



EUROPEAN COMMISSION  
HEALTH AND FOOD SAFETY DIRECTORATE-GENERAL

Rules of Procedure 24.1.2017

# ***The Expert Panel on Effective Ways of Investing in Health***

## ***Rules of Procedure***

# **RULES OF PROCEDURE**

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## **1. INTRODUCTION AND BACKGROUND**

Commission Decision 2012/C 198/06<sup>1</sup> (hereinafter "the Decision") set up a multi-sectorial and independent Expert Panel (hereinafter "the Panel") to provide advice on effective ways of investing in health.

Sound and timely advice is an essential requirement for the Commission's provision of information and knowledge relating to sustainability of health care systems. The mission of the Panel is to provide the Commission with independent and sound advice on health systems. The output of the Panel takes the form of opinions.

According to the Decision, Rules of Procedure are adopted by the Panel on proposal by and in agreement with the Commission.

These Rules of Procedure will be regularly reviewed in order to introduce the appropriate adaptations in light of experience through the same procedure applied for their adoption.

## **2. OBJECTIVES OF THE RULES OF PROCEDURE**

These Rules of Procedure regulate the functioning of the Panel, its Working Groups, the role of Panel Members and of the external experts, the various activities mentioned in the Decision, and the role and responsibilities of the Secretariat of the Panel (hereinafter "the Secretariat").

## **3. PRINCIPLES**

According to the Decision, the Panel should perform its tasks in compliance with the principles of excellence, independence, multi-sectoral approach, transparency, and confidentiality.

### **3.1. Excellence**

The opinion delivered must represent the best information and guidance that can be provided at the time of adoption of the opinion under the conditions and deadlines imposed. It shall be based on the best data, scientific knowledge and methodology available at the time of preparation of an opinion.

The principle of excellence refers to the performance and outcome of the entire process. It refers in particular to the intrinsic scientific quality of the opinion, its adequacy in relation to the aims of the consultation, its clarity, completeness and transparency. It also refers to the effective communication of the contents and conclusions of the opinions and the actual and perceived credibility of the process.

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<sup>1</sup> Commission Decision 2012/C 198/06 of 5 July 2012 on setting up a multi-sectoral and independent expert panel to provide advice on effective ways of investing in health, OJ C198 06.07.2012 p.7

### **3.2. Independence**

The opinion delivered by the Panel must not be influenced by any consideration other than the evaluation of elements relating to the question.

This principle implies in particular the independence from any external economic or political interests, but also from bias related to political, economic, social, philosophical, ethical or any other considerations.

The principle of independence refers to the organisation and results of the process, including in particular the independence criteria and conditions and arrangements for the participation of members, advisors and experts.

### **3.3. Transparency**

The meaning of the opinion and its purpose, the way conclusions were drawn, the limits of their validity and the relevant uncertainties must be clear and understandable for users, relevant stakeholders and the public. Equally, the organisation and process leading to the advice, as well as their rationale, must be presented in a clear and understandable manner. Openness, dialogue and collaboration with other bodies and third parties should also contribute to transparency.

### **3.4. Confidentiality (Professional Secrecy)**

The opinion delivered by the Panel is sometimes based on confidential information. The members of the Panel and the external experts are expected to respect the principle of confidentiality and exercise due diligence in not divulging confidential information acquired as a result of the work of the Panel, thematic workshops, working groups or other activities related to the application of this Decision. All participants and observers of the work of the Panel are to respect the confidentiality during the preparation of the opinion.

### **3.5. Multi-sectoral Approach**

The opinions delivered by the Panel should be the result of a collegiate, multi-sectorial, integrated approach integrating complementing and interlinked competences in the areas of health planning and budget prioritisation, health services research, hospital and healthcare management, healthcare provision and health education and promotion.

#### **4. RULES AND PROCEDURES RELATED TO INDEPENDENCE**

- 4.1** Members of the Panel and external experts shall undertake to act independently of any external influence. For this purpose, they shall make in writing a declaration of commitment (see Annex I) at the beginning of their mandate. They shall ensure that they do not directly or indirectly delegate their responsibilities to any other person or allow themselves to be influenced in any way in the execution of their duties.
- 4.2** In addition to Annex I members of the Panel and external experts shall make, in writing, an annual declaration of interests (see Annex II).

Members and external experts shall be in a position to show beyond question that they can act independently. They are under a continuing duty to make a declaration before undertaking any activity, situation, circumstance or other fact potentially involving a direct or indirect interest, as indicated in the explanatory notes included in the Annex in question, in order to allow the Panel and/or the Commission to identify those interests which might be considered prejudicial to the independence of the member, advisor or external expert.

These declarations of interest shall be made in writing and published in the Panel's website. They must be completed or updated timely with any relevant additional or new information.

- 4.3** Members and external experts participating in meetings of the Panel or in a Working Group or in any other activity on behalf of the Panel shall declare at the beginning of each meeting or event any activity, situation, circumstance or other fact potentially involving a direct or indirect interest, as indicated in the explanatory notes included in the relevant Annex in order to allow the Panel and/or the Commission to identify those interests which might be considered prejudicial to their independence in relation to the items on the agenda for that meeting or event. This declaration shall be made verbally following a request of the Chair or the Commission and should be noted in the minutes of the meetings.
- 4.4** The Secretariat, the Chair and the Panel shall ensure that the principles of independence of members and experts are complied with at all times. Members shall draw the Panel's and the Secretariat's attention through its Chair to any factual matter that could undermine external credibility of the Panel's work. The Panel's discussions of the matter shall be recorded.

In particular, the Secretariat shall draw the attention to all cases where it appears that a member or expert might have ceased to fulfil the requirement to act independently from any external influence and address the measures to be taken, included as appropriate, the revocation of his/her appointment.

