

CONTINUOUSLY OPEN CALL FOR APPLICATIONS FOR THE SELECTION OF MEMBERS OF THE EXPERT GROUP ON RADIO EQUIPMENT

(Version 3 replacing the previous version)

1. Background

The Commission's Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs (hereinafter referred to as "DG GROW") has set up a group of experts on radio equipment ("the group").

The group's tasks shall be to:

- a) assist the Commission in the preparation of legislative proposals and policy initiatives in the field of the internal as well as digital single market, including new technological (radio) developments, also networked (e.g. the 'Internet of Things'), for radio equipment;
- b) assist the Commission in the preparation of any Commission acts in relation to Directive 2014/53/EU¹, in particular delegated acts as well as, before submission to the Committee referred to in Article 45 (1) of Directive 2014/53/EU, implementing acts;
- c) ensure cooperation and coordination between the Commission and EU² Member States or stakeholders on questions relating to the implementation of Union legislation, programmes and policies in the field of the Internal as well as Digital Single Market, including new technological (radio) developments, also networked (e.g. the 'Internet of Things'), for radio equipment;
- d) foster exchange of experience and good practice in the field of the Internal as well as Digital Single Market, including new technological (radio) developments, also networked (e.g. the 'Internet of Things'), for radio equipment.

The Commission is calling for applications with a view to selecting members of the group, as specified below, other than Member States' authorities and other public entities, which will be appointed by direct invitation.

The group shall have a broad mandate covering all the aforementioned aspects, and is not limited in time. The group's mandate, therefore, also included tasks that were related to the work of the expert group on Reconfigurable Radio Systems (E03413), which had to examine the best and most effective options which can be a grounding for the draft of one or more delegated acts under Article 3(3)(i) and Article 4(2) of Directive 2014/53/EU.

¹ Directive 2014/53/EU of the European Parliament and of the Council of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC (OJ L 153, 22.5.2014, p. 62).

² European Union.

However, given that the latter group had already started its work, had a smaller membership with specific expertise and a narrower focus, and because it had to operate only for a limited duration (one year subject to renewal), it had been decided not to merge the two groups. Instead, the expert group on Reconfigurable Radio Systems was maintained as a separate expert group to allow it to complete its work. That expert group has already ceased to exist.

2. Features of the Group

2.1. COMPOSITION

2.1.1. The group shall consist of up to 80 members.

2.1.2. Members shall be:

- a) Organisations in the broad sense of the word, if operating at European level and if performing specific activities or representing specific interests in relation to the internal or digital single market for radio equipment (including its new developments³), of manufacturers, industrial users, consumers, suppliers, retailers as well as repair and maintenance providers ('Type C members');
- b) One competent authority, in relation to the internal market for radio equipment, per EU Member State, at national, regional or local level ('Type D members');
- c) One competent authority, in relation to the internal market for radio equipment, per EFTA⁴ state, which is a party to the European Economic Area Agreement,⁵ at national, regional or local level ('Type E members');
- d) One competent authority, in relation to the internal market for radio equipment, from Switzerland⁶ as well as from Turkey, at national, regional or local level;⁷ ('Type E members');
- e) European standardisation bodies referred to in Annex I of Regulation (EU) No 1025/2012⁸, if they are related with the preparation of standards for the purposes of Directive 2014/53/EU, as well as the association of conformity assessment bodies formed for the purposes of Directive 2014/53/EU⁹ ('Type C members');¹⁰

³ i.e. new technological (radio) developments, also networked (e.g. the 'Internet of Things' or interconnected robots or machines)

⁴ European Free Trade Association.

⁵ OJ L 1, 3.1.1994, p. 3.

⁶ Mutual Recognition Agreement between the EU and Switzerland (OJ L 114, 30.4.2002, p. 369).

⁷ Customs Union between the EU and Turkey (OJ L 35, 13.2.1996, p. 1).

⁸ OJ L 316, 14.11.2012, p.12.

⁹ See footnote 1.

¹⁰ Appointed by the Director General of DG GROW by direct invitation, and not as a result of the open call for applications, as they have been officially recognized by the European Union in their role as regards the Directive.

- f) One competent authority, in relation to the internal market for radio equipment, from every State other than the States referred to in subparagraphs (b) to (d), that concludes an agreement with the European Union which provides for the consultation of experts from the third State in the preparation of related measures, falling under an area covered by the agreement and under the conditions set out in the agreement ('Type E members').

