

CALL FOR APPLICATIONS FOR THE SELECTION OF MEMBERS OF THE “SUB-GROUP ON ARTIFICIAL INTELLIGENCE (AI), CONNECTED PRODUCTS AND OTHER NEW CHALLENGES IN PRODUCT SAFETY” TO THE CONSUMER SAFETY NETWORK

1. Background

The European Union has a robust and reliable safety regulatory framework that ensures the well-being and protection of consumers in the Single Market. Furthermore, it encourages innovation and technological uptake.

At the same time, emerging technologies such as Artificial Intelligence, connected devices and the Internet of Things (IoT) are transforming the characteristics of many products in the market, thus bringing new challenges and risks related to product safety.

A common characteristic of these technologies is their connectivity, which entails that products are vulnerable of being hacked. In this sense, cybersecurity can have an impact on product safety: for instance, a connected kettle that is hacked and explodes, harming consumers.

New technologies can also pose risks not only because they can have a direct impact on the health and safety of the consumers, but also because through connectivity, they can be used as a tool to threaten their personal security. The Icelandic authorities have recently notified to the Commission via the Rapid Alert System for dangerous non-food products the recall of a smart watch for children presenting personal security risks¹. This product would not cause a direct harm to a child wearing it, but lacking a minimum level of security, it could be easily used to have access to a child and potentially cause harm. This is especially relevant as the product’s main function is to keep the child safe.

Moreover, it is now common that many consumer products incorporate software and applications. Some experts² state that the content of these apps and programmes might also bring psychological and other related risks to consumers.

Another challenge that new technologies bring is the fact that some of these new products have the ability to evolve when they are already in the hands of consumers. EU safety legislation currently requires producers to carry out their safety assessment only at the moment of their placing on the market and therefore doesn’t address risks linked to the evolution of products (such as through machine learning). This is particularly relevant for AI and software updates, as for their nature they imply changes to the products after their placing on the market.

In 2005 the Consumer Safety Network (‘CSN’) was set up as an informal group of experts, in order to stimulate reflection and discuss topics related to the safety of

¹ Alert Number in the EU Safety Gate Website: A12/0157/19.

² 2018, The European Commission’s High-Level Expert Group on Artificial Intelligence - *Ethics guidelines for trustworthy AI*.

consumer products and to provide a knowledge base for the related policy work. Over the years, several sub-groups to CSN were established, with a view to addressing specific issues. The Commission's Directorate General for Justice and Consumer ('DG JUST') has now set up a new sub-group on artificial intelligence (AI), connected products and other new challenges on product safety ('the sub-group').

The sub-group's tasks shall be to assess whether and to what extent existing product safety frameworks are adapted to emerging market realities (connected products, AI, software, etc.). In particular, it shall assist the Commission in developing EU-wide assessment on the need for the possible adaptations of the General Product Safety Directive in this regard. This should take into account sectorial/harmonised product legislation and any ongoing relevant reviews of this legislation. The assessment shall be completed by May 2020 at the latest. Following this assessment, the sub-group will be asked to provide the Commission with advice for further discussions, in particular regarding the possible adaptation of product safety legislation in this regard.

The Commission is calling for applications in order to select the members of the sub-group, other than Member States' authorities.

2. Features of the Group

2.1. COMPOSITION

Members of the sub-group shall be Member States' authorities, experts appointed in a personal capacity and / or organisations up to 25 members.

Members appointed in a personal capacity shall act independently and in the public interest; they shall deliver independent excellent and technical advice to the Commission.

Member States' authorities and organisations shall nominate their representatives and shall be responsible for ensuring that their representatives provide a high level of expertise. DG JUST may refuse the nomination of a representative by an organisation if it considers this nomination inappropriate in light of the requirements specified in chapter 4 of this call. In such case, the organisation concerned shall be asked to appoint another representative.

2.2. APPOINTMENT

Members shall be appointed by the Director General of DG JUST from applicants complying with the requirements referred to in chapter 4 of this call. Member States' authorities shall be appointed by direct invitation.

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

Registration in the Transparency Register³ is required in order for organisations to be appointed.

The Director General of DG JUST shall appoint alternate members in relation to individuals appointed in a personal capacity, in accordance with the same conditions as members, who shall automatically replace any members who are absent or indisposed.

In order to ensure continuity and the smooth functioning of the sub-group, DG JUST shall establish a reserve list of suitable candidates that may be used to appoint replacements. DG JUST shall ask applicants for their consent before including their names on the reserve list.

