Call for expressions of interest with a view to setting up a group of experts on the property consequences of marriage in the European Union (“PRM-III”)

1. The European Commission invites applications with a view to setting up a group of experts on the property consequences of marriage and other forms of union (“PRM-III”) in accordance with this call for expressions of interest.

Role of PRM-III

2. PRM-III will be consulted as part of the preparatory work on the projects associated with area III of the PRM (Programme of measures for implementation of mutual recognition of decisions in civil and commercial matters)\(^1\), i.e. rights in property arising out of a matrimonial relationship and other forms of union.

3. The group of experts set up by the Commission will be required to make a practical contribution to the Commission's work of preparing legislation on the subjects covered by its remit.

4. PRM-III will follow on from PRM III/IV, which operated from 2006 to 2008\(^2\) and focused on point IV of PRM, i.e. wills and succession. In view of the expertise already acquired in that area and the time scale provided for in the work programme, the Commission now wishes to concentrate on acquiring expertise in area III of the PRM.

5. The Commission is calling, therefore, for expressions of interest in PRM-III and applications for inclusion in the list of applicants.

Composition of PRM-III

6. The group of experts will comprise some 20 members, who, under the current rules, will be qualified persons selected by the Commission on the basis of the following criteria:

Selection criteria

7. The selection of participants in PRM-III will be based on the following fundamental conditions: variety of legal traditions; competence and experience; commitment. PRM-III will try to bring together the widest possible range of legal traditions present in the Member States.

8. Applicants wishing to be part of PRM-III will have to qualify on the basis of their personal competence and experience in the law and practice of matrimonial property regimes and other legal regimes relating to the property effects of marriage and other forms of union. They should also have a sound knowledge of private international law and comparative law. Knowledge of the tax aspects of these fields will be an added advantage.

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\(^1\) OJ C 12 of 15.1.2001, pp. 1 to 9.
\(^2\) OJ C 51 of 1.3.2006, p. 3.
9. Applicants should also have professional experience of analysing legislation or providing legal advisory services, or experience of settling disputes in the requisite fields of expertise mentioned above.

10. In any event, the Commission will take account of the following criteria when assessing applications:

- proven competence and experience, including at European and/or international level, in the relevant fields;
- members of the group of experts must be nationals of a Member State of the European Union or, if appropriate, of an acceding country or a European Economic Area country.

11. Information on the following points should be attached to each proposal:

- For which authority/organisation does the applicant work? How long has he/she been working there?
- Has the applicant worked for other authorities/organisations in the past?
- What are his/her specific competences?
- What specific projects and/or assignments has he/she taken part in?
- Has he/she published any works in the fields with which the group of experts is concerned?
- Has he/she acquired experience at European Union level and international level?
- What is his/her experience as a practitioner?
- What will be his/her major professional challenges in the near future?

12. Applicants should supply evidence of their personal experience and high level of competence by submitting with their application a detailed curriculum vitae\(^3\) and, where appropriate, a letter stating their reasons for applying.

13. Members appointed in a personal capacity should, each year, make a written declaration of commitment and a declaration of interests. In any event, they should undertake to participate in the work of PRM-III in their respective areas of specialisation and to devote sufficient time to analysing the documents submitted to them, preparing practical comments within the time limits set and discussing their observations in the group.

14. For organisational reasons, applicants should be able to attend meetings, examine documents and make comments in English or French. They must therefore have a very good knowledge of spoken and written English and/or French and must confirm this in their

\(^3\) All curricula vitae should be submitted in the European format: www.cedefop.eu.int/transparency/cv.asp.
application. Applicants should also be willing to work using electronic methods for the management and exchange of documents and should be reachable by email.

15. The Commission applies an equal opportunities policy for men and women and ensures a well-balanced geographical representation from across the European Union.

**Attendance at meetings**

16. While the Commission acknowledges that all official Community languages are equal in importance, for practical organisational reasons the group's working languages will be English and French. Participants in workshops may agree, though, to add other Community languages for written and spoken communication, without the Commission supplying interpreting and translation infrastructure or services. Meetings organised by the Commission will be held on its premises in Brussels.

17. Members of the group of experts will receive no remuneration for their duties. Travel expenses for meetings of the expert group organised by the Commission will be refunded and a fixed daily subsistence allowance will be paid in accordance with the current rules of the institution. Under those rules, the Commission may decide to offer attendees tickets and hotel accommodation instead of refunding their travel expenses and paying them a fixed daily allowance.

18. The applicants selected will be appointed individually by the Commission for a renewable term of two years. They will advise the Commission without regard for any outside instructions and will observe the conditions of confidentiality laid down in the Commission decision setting up the group of experts.

**Operation**

19. The group of experts will carry out its activities in accordance with the rules of procedure adopted by the Commission for that purpose and with the terms of reference of the group, which will provide information on the operation of PRM-III and will be published by the Commission after the group has been set up.

**Selection process and conditions**

20. Applications which meet the requirements set out in this call for expressions of interest will be assessed comparatively by the Commission in the light of the above criteria (points 7 to 15). The Commission will select applicants on the basis of their personal qualifications. It will draw up a list of participants in PRM-III and will inform them individually.

21. The Commission reserves the right to include any third party in the activities of PRM-III.

22. Once selected, members of the group of experts may be excluded from it if the information they have provided about their experience is incorrect, if they do not make the practical contribution required or if they do not regularly attend PRM-III meetings.

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23. The Commission reserves the right, by applying the criteria set out in this call for expressions of interest, to fill any posts that become vacant as a result of exclusion or voluntary resignation from PRM-III.

**Application procedure**

24. Applications for PRM-III must arrive, duly signed, by 30 April 2008 at the latest:

- either by electronic mail: JLS-coop-jud-civil@ec.europa.eu, or by letter (date as postmark) at the following address: European Commission, Directorate-General JLS, Unit C-1 secretariat, LX 46 01/182, B-1049 Brussels;

- or hand-delivered against receipt to the following address: European Commission, Directorate General JLS, Unit C-1 secretariat, LX 46 01/182, B-1049 Brussels;

- for further details, please contact Ms Ewa Wiwatowska, tel. (+32-2) 295 08 95, fax (+32-2) 299 64 57, e-mail: Ewa.WIWATOWSKA@ec.europa.eu.

25. Expressions of interest should be accompanied by a completed application form and a curriculum vitae. The application form is available on the Commission’s website: http://ec.europa.eu/civiljustice/ and http://ec.europa.eu/justice_home/.

26. Applications should be submitted in English or French. Applicants who wish to submit their application in another official language of the European Union should provide a translation into English or French. Supporting documents may be required at a later stage. All applications will be treated in confidence.

27. The Commission reserves the right to reject any expression of interest sent in after 30 April 2008.

**Data protection**

28. The list of members of the PRM-III group of experts will be published in the Official Journal of the European Union. Collection, management and publication of the names of members will be carried out in accordance with the provisions of Regulation (EC) No 45/2001.5

In the light of the European institutions’ policy on transparency6 and the need to inform the public of the identity and professional qualifications of experts selected to advise the institutions, the personal data of these individuals may be consulted in the register of expert groups throughout an expert’s term of office, except where he/she asks for his/her name to be deleted from the public site.

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