sup>56</sup> It is mandatory to use **exactly** the same name used when registering in the Transparency Register.

<sup>57</sup> Idem

<sup>58</sup> Idem

### **ANNEX 3**

#### **Standard rules of procedure for expert groups**

#### **RULES OF PROCEDURE OF THE GROUP OF EXPERTS ON [*Name of group*]**

THE GROUP [*name of group*],

Having regard to Commission Decision setting up the group/Having regard to the creation of the group by DG [...] <sup>59</sup>,

Having regard to the standard rules of procedure of expert groups <sup>60</sup>,

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

#### *Point 1*

#### **Operation of the group**

The group shall act at the request of DG [...] /The group shall act at the request of its chairman with the agreement of DG [...] <sup>61</sup>.

#### *Point 2*

#### **Convening a meeting**

1. Meetings of the group are convened by the Chair, with the agreement of DG [...] either on its own initiative, or at the request of a simple majority of members after DG [...] has given its agreement.
2. Joint meetings of the group with other groups may be convened to discuss matters falling within their respective areas of responsibility.
3. Meetings of the group shall be held on Commission premises.

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<sup>59</sup> To be deleted as required.

<sup>60</sup> C(2016) 3301 (Annex 3).

<sup>61</sup> To be deleted as required.

*Point 3*

**Agenda**

1. The secretariat shall draw up the agenda under the responsibility of the Chair and send it to the members of the group.
2. The agenda shall be adopted by the group at the start of the meeting.

*Point 4*

**Documentation to be sent to group members**

1. The secretariat shall send the invitation to the meeting and the draft agenda to the group members no later than thirty calendar days<sup>62</sup> before the date of the meeting.
2. The secretariat shall send documents on which the group is consulted to the group members no later than fourteen calendar days<sup>63</sup> before the date of the meeting.
3. In urgent or exceptional cases, the time limits for sending the documentation mentioned in paragraphs 1 and 2 may be reduced to five calendar days before the date of the meeting<sup>64</sup>.

*Point 5*

**Opinions of the group**

1. As far as possible, the group shall adopt its opinions, recommendations or reports by consensus.
2. In the event of a vote, the outcome of the vote shall be decided by simple majority of the members. The members that have 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<sup>65</sup>.

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<sup>62</sup> To be adapted as required.  
<sup>63</sup> To be adapted as required.  
<sup>64</sup> To be adapted as required.  
<sup>65</sup> To be inserted, if vote is foreseen.

*Point 6*

**Sub-groups**

1. The Commission / DG [...] may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by the Commission / DG [...]. Sub-groups shall operate in compliance with the Commission's horizontal rules on expert groups ('the horizontal rules') and shall report to the group. They shall be dissolved as soon as their mandate is fulfilled.
2. The members of sub-groups that are not members of the group shall be selected via a public call for applications, in compliance the horizontal rules<sup>66</sup>.

*Point 7*

**Invited experts**

The Commission / DG [...] 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.

*Point 8*

**Observers**

1. Individuals/organisations/public entities<sup>67</sup> may be granted an observer status, in compliance with the horizontal rules, by direct invitation/as a result of a call for applications<sup>68</sup>.
2. Organisations/public entities<sup>69</sup> appointed as observers shall nominate their representatives.
3. 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]<sup>70</sup> and shall not participate in the formulation of recommendations or advice of the group.

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<sup>66</sup> See Articles 10 and 14.2.

<sup>67</sup> To be inserted as required.

<sup>68</sup> To be deleted as required.

<sup>69</sup> To be inserted as required.

<sup>70</sup> To be inserted if vote is foreseen.

*Point 9*

**Written procedure**

1. If necessary, the group's opinion or recommendation on a specific question may be delivered via a written procedure. To this end, the secretariat sends the group members the document(s) on which the group is being consulted.
2. However, if a simple majority of group members asks for the question to be examined at a meeting of the group, the written procedure shall be terminated without result and the Chair shall convene a meeting of the group as soon as possible.

*Point 10*

**Secretariat**

DG [...] shall provide secretarial support for the group and any sub-groups.

*Point 11*

**Minutes of the meetings**

Minutes on the discussion on each point on the agenda and on the opinions delivered by the group shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.

*Point 12*

**Attendance list**

At each meeting, the secretariat shall draw up, under the responsibility of the Chair, an attendance list also specifying, where appropriate, the Member States' authorities, organisations or other public entities to which the participants belong.

*Point 13<sup>71</sup>*

**Conflicts of interest**

1. The chair of each expert group or sub-group shall, at the first meeting of each calendar year, remind all members appointed in a personal capacity of their obligation to promptly inform the Commission / DG [...] of any relevant change in the information

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<sup>71</sup> This point is to be inserted only if the group includes experts appointed in a personal capacity.

previously provided, including as regards upcoming activities, in which case they must immediately submit a newly completed declaration of interests describing the change, in order to enable the Commission / DG [...] to assess it in due course, in compliance with the horizontal rules.