- 4.5** Any member or external expert who, in accordance with his/her declaration or in the opinion of the Panel, the Working Group or the Commission, may not be able to act independently, shall be excluded from the activities considered or may only be allowed to participate to the

extent and in a way compatible with the objective to preserve the process from any undue influence. In such a case, the member or expert may not act as Rapporteur or as Chair in relation to the specific matter and may not participate in decision-making. The extent of the concerned individual's participation in the Panel's work shall be decided by the Chair in consultation with the Panel or Working Group members and in agreement with the Commission within the framework of these Rules of Procedure. Measures may include the physical withdrawal from the meeting for the point under discussion, or participation limited to the provision of factual information.

- 4.6** Conclusions and decisions taken in relation to the declarations of interest, as well as their rationale, shall be recorded. In the case of declarations presented during meetings, such records will be part of the minutes.
- 4.7** Members or external experts who receive documents or information of relevance for the Panel's or the Working Group's activities from third parties shall ensure that the information is made available promptly to the Secretariat.
- 4.8** Members or external experts contacted by third parties in connection with their participation on a specific question in Panel meetings, a Working Group or any other activity shall inform the Secretariat and refer the third party to the Secretariat.
- 4.9** Members and external experts shall inform the Secretariat of relevant contacts they might have with petitioners, special interest groups, other stakeholders or other Community or international bodies engaged in overlapping activities. The Secretariat shall advise on the action to be taken in consultation with the Panel as necessary.
- 4.10** When invited to represent the Panel, members or external experts shall ensure that they convey the views of the Panel, without expressing personal views or interpreting adopted opinions in a way that goes beyond the established position of the Panel. In such cases, they should inform and consult with the Secretariat in advance. Moreover, they should use the formats, templates and logos provided by the Secretariat in order to make visible the attribution of their presentations to the Panel.
- 4.11** They shall not speak on behalf of the Commission unless officially requested by the Commission to do so.

## **5. RULES AND PROCEDURES RELATED TO TRANSPARENCY**

- 5.1** The Panel shall operate in accordance with the need for a high level of transparency as set out in Decision (2012/C 198/06), without prejudice to legitimate requests for confidentiality or the need to safeguard the freedom and integrity of the debate and the independence of members and external experts vis-à-vis external influence.
- 5.2** Requests for access to documents will be handled in accordance with the provisions of Regulation n° 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, p.43). When considering the exceptions listed in Art. 4 of 1049/2001 account shall be taken of the need to preserve the integrity and the independence of the advice which supports the decision making process of the Community.

**5.3** The following documents of the Panel are published on the Panel's website (link introduced into the Register of the Commission expert groups and other similar entities and in the Health and Food Safety Directorate General Public Health site), subject to respect of confidentiality requirements as well as 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:

- Agendas of plenary meetings of the Panel.
- Minutes of plenary meetings and of working groups.
- Requests for opinions.
- (when relevant) Consultation document aimed at collecting feedback and comments on a given issue from specific stakeholders and/or the general public.
- (when relevant) Call for information and expertise (calls for experts, invitation to hearings, etc.).
- Final opinions.
- Declarations by members and external experts participating in on-going work of their commitment to act independently of any external influence.
- Annual declarations of interest made by members of the Panel and specific declarations of interests made by external experts who participated in working groups.
- Declarations of interest made in relation to items on the agendas of plenary meetings and Working Groups will be published as part of meeting minutes.
- The names of the members of the Panel together with their brief CVs.
- Rules of procedures.

**5.4** Names of members and external experts appointed to Working Groups, as well as their declarations of interest, shall be published.

**5.5** Availability of preparatory and draft working documents shall be restricted, on a need-to-know basis, to members, external experts, the Commission's secretariat, and representatives of the Commission's services with competence for a specific question. They shall not be given to third parties unless a different decision is taken in specific

cases by the Panel in agreement with the Commission, in view of a specific need to involve or inform urgently a third party as part of the process to complete the relevant work.

- 5.6** The Commission shall be responsible for determining the appropriate level of publicity to be given to an opinion and may request the assistance of the Chair, Rapporteurs or other members to ensure the validity of its press releases or related communication actions.
- 5.7** In the case of requests to the Panel for ad hoc advice, the rules and procedures related to transparency in sections 5.1 to 5.6 will be applicable in line with the provisions of Article 4 and Article 5 of Regulation n° 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, p.43).

## **6. RULES AND PROCEDURES RELATED TO CONFIDENTIALITY (PROFESSIONAL SECRECY)**

- 6.1** Members and external experts shall make a written declaration of confidentiality (see Annex III). They shall not divulge confidential information acquired as result of their work in the Panel, or one of the Working Groups.
- 6.2** The obligation not to disclose confidential information shall continue to apply even after the participation of members and external experts in the work of the Panel has ceased.
- 6.3** With the exception of minority opinions individual views, whether expressed orally or in writing by members and external experts during deliberations within the Panel or a Working Group, shall be confidential.

## **7. RELATIONS WITH THE COMMISSION**

- 7.1** The Panel may bring to the attention of the Commission any new, emerging or important issues in the area covered by the Panel which may need to be addressed by the Panel in the form of an opinion, statement or position paper.
- 7.2** The Panel may also bring to the attention of the Commission events (e.g. conferences, symposia) organised by other EU bodies, Member States or international organisations which may necessitate the involvement or participation of members of the Panel on behalf of the Panel or the Commission.
- 7.3** The Commission will, in all instances, examine the matter brought to its attention by the Panel and will decide on an appropriate course of action. It will inform the Panel of its decision.