Members who are no longer capable of contributing effectively to the sub-group's deliberations, who in the opinion of DG JUST 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 sub-group and may be replaced for the remainder of their term of office.

2.3 RULES OF ENGAGEMENT AND OPERATION OF THE SUB-GROUP

The sub-group shall be chaired by a representative of DG JUST.

The sub-group shall act at the request of DG JUST, in compliance with the Commission's horizontal rules on expert groups ('the horizontal rules')⁴.

In principle, the sub-group shall meet on Commission premises in order to discuss topics mentioned in the agenda provided by the Commission prior to each meeting. From November 2019 until May 2020, five meetings of 1 – 2 days are planned; after May 2020 the number of meetings will depend on the remaining challenges. Participants in the work of the sub-group may be invited to join workshops organised by the Commission for discussion with stakeholders and Member States' representatives. The sub-group may also be invited to provide input within its remit to other Commission expert groups dealing with specific categories of harmonised products.

Members and their representatives should be prepared to attend meetings systematically, to contribute actively to discussions in the sub-group, to be involved in preparatory work ahead of meetings, to prepare drafts following up the discussions in the meetings, to examine and provide comments on documents under discussion, and to act, to the necessary extent, as 'rapporteurs' on *ad hoc* basis.

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

The sub-group shall adopt any 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

³ <http://ec.europa.eu/transparencyregister/public/homePage.do?locale=en#en>

⁴ See Article 13.1 of the horizontal rules - [C\(2016\)3301](#).

document summarising the reasons for their position annexed to the opinions, recommendations or reports.

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

Participants in the activities of the sub-group shall not be remunerated for the services they offer. Travel, accommodation and subsistence expenses incurred by participants in the activities of the sub-group shall 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.

Members of the sub-group and their representatives, as well as invited experts and observers, are subject to the obligation of professional secrecy, which by virtue of the Treaties and the rules implementing them applies to all members of the institutions and their staff, as well as to the Commission's rules on security regarding the protection of Union classified information, laid down in Commission Decisions (EU, Euratom) 2015/443⁵ and 2015/444⁶. Should they fail to respect these obligations, the Commission may take all appropriate measures.

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

DG JUST may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the sub-group on an *ad hoc* basis. This may include members of other groups advising the Commission.

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

DG JUST may set up additional working groups under the sub-group ('task forces') for the purpose of examining specific questions on the basis of terms of reference defined by DG JUST. These working groups shall operate in compliance with the horizontal rules and shall report to the main sub-group. They shall be dissolved as soon as their mandate is fulfilled. The members of additional working groups that are not members of the sub-group on AI, Connected Products and Other New Challenges in Product Safety shall be selected via a public call for applications.

⁵ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

⁶ 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).

2.4. TRANSPARENCY

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

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

- the name of Member States' authorities;
- the name of individuals appointed in a personal capacity;
- the name of member organisations; the interest represented shall be disclosed;
- the name of organisations' representatives;
- the name of observers.

DG JUST 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 JUST 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° 1049/2001⁷.

Personal data shall be collected, processed and published in accordance with Regulation (EU) No 2018/1725.

3. Application procedure

Interested individuals are invited to submit their application to DG JUST.

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 application in English.

Organisations shall indicate the name of their representative(s) in the sub-group.

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

⁷ These exceptions are intended to protect public security, military affairs, international relations, financial, monetary or economic policy, privacy and integrity of the individual, commercial interests, court proceedings and legal advice, inspections/investigations/audits and the institution's decision-making process.

Supporting documents

Each application shall include the following documents:

- a short cover letter stating what contribution the applicant could make to the sub-group, for example by outlining the applicant's preliminary assessment of AI, connected products and other new challenges in product safety and potential solutions;
- a classification form duly filled in specifying the member category for which the application is made (Annex I).
- a selection criteria form duly filled in documenting how the applicant fulfils the selection criteria listed in chapter 4 of this call (Annex II).

For individuals applying to be appointed as members of the group in a personal capacity, 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>).

A list of publications may also be provided.

Individuals applying to be appointed as members of the sub-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 (Annex III). Submission of a duly completed DOI form is necessary in order to be eligible to be appointed in a personal capacity. Individuals who answer in the affirmative questions included in the DOI form are required to supply further details by filling in the section 'Description'. The Commission shall perform the conflict of interest assessment in compliance with the horizontal rules⁸.