2. Should a conflict of interest in relation to an expert appointed in a personal capacity arise, DG [...] shall take all appropriate measures, in compliance with the horizontal rules<sup>72</sup>.
3. Conflicts of interest shall be reported in writing, e.g. in the minutes of the group's meeting. Information registered must be adequate, relevant and not going beyond what is necessary for the purpose of the management of the conflict of interest.

#### *Point 14*

### **Correspondence**

1. Correspondence relating to the group shall be addressed to DG [...], for the attention of the Chair.
2. Correspondence for group members shall be sent to the [e-mail] address which they provide for that purpose.

#### *Point 15*

### **Transparency<sup>73</sup>**

1. The group [and sub-groups]<sup>74</sup> shall be registered on the Register of expert groups.
2. As concerns the group composition, the following data shall be published on the Register of expert groups:
  - (a) the name of individuals appointed in a personal capacity;
  - (b) the name of individuals appointed to represent a common interest; the interest represented shall be disclosed;
  - (c) the name of member organisations; the interest represented shall be disclosed;
  - (d) the name of other public entities;

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<sup>72</sup> See Article 11.

<sup>73</sup> To be adapted as required, in compliance with Commission Decision C(2016) 3301. Individuals who do not wish to have their names disclosed may submit a request to DG [...] for a derogation from this rule. A derogation shall be granted where justified on compelling legitimate grounds in relation to the specific situation of the individual, in particular where disclosure of the experts' name could endanger their security or integrity

<sup>74</sup> To be inserted as required.

- (e) the name of observers;
  - (f) the name of Member States' authorities<sup>75</sup>;
  - (g) the name of third countries' authorities<sup>76</sup>;
  - (h) the name of [organisations' representatives/ Member States' representatives/ other public entities representatives...]<sup>77</sup>.
3. DG [...] 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 [...] shall publish 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) N° 1049/2001<sup>78</sup>.

#### *Point 16*

#### **Access to documents**

Applications for access to documents held by the group shall be handled in accordance with Regulation (EC) No 1049/2001<sup>79</sup>.

#### *Point 17*

#### **Deliberations**

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

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<sup>75</sup> To be inserted as required. According to the horizontal rules, it is not mandatory to publish the name of the Member States' authorities, see Article 23.1 (c).

<sup>76</sup> To be inserted as required. According to the horizontal rules, it is not mandatory to publish the name of the third countries' authorities, see Article 23.1 (c).

<sup>77</sup> To be inserted as required. According to the horizontal rules, it is not mandatory to publish the name of these representatives, see Article 23.1 (d).

<sup>78</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>79</sup> 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 L 145, 31.5.2001, p. 43).

## ANNEX 4

### 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)...] 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>	<b>yes</b>	<b>no</b>
--	---	------------	-----------

<b>1a</b>	<b>Employment</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>1b</b>	<b>Consultancy, including services as an advisor</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>1c</b>	<b>Non-remunerated post</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>1d</b>	<b>Legal representation</b>	<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>	<b>yes</b>	<b>no</b>
--	---	------------	-----------

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

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

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### 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>	<b>yes</b>	<b>no</b>
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<b>3a</b>	<b>Research support, including grants, rents, sponsorships, fellowships, non-monetary support</b>	<input type="checkbox"/>	<input type="checkbox"/>
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<b>Activity</b>	<b>Time period (from... until month/year)</b>	<b>Name of legal entity or body</b>	<b>Description</b>

### 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>	<b>yes</b>	<b>no</b>
--	---	------------	-----------

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

<b>Investment</b>	<b>Name of legal entity</b>	<b>Description</b>

**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>	<b>yes</b>	<b>no</b>
--	--	------------	-----------

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

<b>Intellectual property</b>	<b>Description</b>

**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>	<b>Yes</b>	<b>no</b>
--	--	------------	-----------

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

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

**7 INTERESTS OF IMMEDIATE FAMILY MEMBERS** yes      no

<b>7a</b>	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"/>
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Interests	Time period (from... until month/year)	Name of legal entity or body	Description

<b>7b</b>	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.
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**8 OTHER RELEVANT INFORMATION** yes      no

<b>8a</b>	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"/>
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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 (EC) N° 45/2001.**

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 5

### 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 bodies<sup>80</sup>, the role of which is to provide advice and expertise to the Commission and its departments in relation to a number of tasks<sup>81</sup>. Individuals appointed as members of expert groups or sub-groups in a personal capacity are due to act independently and in the public interest<sup>82</sup>.

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 exists<sup>83</sup>.

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:

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<sup>80</sup> C(2016) 3301, Article 2.1.

<sup>81</sup> Idem, Article 3.

<sup>82</sup> Idem, Article 7.2. (a).

<sup>83</sup> 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 (EC) No 45/2001.

Annex: privacy statement

## ANNEX 6

### Standard declaration of interests (DOI) form for members of expert groups or sub-groups appointed in a personal capacity<sup>84</sup>

#### Legal basis:

Commission Decision [C(2016)...] establishing horizontal rules on the creation and operation of Commission expert groups, Articles 2(4) and 10.