## **8. FUNCTIONING OF THE PANEL**

### **8.1. Election of Chair of the Panel**

- 8.1.1** The Panel shall elect from among its members a Chair.
- 8.1.2** The terms of office of the Chair shall be 18 months, renewable.
- 8.1.3** A separate record shall be kept of the election procedure. The name of the Chair of the Panel shall be made public.
- 8.1.4** The Chair shall be elected by secret ballot and in writing.
- 8.1.5** The election procedure shall be chaired by the Commission.
- 8.1.6** The procedure shall be as follows:
- The election of the Chair can be held in a valid meeting session if the absolute majority of the total members (half of the total experts appointed as members plus one) agree to do so. Failing this, the election of the Chair shall be conducted via written procedure.
  - A meeting is considered valid when the absolute majority (half of the total number of members plus one) of the appointed panel members are present.
  - The election of the Chair shall be held separately.
  - The names of those wishing to stand as candidates shall be notified to the Secretariat before the meeting. Members may present themselves as candidates or be proposed by another member.
  - The candidates must, prior to the vote, declare that they are prepared to accept the post of Chair of the Panel and be prepared to assist the Commission on matters relating to the co-ordination of the Panel's work, including participating in co-ordination meetings organised and chaired by the Commission, if necessary.
  - The candidate receiving the majority of the votes of the members of the Panel shall be elected.
  - Members who have resigned or whose membership has been terminated shall not be taken into account for the calculation of the majority required.
  - If none of the candidates receives an absolute majority, a second ballot shall be held between the two candidates with the highest individual totals of votes in the first ballot. The procedure shall be repeated until one candidate obtains the majority of the votes of the members of the Panel.
  - Candidates may withdraw their candidature at any time during the procedure.
  - Where there is or remains a single candidate, that candidate shall be elected provided that he/she receives the absolute majority of votes cast.

**8.1.7** In the case of a written procedure, the process of election of the Chair set out in section 9.1.6 will be followed and will be conducted by a member of the Secretariat. The records of the vote will only be known to that member of the Secretariat and will be kept in confidence and security.

**8.1.8.** In the event of a tied vote between the candidates, the election of the Chair will be conducted via a drawing.

## **8.2. Role and replacement of Chair of the Panel**

**8.2.1** The Chair, in collaboration with the Secretariat, will be responsible for:

- Planning the work of the Panel in agreement with the Secretariat.
- Chairing, steering and moderating the discussions at meetings and drawing conclusions.
- Examining the declarations of interest, deciding, in consultation with the Panel and in agreement with the Commission, the relevant conclusions and action in order to ensure the effective application of the independence requirements.
- In collaboration with the Secretariat, monitoring the conformity of the activities of the Panel with all the relevant procedural methodological and substantive requirements, principles and standards established or deriving from the Commission Decision 2012/C 198/06, and these Rules of Procedure, and taking, or requesting the Commission to take as appropriate, the necessary measures.
- Representing the Panel.
- Appoints the Rapporteur(s) for each mandate (question).

**8.2.2** If the Chair is not in a position to fulfil his/her function, he/she shall be replaced another member chosen in common accord by the members.

**8.2.3** In case of conflict of interest<sup>2</sup> of the Chair with an item on the agenda,

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<sup>2</sup> A **conflict of interest** occurs when an individual or organization is involved in multiple interests, one of which could possibly corrupt the motivation for an act in another. The presence of a conflict of interest is independent from the execution of impropriety. Therefore, a conflict of interest can be discovered and voluntarily defused before any corruption occurs. A widely used definition is: “A conflict of interest is a set of circumstances that creates a risk that professional judgment or actions regarding a primary interest will be unduly influenced by a secondary interest.”<sup>[1]</sup> Primary interest refers to the principal goals of the profession or activity, such as the protection of clients, the health of patients, the integrity of research, and the duties of public office. Secondary interest includes not only financial gain but also such motives as the desire for professional advancement and the wish to do favors for family and friends. The secondary interests are not treated as wrong in themselves, but become objectionable when they are believed to have greater weight than the primary interests. The conflict in a conflict of interest exists whether or not a particular individual is actually influenced by the secondary interest. It exists if the circumstances are reasonably believed (on the basis of past experience and objective evidence) to create a risk that decisions may be unduly influenced by secondary interests.

he/she shall be replaced by another member chosen in common accord by the members.

### **8.3. Requests for Opinions, or ad hoc advice (mandates)**

**8.3.1** Requests for opinions or ad hoc advice shall be submitted by the Secretariat to the Panel. The request shall consist of background/rationale, the terms of reference and timing. It shall also clearly demonstrate a link with the policies of DG Health and Food Safety (i.e. mandate). This mandate shall be presented to the Panel by a representative of the requesting service, assisted by the Secretariat, or by the Secretariat on behalf of the requesting service.

**8.3.2** The terms of reference of the mandate shall be confined to issues relevant to the fields of expertise of the Panel as set out in Annex I of Commission Decision 2012/C 198/06.

**8.3.3** All mandates will be reviewed by the Secretariat in advance to submission to the Panel for conformity with the applicable template, clarity and completeness, pertinence in relation to the fields of competence of the Panel, and appropriateness of the terminology and policy relevance.

**8.3.4** Mandates may be submitted to public consultation according to the procedures set out in Section 8.7 of these Rules. The mandate may or may not be modified on the basis of the public consultation. In either case a proper justification should be provided in the opinion so as to ensure and document the transparency of the process.

**8.3.5** Questions submitted to the Panel, shall be subject to the transparency rules and procedures set out in section 5 of these Rules of Procedure.

**8.3.6** Where necessary, the Commission may require the Panel to adopt an opinion within a specified deadline. The Panel shall take the necessary measures to ensure that the deadline is respected.

**8.3.7** The Panel may ask the Commission to clarify a question and/or to supply additional information.

**8.3.8** The Commission may specify in the request for an opinion the consultations, hearings, or collaboration with other scientific bodies it deems necessary for the preparation of the opinion.

The Panel, in agreement with the Commission, may decide to hold a hearing and/or a consultation if considered necessary for completing an opinion. The practical aspects of such hearings and consultations shall be decided upon and managed by the Secretariat.

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*(1)Lo and Field (2009). The definition originally appeared in Thompson (1993).*

**8.3.9** The Commission may request the Panel to provide ad hoc advice to support the Commission with information in case of a need to react to specific concerns or requests from other institutions. When requesting an ad hoc consultation, the Secretariat will contact the Chair to identify the relevant expertise in the Panel, sources of information, scoping and formulation of the issue in question, and to agree on appropriate procedures and format for advice.

#### **8.4. Designation and role of Rapporteurs**

**8.4.1** The Chair of the Panel designates Rapporteurs from among Panel members.

The designation may be revoked.