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

Deadline for application

The duly signed applications must be sent by 31 October 2019 at the latest. The date of sending will be established as follows:

- Where applications are sent by e-mail to the following e-mail address: JUST-E4@ec.europa.eu; the date of the e-mail will be the date of sending.
- Where applications are sent by post to the following address: European Commission, Directorate General Justice and Consumers, Unit E4 Product Safety and Rapid Alert System LX 40 05/045 – Rue Luxembourg, 40, B-1049 Brussels, the postmark will be considered the date of sending.

⁸ Article 11 of the horizontal rules.

- Where applications are hand-delivered to the following address: European Commission, Directorate General Justice and Consumers Unit E4 Product Safety and Rapid Alert System LX 40 05/045 – Rue Luxembourg, 40, B-1049 Brussels, the date on the receipt given upon delivery will be considered the date of sending.

4. Selection criteria

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

- proven and relevant knowledge on new consumer products incorporating technological developments such as connected devices, Internet of Things or Artificial Intelligence, as well as work experience and technical knowledge regarding the safety and/or security of such products;
- proven knowledge of relevant EU legislation, rules and/or technical standards related to product safety, in particular with regard to provisions of the General Product Safety Directive (2001/95/EC);
- absence of circumstances that could give rise to a conflict of interest (individuals applying to be appointed in a personal capacity, only) ;
- good knowledge of the English language allowing active participation in the discussions and drafting of documents (individuals applying to be appointed in a personal capacity and organisations' representatives).

5. Selection procedure

The selection procedure shall consist of an assessment of the applications performed by DG JUST 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 sub-group.

When defining the composition of the sub-group, DG JUST 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 sub-group, the type of expertise required, as well as the relevance of the applications received.

DG JUST shall, as far as possible, seek a geographical balance and a gender balance.

For any further information on the selection procedure please contact Mr Pablo OLIVARES MARTINEZ, Telephone: +32 2 295 05 55 e-mail:JUST-E4@ec.europa.eu.

ANNEXES:

- Annex I: Classification form
- Annex II: Selection criteria form
- Annex III: Standard declaration of interests

- Annex IV: Guidance for filling in the declaration of interests
- Annex V: Privacy statement

Annex I - Classification form⁹

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 organisation (Type C member).**

Transparency Register identification number: [...]

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

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

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

⁹ This form must be filled in, signed and returned with the application.

Definitions for organisation types

Academia, Research Institutes and Think Tanks

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

Banks/Financial institutions

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

Companies/groups

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

Law firms

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

NGOs

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

Professionals' associations

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

Professional consultancies

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

Trade and business associations

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

Trade unions

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

Other organisations

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

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

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

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

Definitions for interests represented

Academia/Research

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

Civil society

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

Employees/workers

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

Finance

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

Industry

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

Professionals

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

SMEs

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

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

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

Company category Employees Turnover or Balance sheet total

Medium-sized < 250 ≤ € 50 m ≤ € 43 m

Small < 50 ≤ € 10 m ≤ € 10 m

Micro < 10 ≤ € 2 m ≤ € 2 m

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

Other interest

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

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

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

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

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

For individuals applying to be appointed as Type A members

Title:

Surname:

First name:

Date:

Signature

For organisations applying to be appointed as Type C members

Name of the organisation¹⁰:

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

¹⁰ It is mandatory to use exactly the same name used when registering in the Transparency Register.

Annex II: Selection criteria form¹¹

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

<p>proven and relevant knowledge on new consumer products incorporating technological developments such as connected devices, Internet of Things or Artificial Intelligence, as well as work experience and technical knowledge regarding the safety and/or security of such products.</p>	
<p>proven knowledge of relevant EU legislation, rules and/or technical standards related to product safety, in particular with regards to provisions of the General Product Safety Directive.</p>	
<p>Absence of circumstances that could give rise to a conflict of interest (individuals applying to be appointed in a personal capacity only).</p>	
<p>Good knowledge of the English language allowing active participation in the discussions and drafting of documents (individuals applying to be appointed in a personal capacity only and organisations' representatives).</p>	

For individuals applying to be appointed as Type A members

Title:

Surname:

First name:

Date:

Signature

For organisations applying to be appointed as Type C members

Name of the organisation¹²:

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

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

¹² It is mandatory to use exactly the same name used when registering in the Transparency Register.