#### 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, you shall be excluded from the expert group or sub-group.**

First name:

Family name:

Expert group/sub-group:

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<sup>84</sup> This standard DOI must be filled in by experts who were appointed as members in a personal capacity **before** the adoption of the revised horizontal rules, C(2016) 3301.

## 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>	<b>yes</b>	<b>no</b>
--	---	------------	-----------

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

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

## 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>	<b>yes</b>	<b>no</b>
--	---	------------	-----------

<b>2a</b>	<b>Participation in a decision-making process</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>2b</b>	<b>Participation in the work of a Scientific Advisory Body</b>	<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>	<b>yes</b>	<b>no</b>
--	---	------------	-----------

<b>3a</b>	<b>Research support, including grants, rents, sponsorships, fellowships, non-monetary support</b>	<input type="checkbox"/>	<input type="checkbox"/>
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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>	<b>yes</b>	<b>no</b>
--	---	------------	-----------

<b>4a</b>	<b>Shares</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>4b</b>	<b>Other stock</b>	<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>	<b>yes</b>	<b>no</b>
--	--	------------	-----------

<b>5a</b>	<b>Patent, trademarks, or copyrights</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>5b</b>	<b>Others</b>	<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>	<b>yes</b>	<b>no</b>
--	--	------------	-----------

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

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

**7 INTERESTS OF IMMEDIATE FAMILY MEMBERS** yes      no

<b>7a</b>	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"/>
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Interests	Time period (from... until month/year)	Name of legal entity or body	Description

<b>7b</b>	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.
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**8 OTHER RELEVANT INFORMATION** yes      no

<b>8a</b>	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"/>
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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 (EC) N° 45/2001.**

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

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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 7

### Guidance for filling in the declaration of interests (DOI) form for members of expert groups or sub-groups appointed 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 bodies<sup>85</sup>, the role of which is to provide advice and expertise to the Commission and its departments in relation to a number of tasks<sup>86</sup>. Individuals appointed as members of expert groups or sub-groups in a personal capacity are due to act independently and in the public interest<sup>87</sup>.

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, in order for Commission services to determine if you may continue participating in the work of the group. 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 exists<sup>88</sup>.

Where the competent Commission departments conclude that no conflict of interest exists, you may continue to be member of the group 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 advising the Commission, you shall be excluded from the group.

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<sup>85</sup> C(2016) 3301, Article 2.1.

<sup>86</sup> *Idem*, Article 3.

<sup>87</sup> *Idem*, Article 7.2 (a).

<sup>88</sup> *Idem*, Article 11.

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 shall be excluded from the group.

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

Annex: privacy statement

## ANNEX 8

Standard classification form for Type B and C members appointed before the adoption of the revised horizontal rules<sup>89</sup>

### Expert group on [...]

#### **Type B members**

To be filled in by Commission departments

Title: .....

Surname<sup>90</sup>: .....

First name<sup>91</sup>: .....

You are currently classified as a member of the group representing a common interest shared by stakeholders (type B member).

To be filled in by Type B members

Please select the **interest** that you represent: (*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):

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<sup>89</sup> This form may be used by DGs to classify correctly in the Register of expert groups Type B and Type C members appointed before the adoption of the horizontal rules (C(2016) 3301), as well as to indicate the interest represented by these members and the policy area concerned.

<sup>90</sup> It is mandatory to use exactly the same name as the one encoded on the Transparency Register, even if it differs from the one submitted by the expert at the time of application or appointment.

<sup>91</sup> Idem

## 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, especially those affecting the public, as in the fields of banking 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 Type B members

Please select one or more **policy areas** in which you operate:

- 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

Title: .....

Surname<sup>92</sup>: .....

First name<sup>93</sup>: .....

Date: .....

Signature .....

### **Type C members**

#### To be filled in by Commission departments

Name of the organisation<sup>94</sup>: .....

Surname of the organisation's representative<sup>95</sup>: .....

First name of the organisation's representative<sup>96</sup>: .....

Your organisation is currently classified as a member of the group (type C member).

#### To be filled in by Type C members

Please select the **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

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<sup>92</sup> It is **mandatory** to use **exactly** the same name as the one encoded on the Transparency Register, even if it differs from the one submitted at the time of application or appointment.

<sup>93</sup> Idem

<sup>94</sup> It is mandatory to use exactly the same name as the one encoded on the Transparency Register, even if it differs from the one used at the time of application or appointment.

<sup>95</sup> If encoded on the Register of expert groups.

<sup>96</sup> If encoded on the Register of expert groups.

- 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**

Individual companies or groups of companies operating in the business sector, whether they are national companies or a 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 Type C members

Please select the **interest** represented by your organisation: (*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, especially those affecting the public, as in the fields of banking 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 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

Name of the organisation<sup>97</sup>: .....

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

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

Surname of the organisation's representative<sup>98</sup>: .....

First name of the organisation's representative<sup>99</sup>: .....

Date: .....

Signature .....

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<sup>97</sup> It is mandatory to use exactly the same name as the one encoded in the Transparency Register, even if it differs from the one used at the time of application or appointment.

<sup>98</sup> If encoded on the Register.

<sup>99</sup> If encoded on the Register.