**8.4.2** Rapporteurs shall be responsible for assembling information, editing and revising draft opinions and ensuring that draft reports and opinions are prepared within a set time period, where appropriate. The Rapporteur should also ensure that draft opinions are well structured, written in clear and simple language and are coherent. The Rapporteur shall work in close co-operation with the Secretariat.

**8.4.3** The work of a Rapporteur is concluded when the Panel publishes the opinion.

#### **8.5. Establishment and role of Working Groups**

**8.5.1** The Panel may establish Working Groups to undertake tasks which are clearly defined and directly linked to the mandate submitted by the Commission. In particular, the Working Group may be asked to undertake all necessary preparatory tasks in relation to a draft opinion. The Panel can require that these tasks be completed within a set period.

**8.5.2** Working Groups shall comprise at least one member of the Panel and may include external experts, as well as experts from other Community bodies. Working Groups shall be chaired by a member of the Panel.

**8.5.3** Members and external experts of a Working Group shall be designated by its Chair in agreement with the Chair of the Panel and in collaboration with the Secretariat in accordance with the procedure described in paragraph 9.6 below. They shall be invited to meetings by the Secretariat. If an expert is invited but not available, the Secretariat may, in agreement with the Chair of the Working Group, invite another suitable expert.

**8.5.4** A Working Group shall endeavour to reach a consensus. In the absence of a consensus, the position of the Working Group shall be that approved by a simple majority of its members. Nevertheless, the Chair of the Working Group and the Rapporteur shall inform the Panel of all the positions expressed.

**8.5.5** The Working Group shall report to the Panel to whose work it contributes, providing it with such reports or draft opinions as the Committee has requested.

**8.5.6** The names of participants in the Working Groups shall be included in the opinion to which they have contributed.

## **8.6. Selection of external experts to participate in Working Groups**

External experts designated to participate in Working Groups may be identified and selected (to be followed sequentially or simultaneously) 1) from the Database of experts; 2) by conducting a specific Call for Experts; 3) or through another systematic method as appropriate and 4) by suggestions from Panel members. The selection process set out should be recorded.

The database of experts consists of external experts possessing particular and relevant knowledge in order to contribute to the work of the Panel. They have been selected using an open call for expression of interest published on the Panel's website.

A short list of suitable candidates will be established by the Secretariat on the basis of the required fields of expertise defined by the Panel.

The Chair of the Panel and the Working Group Chair in collaboration with the Working Group members as appropriate will select the appropriate candidates from the short list. The selection process should be properly recorded in order to document the transparency of the process.

External experts shall in particular carry out the preparation, compilation and presentation of the scientific evidence base which serves as a basis for the opinion of the Panel.

## **8.7. Additional information and input from stakeholders**

### **8.7.1 Call for Information**

The objective of a Call for information is to ensure that all relevant information as specified in the Call is available to the Panel for its assessment.

In general, only submissions directly related to the Call and complying with its specifications will be considered. Any document referred to shall be attached to the e-mail in an appropriate electronic form. All relevant material specified in the scope of the Call should be attached to the submission of the contribution.

The name, title, organization, postal address, telephone number and e-mail address of the sender should appear in the text of the e-mail.

It should be noted that a submission shall not under any circumstances

be considered if:

- it is submitted after the deadline set out in the call;
- it does not correspond to the scope and format specified in the call and in these guidelines.

### **8.7.2 Organisation of public hearings**

Public hearings with stakeholder representatives may be organised

- at the initiative of the Panel, if they consider it necessary for the completion of an opinion;
- at the initiative of the Commission services in agreement with the Panel.

The Panel will decide who will represent them at the hearing. The members of the Panel shall not take any decisions during hearings.

Hearings can be organised as stand-alone independent events or in conjunction with the other data/information gathering activities of the Panel (call for information, public consultation on pre-consultation opinion).

The following procedures will apply for organising hearings:

- the Secretariat will publish the intention to organise a public hearing on behalf of the Panel on a particular subject, the specific items on which the Panel would wish to receive contributions and an invitation to interested parties to register;
- registration will be open for a period of 30 days;
- when registering, potential participants will be asked to provide full professional details, to specify the subject they wish to address in the hearing and to submit a 1-2 page technical justification for their request;
- approval for participation to the hearing will be decided on the basis of the following criteria:
  - interested participants should demonstrate appropriate expertise in the field;
  - interested participants have clearly identified the subject matter they would wish to contribute to and have provided sufficient written justification.

### **8.7.3 Public Consultation on a consultation paper or a draft opinion**

The Panel may decide to submit a consultation paper or a draft opinion to a public consultation in case the Panel and the Commission consider that it would enhance the quality of the work.

The objective of public consultations is to gather specific comments and suggestions, as well as any other relevant information regarding the questions addressed, in order to allow the Panel to focus on issues which need to be further analysed.

This particular consultation procedure should not be confused with other consultations launched by the Commission regarding policy or regulatory matters, for which a different scope, as well as rules and procedures apply.

In general, only submissions directly referring to the content of the consultation and relating to the issues that it addresses will be considered.

An automatic system to acknowledge receipt is foreseen and no further individual reply will be made.

The Commission services may decide, on a case-by-case basis, to publish the submissions corresponding to the criteria of the consultation, unless the author has explicitly opposed the publication of his or her contribution.

The Panel will consider all the relevant submissions related to the scope of the public consultation and will decide if and how each of the contributions should be taken into account in the formulation of the final opinion.

Depending on the consultation, the Panel shall include a section on the results of the consultation summarising in general terms the main issues raised and how they are addressed in the opinion as well as an Annex to the opinion listing the contributions received. However, it is not intended to provide any separate document on the consultation, the participation in it, or a summary of the submission received.

In addition, structured discussions with Member States might be organised by regular presentations at the Council Working Party at Senior Level.

## **8.8. Meetings (Notice, Agendas, Deadlines, Minutes, Access)**

**8.8.1** The Secretariat shall establish with the Panel a schedule for the Panel's plenary meetings, and as far as possible also the Working Group meetings, for the forthcoming calendar year.