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

Legal basis:

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

Definitions:

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

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

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

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

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

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

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

First name:

Family name:

Expert group/sub-group:

1 EMPLOYMENT CONSULTANCY AND LEGAL REPRESENTATION

	<i>Within the past 5 years, were you employed or have you had any other professional relationship with a natural or legal entity, or held any non-remunerated post in a legal entity or other body with an interest in the field of activity of the expert group/sub-group in question?</i>	yes	no
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1a	Employment	<input type="checkbox"/>	<input type="checkbox"/>
1b	Consultancy, including services as an advisor	<input type="checkbox"/>	<input type="checkbox"/>
1c	Non-remunerated post	<input type="checkbox"/>	<input type="checkbox"/>
1d	Legal representation	<input type="checkbox"/>	<input type="checkbox"/>

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

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

	<i>Within the past 5 years, have you participated in the internal decision-making of a legal entity or other body with an interest in the field of activity of the expert group/sub-group in question or have you participated in the works of a Scientific Advisory Body with voting rights on the outputs of that entity?</i>	yes	no
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2a	Participation in a decision-making process	<input type="checkbox"/>	<input type="checkbox"/>
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2b	Participation in the work of a Scientific Advisory Body	<input type="checkbox"/>	<input type="checkbox"/>
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Activity	Time period (from... until month/year)	Name of legal entity or body	Description

3 RESEARCH SUPPORT

	<i>Within the past 5 years, have you, or the research entity to which you belong, received any support from a legal entity or other body with an interest in the field of activity of the expert group/sub-group in question?</i>	yes	no
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3a	Research support, including grants, rents, sponsorships, fellowships, non-monetary support	<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>	yes	no
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4a	Shares	<input type="checkbox"/>	<input type="checkbox"/>
4b	Other stock	<input type="checkbox"/>	<input type="checkbox"/>

Investment	Name of legal entity	Description

5 INTELLECTUAL PROPERTY

	<i>Do you have any intellectual property rights that might be affected by the outcome of the work carried out by the expert group/sub-group in question?</i>	yes	no
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5a	Patent, trademarks, or copyrights	<input type="checkbox"/>	<input type="checkbox"/>
5b	Others	<input type="checkbox"/>	<input type="checkbox"/>

Intellectual property	Description

6 PUBLIC STATEMENTS AND POSITIONS

	<i>Within the past 5 years, have you provided any expert opinion or testimony in the field of activity of the expert group/sub-group in question, for a legal entity or other body as part of a regulatory, legislative or judicial process? Have you held an office or other position, paid or unpaid, where you represented interests or</i>	Yes	no
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	<i>defended an opinion in the field of activity of the expert group/sub-group in question?</i>		
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6a	For a legal entity or other body as part of a regulatory, legislative or judicial process	<input type="checkbox"/>	<input type="checkbox"/>
6b	Represented interests or defended an opinion	<input type="checkbox"/>	<input type="checkbox"/>

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

7 INTERESTS OF IMMEDIATE FAMILY MEMBERS yes no

7a	To your knowledge, are there any interests of your immediate family members which could be seen as undermining your independence when providing advice to the Commission in the field of activity of the expert group/sub-group in question?	<input type="checkbox"/>	<input type="checkbox"/>
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Interests	Time period (from... until month/year)	Name of legal entity or body	Description

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

8 OTHER RELEVANT INFORMATION yes no

8a	Are there any other elements that could be seen as undermining your independence when providing advice to the Commission in the field of activity of the expert group/sub-group in question?	<input type="checkbox"/>	<input type="checkbox"/>
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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 (EU) 2018/1725¹³ and Commission Decision C(2016) 3301¹⁴.

I have been provided with the corresponding privacy statement which provides further information on how the Commission processes my personal data.

Date: _____

Signature: _____

¹³ Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

¹⁴ Commission Decision C(2016) 3301 establishing horizontal rules on the creation and operation of Commission expert groups.

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

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

According to the Commission's horizontal rules on expert groups ('the horizontal rules'), Commission expert groups and other similar entities are consultative bodies¹⁵, the role of which is to provide advice and expertise to the Commission and its departments in relation to a number of tasks¹⁶. Individuals appointed as members of expert groups or sub-groups in a personal capacity are due to act independently and in the public interest¹⁷.

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 exists¹⁸.

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

¹⁵ C(2016) 3301, Article 2.1.

¹⁶ Idem, Article 3.

¹⁷ Idem, Article 7.2. (a).