**8.8.2** As a general rule, the Secretariat will confirm meetings of the Panel and Working Groups at the earliest possible date but no later than ten working days before the date of the meeting and shall give notification of cancellation not less than two working days before the date of the meeting.

**8.8.3** Meetings of the Panel and Working Groups may be called at short notice according to the urgency of the matters.

- 8.8.4** The Secretariat shall prepare the draft agenda of meetings of the Panel and the Working Group in agreement with the Chair and circulate it to members as far as possible no later than two weeks before the date of the meeting.
- 8.8.5** The draft agenda shall include new mandates submitted by the Commission and shall be accompanied by all appropriate and available supplementary information of relevance to the new mandates submitted. The Secretariat shall provide any additional information as soon as possible to the members.
- 8.8.6** The agenda shall be adopted at the beginning of the meeting taking account of any agreed amendments.
- 8.8.7** Wherever possible, documents including reports and draft opinions prepared by a Rapporteur or external expert shall be made available to the Secretariat for distribution to the members, associated members and external experts one week before the meeting where they will be discussed. Rapporteurs and members entrusted with the drafting of documents, reports or draft opinions shall ensure that this requirement is complied with.
- 8.8.8** Meetings of the Panel and its Working Groups shall not be open to the public.
- 8.8.9** Commission services with responsibilities relating to the topics on the agenda will be invited to be present in the meeting. They may assist for the purposes of clarification or provision of information but shall not seek to influence the outcome of discussions.
- 8.8.10** The Secretariat of the Panel shall prepare draft minutes of plenary meetings which shall contain at least:
- the list of participants and apologies for absence,
  - declaration of interests by participants concerning their independence including the relevant details, the action taken and its rationale,
  - the adopted agenda,
  - a summary of discussions, including important minority stand points and agreed actions,
  - a record of decisions taken and opinions adopted,
  - any abstentions during voting.
- 8.8.11** The draft minutes shall be circulated to members of the Panel for comments. They should be adopted not later than the next meeting.
- 8.8.12** Without prejudice to the provisions of paragraph 8.8 above, minutes shall be published on the Panel's website as soon as possible after their adoption.
- 8.8.13** Legitimate requests for commercial confidentiality shall be respected.

## **8.9. Format and content of Opinions**

**8.9.1** The opinion, depending on its type, comprises of:

- an abstract (where appropriate),
- an executive summary (where appropriate),
- the background (Community interests and scientific background),
- the terms of reference giving the specific question(s),
- the considerations used by the Panel to reach its conclusions (rationale),
- the conclusion (opinion), setting out the response to the question(s) posed by the Commission. For complex opinions, the conclusions shall be accompanied by a summary in non-specialised language,
- a bibliography,
- a list of abbreviations (where appropriate),
- a glossary (where appropriate),
- any minority opinions,
- composition of the working group.

**8.9.2.** The members of the Panel are responsible for the drafting process of the Opinions as well as for carrying out some substantial work themselves including background work on which the opinions can be based. The Commission will continue to support the Panel's work by providing support for editing and finalising the text; for the coordination within the Commission and with other EU institutions, WHO etc. working on similar topics; for the management of the public consultations; and for the dissemination of the opinions

**8.9.3** The Panel shall adopt opinions at its plenary meetings.

**8.9.4** The Panel may adopt an opinion, previously discussed in a Panel meeting, using the written procedure.

**8.9.5** In case of urgency, opinions may be adopted by accelerated procedures.

**8.9.6** Adoption of an opinion at the plenary meeting, by written procedure or by accelerated procedure will be done by a majority vote of those physically present or those who have responded (in the case of written or accelerated procedures) provided a quorum is attained. A plenary meeting is considered to have attained a quorum when at least half of the members plus one (at least 8 members) are either being physically present at the meeting or are participating in the meeting via teleconferencing. In the cases of adoption by written procedure or by accelerated procedure, quorum is considered to be attained when half plus one (at least 8 members) respond in writing to the request for adoption.

**8.9.7** Legitimate requests for commercial confidentiality are to be respected.

### **8.10. Minority opinions**

The Panel should strive to reach common conclusions. However, when it is not possible to reach such common conclusions, transparency should be ensured and the opinions of the Panel shall include any minority opinions together with supporting argumentation. Minority opinions can only be expressed by members and shall be attributed accordingly.

### **8.11. Rapid advice and Accelerated Procedure**

In case of urgent needs, the Commission may request the Panel to provide rapid advice. The rapid advice is intended to support the Commission with information in case of urgent need to react to public concerns or requests from other institutions. This procedure is not intended to produce full-fledged scientific reports. Normally it will apply in cases where the advice is needed within a few days.

When requesting rapid advice, the Secretariat will contact the Chair by the fastest means for identifying the relevant expertise in the Panel, the appropriate sources of information on the subject matter, and the scoping and formulation of the issue in question. On the basis of the indications obtained, the Secretariat will collect from the appropriate members and experts the information needed and will summarise it in collaboration with the Chair as appropriate.

The rapid advice may take either the form of informative "Rapid Advice Notes on Specific Issues" issued by the Secretariat in the most urgent cases prepared in accordance to the procedure mentioned above, or an opinion adopted by the Panel through an accelerated procedure launched by the Secretariat in agreement with the Chair.

In the latter case the Secretariat shall request, whenever possible in agreement with the Chair of the Panel, an external expert or a Working Group to draw up a draft opinion and submit it to the Secretariat within a set deadline.

If the Chair and Secretariat consider that the nature and urgency of the matter require an emergency meeting, the Secretariat shall endeavour to organise a meeting at short notice. The Secretariat shall put the draft opinion on the agenda of the next meeting of the Panel.

In the event that the circumstances do not require or allow holding a meeting, a draft opinion may be adopted by written procedure. In this case, the Secretariat shall send the draft opinion to the members of the Panel with a request for approval by a set deadline. The draft shall be adopted if the majority of the members of the Panel have expressed their approval before the deadline. If a majority is not reached, the draft opinion must be put on the agenda of the following meeting of the Panel or, if the urgency of the matter so requires, of an ad hoc meeting to be convened at the earliest date at which the quorum can be assured.

### **8.12. Voting Rules**

**8.12.1** The Panel shall adopt its opinions, ad hoc advice, rapid advice documents, memoranda and /or position statements in a valid meeting session by an absolute majority vote (one half of the total experts appointed as members plus one). If an absolute majority is not obtained, the opinion, rapid advice, memoranda and/or position statement shall be adopted via written procedure.

**8.12.2** Meetings are considered valid when the absolute majority (one half of plus one) of the experts who have been appointed by the Commission as members of the Panel are present.

**8.12.3** Members who have resigned or whose membership has been terminated shall not be taken into account for the calculation of the majority required.

### **8.13. Information to the Secretariat**

Members and external experts should inform the Secretariat about all issues concerning their activities related to the Panel work, for example:

- communication with members/experts regarding the work of the Panel;
- relations with the media (interviews, articles, letters etc.);
- presentations/speeches regarding the work of the Panel.

### **8.14. Co-operation with other Scientific Bodies**

#### **8.14.1 Diverging opinions**

The Panel shall assist the Commission and contribute to identifying, resolving or clarifying at an early stage potential or actual divergence between their opinions and the scientific opinions of Community, National and International bodies carrying out similar tasks. Similarly, they will assist and contribute to identifying needs and possibilities for co-ordination of work and collaboration, in particular the need for a joint opinion and/or a joint working group or exchange of experts as members of a working group.

When a substantive divergence is identified with a Community body, the Panel concerned shall, at the request of the Commission, cooperate with the body concerned. To this end the Commission may convene a meeting between the Panel and the scientific organs of the bodies concerned. The Panel shall designate a Rapporteur.

When it is not possible to resolve divergent opinions, a joint document clarifying the contentious scientific issues and identifying the relevant uncertainties in the data shall be submitted to the Commission. This document shall be made public.

#### **8.14.2. Co-operation with other EU, national, international and non-EU bodies**

The Panel shall assist the Commission in establishing and maintaining good collaboration with other relevant Community, National or International bodies.

In particular, the Panel shall assist the Commission on scientific and technical matters requiring co-ordination and co-operation with other Community bodies, notably with the Economic Policy Committee and the Social Protection Committee.

## **9. ROLE OF THE SECRETARIAT**

In addition to the specific tasks referred to in these Rules of Procedure, the Secretariat shall be responsible for providing administrative support necessary to facilitate the efficient functioning of the Panel, to monitor compliance with the rules of procedure, particularly in relation to the requirements for excellence, independence, transparency, multi-sectorial approach and confidentiality, to ensure communication on the Panel's activities and the appropriate stakeholder dialogue, including in particular organisation of hearings, and publication of the opinions and other public documents.

Moreover, the Secretariat shall provide support to the Panel and organise and apply quality control of the opinions as far as completeness, consistency, clarity, correspondence with requests and with editorial standards are concerned. The Commission will offer editorial support and provide the panel with information necessary to ensure that their opinion is "fit for purpose". Specific duties shall include in particular:

- 9.1** Ensuring best use of resources and the planning to meet priorities and time limits.
- 9.2** Ensuring that requests for opinions comply with the requirements on mandates.
- 9.3** Identifying, in collaboration with the requesting service, and including in the mandates the requirements concerning scientific meetings, hearings, consultations, collaboration with other bodies.
- 9.4** Avoidance of overlapping or inconsistent opinions.
- 9.5** Preparing the work of the Panel and its Working Groups, in consultation with the Chair.
- 9.6** Provide information on the legislative/policy aspects of the questions with the help of the relevant and interested Commission services.
- 9.7** Ensuring that relevant background information is made available to the Panel and its Working Groups.
- 9.8** Assisting in identifying the appropriate advisors and experts to be invited in working groups.
- 9.9** Organising the appropriate dialogue between the Panel and the requesting services at various stages, including feedback from the

services on the adopted opinions. The Secretariat will agree with the requesting services procedures for ensuring that the dialogue with the Panel takes place on a systematic basis, e.g. in the form of presentations and meetings. One person from the Commission services will act as a contact point for the Panel and will provide the members with the relevant background information on the mandate. The Secretariat shall inform the Panel of the arrangements made and systematically monitor their application.

- 9.10** Assisting the Chair of the Panel and its Working Groups in the preparation of the draft opinions in particular by monitoring, assessing and reporting to the Committees, before adoption, the quality of draft opinions, in particular in relation to correspondence with the mandate, completeness, clarity and coherence, editorial standards, as well as conformity to the principles of excellence, independence, multi-sectorial approach and transparency and the other relevant principles and standards referred to in these Rules of Procedure.
- 9.11** Assuring the technical co-ordination of the activities of the Panel in relation to the activities of other Community and International bodies with similar fields of competence.
- 9.12** Deciding, in agreement with the interested Commission Services about the publication of memoranda, position statements, documents resulting from scientific meetings and thematic workshops.
- 9.13** Monitoring compliance of members with participation criteria and informing the Commission as appropriate.
- 9.14** Together with the contact point integrating the Panel in the work of the DG Health and Food Safety by informing the members about relevant meetings and conducting brain storming sessions when appropriate.

## **10. PUBLICATION OF THE OPINIONS AND OTHER DOCUMENTS**

- 10.1** All documents mentioned under paragraph 5(3) and in particular the adopted Opinions shall be published on the Panel's website by the Secretariat without undue delay.
- 10.2** For any other document, the Secretariat, in agreement with the interested services shall decide about the publication and dissemination case by case.

## **11. DISSEMINATION AND FEEDBACK**

- 11.1** A dissemination plan shall be prepared for each mandate clearly indicating the potential target audience and the best and most efficient ways of reaching them. This might include circulation of the opinions and lay-language summaries after the publication, as well as preparation of communication materials and events including targeted workshops and conferences.
- 11.2** When timely, the opinions shall also be presented to the Council

Working Party at Senior Level on a regular basis.