¹⁸ Idem, Article 11.

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:

- 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 stored, processed and published by the Commission in accordance with Regulation [\(EU\) 2018/1725](#)¹⁹ and Commission Decision C(2016) 3301²⁰.

¹⁹ Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

²⁰ Commission Decision C(2016) 3301 establishing horizontal rules on the creation and operation of Commission expert groups.

Annex V: Privacy Statement

PROTECTION OF YOUR PERSONAL DATA

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

Processing operation: *Selection of members of Commission expert groups and other similar entities ("the expert groups") and their sub-groups²¹ and publication of personal data on the Register of Commission expert groups and other similar entities ("the Register of expert groups").²²*

Data Controller: *Secretariat-General, Unit G4 (for the processing operation "publication of personal data on the Register of expert groups", DPR-EC-00656), and Directorate General Justice and Consumers, Unit E4 (for the processing operation "selection of members of the expert groups").*

Table of Contents

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

1. Introduction

²¹ Provisions included in this privacy statement referring to expert groups equally apply to their sub-groups.

²² The legacy notification under Regulation (EC) No 45/2001 on the Register of Commission expert groups and other similar entities is under revision, and data protection records under Regulation (EU) No 2018/1725 on the selection of members of expert groups and on publication of personal data on the Register of Commission expert groups and other similar entities are being created.

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

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

This privacy statement concerns the following processing operations:

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

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

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

The Register of expert groups is a public database containing a list of Commission expert groups and other similar entities and their sub-groups. For each expert group, the Register provides valuable information including personal data on the members of the expert groups, and their alternate, if any, members’ representatives, as well as of the groups’ observers and their representatives. The Register also includes documents that are produced and discussed by expert groups and which can contain personal data.

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

Purpose of the processing operations:

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

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

For candidates, personal data is stored by the Commission service managing the expert group. Some types of personal data of members appointed in personal capacity are made publicly available on the Register of expert groups (as described under sections 4 and 5 of this privacy statement). The names of the representatives of organisations, Member States and other public entities, as well as the name of specific national departments or other public authority which they represent may also be made publicly available on the Register of expert groups.

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

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

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

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

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

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

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

- *Name;*
- *Function;*
- *Contact details (for example, e-mail address, telephone number, mobile telephone number, fax number, postal address, company and department, country of residence);*
- *Information for the evaluation of selection criteria or eligibility criteria (for example, expertise, technical skills and languages, educational background, professional experience, including details on current and past employment);*
- *Nationality;*

- *Gender;*
- *Interest represented (only for individuals applying to be appointed as members of expert groups or sub-groups representing a common interest shared by stakeholders in a particular policy area and for organisations applying to be appointed as members of expert groups or sub-groups, as well as for their designated representatives);*
- *Information included in the declarations of interests, including personal data of immediate family members as required in the declaration of interests (only for individuals applying to be appointed as members of expert groups or sub-groups in a personal capacity).*

The provision to the Commission service of the personal data required is mandatory to meet a legal requirement of selecting members of expert groups as set in Commission Decision C(2016)3301. In principle, the types of personal data listed above, with the exception of contact details and information for the evaluation of selection criteria or eligibility criteria, are made publicly available on the Register of expert groups, in order to comply with the legal requirement to ensure transparency on the composition and functioning of expert groups. If you do not provide the personal data required, possible consequences are that you will not be considered for selection as a member of an expert group or, if already selected, your membership will be suspended.

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

5. How long do we keep your personal data?

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

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

- An XML file is created daily with all the information regarding active groups. All versions of this file, showing the situation of the Register of expert groups as of the day it was created, are stored in a file server for 5 years and are not public.

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

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

The Commission's contractors are bound by a specific contractual clause for any processing operations of your data on behalf of the Commission, and by the confidentiality obligations deriving from the General Data Protection Regulation in the EU Member States ('GDPR' [Regulation \(EU\) 2016/679](#))

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

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

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

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

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

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

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

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

As indicated in section 4, if you are a representative of an organisation, Member State or another public entity, you may consent to have your name published on the Register of expert groups.

You can withdraw your consent at any time by notifying the Data Controller. The withdrawal will not affect the lawfulness of the processing carried out before you have withdrawn the consent.

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

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

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

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

9. Contact information

- The Data Controller

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

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

- The Data Protection Officer (DPO) of the Commission

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

- The European Data Protection Supervisor (EDPS)

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

10. Where to find more detailed information?

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