- 11.3** The Commission shall keep the Panel members informed of how the opinions are used in the policy making process.

## **12. REPRESENTATION**

The Secretariat may invite the Chair to represent the Panel in external events, contacts, missions etc. as appropriate. Chairs of Working Groups and Rapporteurs may be designated by the Secretariat to make presentations of the opinions to which they have contributed. Other members and experts may be invited by the Secretariat to attend events, meetings etc. in relation to the work of the Panel's activities, but shall not speak on behalf of the Panel, unless this is in agreement with the Secretariat.

The Commission also encourages the Panel members to speak at public events and to publish articles on the subject of the opinions in journals.

## **13. PARTICIPATION CRITERIA AND TERMINATION OF MEMBERSHIP**

The minimum participation criteria are fixed as follows:

- 13.1** In each calendar year, it is expected that members will be in a position to attend at least 70% of the meetings of the Panel and Working Groups to which they have been invited.
- 13.2** Members are expected to be in a position to contribute actively to the discussion and deliberations on subjects within their field of competence during meetings of the Panel and its working groups and, when requested, with written comments.

The extent to which members have been in a position to participate in the work of the Panel will be assessed by the Secretariat on a yearly basis. After consultation with the Chair, the Secretariat shall examine the situation with the members who have not been in a position to comply with the participation criteria and inform the Commission in view of possible decisions in accordance with Article 3(5) of the Commission Decision 2012/C 198/06.

## **14. THEMATIC WORKSHOPS, SCIENTIFIC MEETINGS, NETWORKS**

Thematic workshops shall be organised by the Secretariat:

- At the request of the Commission itself, or
- At the initiative of the Panel, in agreement with the Commission.

The objective of such workshops may be to review data and scientific knowledge on particular risks or broad health issues. These workshops may involve members, external experts, including experts from Community, National or International bodies carrying out similar tasks.

Workshops at the initiative of the Panel will be organised by the Secretariat subject to consultation of the interested Commission services, availability of funds and adequate planning.

## **15. MISSION EXPENSES AND INDEMNITIES OF MEMBERS AND EXTERNAL EXPERTS**

- 15.1** Travel and subsistence expenses incurred by members, advisors and external experts in connection with Panel meetings and activities are reimbursed in accordance with the Commission's rules.
- 15.2** Members of the Panel and external experts are entitled to a special indemnity for the attendance and the preparation to meetings as set out in Annex II of Commission Decision 2012/C 198/06.
- 15.3** Indemnity payments for attendance are directly linked to presence as documented by the attendance list which is signed by participants in the meetings of Committees and Working Groups or agreed external meetings and certified as correct by the meeting secretary. Participation through audio or video link will be authorised by the Secretariat.
- 15.4** Rapporteurs shall be entitled to an indemnity for attendance and for preparation as set out in Annex II of Commission Decision 2012/C 198/EC. A written agreement between the Rapporteur and Commission services will be established when the Rapporteur is nominated. Payment of the indemnity will be made after adoption of the specific opinion by the Panel.

## ANNEX I

### DECLARATION OF COMMITMENT

#### Expert Panel on effective ways of investing in Health

Name:

Position:

Member of the Panel

External expert

#### 1- Commitment

While contributing to the Panel's activities, I shall:

- act independently in the public interest and to make complete declarations of any direct or indirect interests that might be considered prejudicial to my independence;
- attend meetings regularly and contribute actively to the work of the Panel;
- Respect the Commission internal security policy and measure made available to me;
- Always set an exemplary conduct in all activities linked to the Panel;
- Comply with the Panel's rules on Declarations of interest and independence;
- As far as applicable, comply with the rules on expert's reimbursement of travel expenses and payment of allowances and indemnities in place in the Commission;
- Read and understand the way personal data are processed as detailed in point 2 of the present Declaration;
- Ensure appropriate use of scientific publications provided by the Panel and respect copyrights as explained in point 3 of the present Declaration;
- When communicating with media, stakeholders or the general public on a matter that falls within the Panel's remit always keep the Panel's Secretariat informed.

**Duration:** The validity of the present Declaration is limited to one mandate of the Panel from the date of signature, unless I inform the Panel's Secretariat on the termination of my activities in the Panel.

## **2- Personal data processing & respect of privacy**

- Regulation (EC) N° 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 applies to Scientific Committees' activities. The present Declaration constitutes a legal act in the view of Article 23 of the aforementioned Regulation and the undersigned is considered to be a processor of personal data on behalf of Scientific Committees in view of Article 2(e) of the Regulation. As a processor of personal data, the undersigned is subject to the following obligations:
  - To process the data received in the context of the assignment with the Panel solely for the purpose for which it was transmitted;
  - To act only on instruction of the Panel's Secretariat, in its capacity of controller with regard to any personal data processing in the context of the assignment with the Panel;
  - To ensure the confidentiality and security of personal data processing in view of Articles 21 and 22 of the Regulation, without prejudice to the obligations regarding confidentiality and security laid down in the national data protection legislation of the EU Member State, in which the undersigned is having her/his residence;
  - To follow specific instructions of the Panel's Secretariat in the case of transfer of personal data to any third party, therefore observing appropriate security safeguards to avoid unauthorised processing and disclosure.

## **3- Copyrights and library working tools provided by the Panel**

In case I am involved in the preparation of scientific outputs, I may receive from the Panel's Secretariat scientific publications and journals protected by copyrights as hand-outs or via e-mail.

I shall be allowed to make limited use of journals and scientific publications, but shall not:

- Distribute copies of articles and journals to third parties;
- Use articles or journals for commercial purposes;
- Use the materials for other purposes than the Expert Panel's assignment

Done at

Date

Signature: .....

## ANNEX II

### **GUIDANCE TO DECLARATION OF INTERESTS**

#### **INTRODUCTION**

1. This guidance relates to the implementation of the provisions on independence and transparency of Commission Decision 2012/C 198/06.
2. It aims at giving clear indications on how to declare any interest that could affect the ability of the expert to act in the public interest.
3. According to Decision 2012/C 198/06, the responsibility for declaring all relevant interests is placed on the individuals completing their declaration.
4. Experts are nominated to the Expert panel on effective ways of investing in Health of the European Commission as independent experts, strictly in their personal capacity and not as representatives of public or private bodies, organizations or states.
5. An "interest" declared is not automatically considered to create a conflict of interest. It is well understood that, in general, individuals who are involved in a particular process have an inherent professional interest in the subject and in being involved in the process as such. In particular, interests of an intellectual nature are considered as essential to safeguard the quality and overall objectivity of the scientific work.
6. These Rules of Procedure cover the Declaration of Interest to be filled in by the Members before the start of their mandate, the Annual Declaration of Interests (ADoI), required from all members of the Panel and the Specific Declaration of Interests (SDoI), required from all experts participating in Working Groups (including the relevant Panel members).
7. The ADoI is a written declaration which has a broad scope and describes all the interests that could conceivably give rise to a conflict in the general operation of the Panel. This declaration has to be done on an annual basis, at the beginning of the year.
8. The SDoI is linked to a specific subject matter and enables to assess whether a conflict of interest exists in the context of the specific activity. It is to be filled in before the start of every Working Group. It should be completed by all members of the Working Group. It should be updated whenever a new relevant interest occurs which is not yet specified in the actual SDoI or ADoI. In addition, ad hoc SDoIs may be requested from Working Group experts who are not Panel members when they are asked to participate to special events on behalf of the Panel (e.g. hearings at the EP, meetings with stakeholders, etc).

9. Declarations of Interest are declared by an expert as an indication of where conflicts of interest could arise and do not require from the author to assess whether there is actually a conflict. The assessment of whether there is a potential conflict is performed by the peers (i.e. the Chair and the other members of the Panel) and by the Secretariat.

## **WHAT TO DECLARE?**

Members of the Panel and external experts shall declare current and past activities (as specified under "other definitions" below) in the ADoI and SDoI (same form). The Commission recognizes that high quality and up-to-date scientific expertise is by nature based on prior experience, connection to the scientific world and involvement in current research. Therefore, having an interest does not necessarily mean having a conflict of interest.

### **1. Ownership of shares or other investments.**

This applies to any financial interests in a company or other entity operating in a business that can be affected directly by the opinions of the Panel. This includes holding of any form of equity, bonds, partnership interests<sup>3</sup> in the capital of a company. The holding of financial interests connected with a pension scheme or other complex investment funds would not be considered a financial interest, provided that the individual has no influence on its financial management.

### **2. Membership in a Management Body or equivalent structure.**

This means any participation in the internal decision-making of a company, trade association or other private entity such as a non-profit organisation dealing with issues related to the scope of work of the Panel (e.g. board membership, directorship).

### **3. Membership in another Advisory Body**

The person concerned is participating or has participated in the works of a Advisory Body with a right to vote on the outputs of that entity.

### **4. Employment**

All forms of employment, part-time and full-time, either paid or unpaid, in any organisation having activities falling within the scope of the work of the Panel.

### **5. Consultancy/Advice**

Any paid or unpaid, past, present or future activity in which the expert or his dependent collaborators provide technical or scientific advice or services in domains of relevance for the work of the Panel.

### **6. Research**

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<sup>3</sup> When declaring financial interests e.g. stock and shares, only the kind, company name need to be stated.

Any current or future influence on the definition of research priorities, the drafting of research programmes or the selection of research projects and current funding of research in relation to matter or work financed by a private or public entity, including grants, rents, sponsorships and fellowships.

## **7. Intellectual property rights (IPR)**

Rights granted to creators and owners of works that are the result of human intellectual creativity that bring personal financial benefit to the expert. Only the IPR falling within the remit of the work of the Panel need be taken into account. These can be copyrights, patents, trademarks etc.

## **8. Other membership or affiliation**

Any membership or affiliation other than the above which can be perceived as an interest in the field of activity of a Committee.

## **9. Interests of close family members**

Known interests as described under points 1 to 8 held by family members and relatives (spouse, parents, children, brothers and sisters) or other persons under the care of the members of the household of the expert. In order to maintain privacy, their names do not need to be declared. The relationship (e.g. wife) need not be specified.

## **10. Other**

Any interest other than the above which can be perceived as a potential source of conflict in an activity included in a Committee's remit.

## **Other definitions**

Current means ongoing activities.

Past period means activities that are no longer ongoing and which have been completed in the preceding five years.

Name of entity or organisation means name, location and nature of all organisations (private, public, etc.) that relate to the Panel's remit. Thus, for the purpose of the declarations of interests the involvement in public bodies needs to be included as well.

Subject matter is to be interpreted as meaning the domain in which the activity was or is carried out. Any data collection and any other interest stemming from prior experience or affiliation of the individual with private or public institutions should equally be declared.

## **CONSEQUENCES OF NOT DECLARING AN INTEREST**

Failure to fulfil in a timely and complete manner any of the obligations detailed above will be considered as a prima facie breach of trust towards the Commission. As a consequence, the Commission will take any actions deemed necessary, including the dismissal of the concerned persons from the Panel.

## **PUBLICATION**

The ADols and SDoIs will be made public in accordance with the provisions on transparency foreseen by Decision 2012/C 198/06. They will be posted on the website of the Panel: [http://ec.europa.eu/health/expert\\_panel/index\\_en.htm](http://ec.europa.eu/health/expert_panel/index_en.htm).

## **COMPLIANCE WITH PROVISIONS ON PERSONAL DATA PROTECTION**

The Commission shall process Dols pursuant to 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.

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.

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**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>
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<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, 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 Advisory Body with voting rights on the outputs of that entity?</i>	<b>yes</b>	<b>no</b>
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<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 Advisory Body</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>

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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>
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<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>
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<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>
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<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.

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>4</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>5</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>6</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>7</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

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<sup>4</sup> [C(2016) ...] Article 2.1.

<sup>5</sup> Idem, Article 3.

<sup>6</sup> Idem, Article 7.2. (a).

<sup>7</sup> Idem, Article 11.

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