2.1.3. Members shall nominate their representatives and shall be responsible for ensuring that their representatives provide a high level of expertise. DG GROW 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, other than Type C members referred to in chapter 2.1.2 (a), shall be appointed by the Director General of DG GROW by direct invitation.

Type C members referred to in chapter 2.1.2 (a) shall be appointed by the Director General of DG GROW from applicants complying with the requirements referred to in chapter 4 of this call.

Each member shall be appointed for five years. At the end of each term of a member, the term of office of that member is tacitly renewed for another period of five years, unless DG GROW notifies that member that the term of office is not renewed, at the latest one month before the end of the term of that member¹¹.

Members who are no longer capable of contributing effectively to the group's deliberations, who in the opinion of DG GROW do not comply with the conditions set out in Article 339 of the Treaty on the functioning of the European Union or who resign, shall no longer be invited to participate in any meetings of the group. and may be replaced for the remainder of their term of office. In particular, Type C members referred to in chapter 2.1.2 (a) who, in the opinion of DG GROW, cease to satisfy the requirements set out in chapter 4 of this call shall no longer be invited to participate in any meetings of the group and may be replaced, for the remainder of their term of office.

Registration in the Transparency Register is required in order for Type C members to be appointed.

2.3 RULES OF ENGAGEMENT AND OPERATION OF THE GROUP

The group shall be chaired by a representative of DG GROW.

The group shall act at the request of DG GROW.

¹¹ With respect to members of the group appointed before 1 January 2020, this period runs from 1st January 2020.

In principle, the group shall meet on Commission premises in order to perform the tasks referred to in chapter 1.

DG GROW shall provide secretarial services.

Members' representatives should be prepared to attend meetings systematically, to contribute actively to discussions in the group, to be involved in preparatory work ahead of meetings, to examine and provide comments on documents under discussion, and to act, as appropriate, as 'rapporteurs' on ad hoc basis.

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

The group shall adopt its opinions, recommendations or reports by consensus. In agreement with the Chair, the group may adopt its opinions, recommendations or reports by voting. In the event of a vote, the outcome of the vote shall be decided by simple majority of the members. The members that voted against or abstained shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

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

Participants in the activities of the group and sub-groups shall not be remunerated for the services they offer.

Travel expenses incurred by representatives of the EU Member States participating in the activities of the group (and sub-groups) 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. Such reimbursements shall be limited to one representative per EU Member State. Travel and subsistence expenses of other participants in the activities of the group (and sub-groups) shall not be reimbursed by the Commission.

The members of the group, 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) 2015/443¹² and 2015/444¹³. Should they fail to respect these obligations, the Commission may take all appropriate measures.

On a proposal by and in agreement with DG GROW, the group shall adopt its rules of procedure on the basis of the standard rules of procedure for expert groups and in line with the Terms of Reference of the group.

¹² Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

¹³ 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).

DG GROW may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the group or sub-groups on an ad hoc basis.

Individuals, organisations or 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 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 GROW may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by DG GROW. Sub-groups shall operate in compliance with the horizontal rules and shall report to the group. They shall be dissolved as soon as their mandate is fulfilled. The members of sub-groups that are not members of the group shall be selected via a public call for applications.

The group may be terminated by Decision of the Director General of DG GROW.

2.4. TRANSPARENCY

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

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

- the name of Member States' authorities;
- the name of third countries' authorities;
- the name of member organisations, including the name of bodies referred to in chapter 2.1.2 (e); the interest represented shall be disclosed;
- the name of observers.

DG GROW 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 GROW shall ensure publication of the draft 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° 1049/2001¹⁴.

¹⁴ 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.

Personal data shall be collected, processed and published in accordance with Regulation (EU) 2018/1725.¹⁵

3. Application procedure

Interested organisations, referred to as Type C members in chapter 2.1.2 (a), are invited to submit their application to the European Commission, DG GROW.

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 group.

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

Supporting documents

Each application shall include the following documents:

- a cover letter explaining the applicant's motivation for answering this call and stating what contribution the applicant could make to the group;
- a classification form duly filled in specifying the member category for which the application is made (Annex I);
- a selection criteria form duly filled in documenting how the applicant fulfills the selection criteria listed in chapter 4 of this call (Annex II).

For individuals 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>).

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

Deadline for application

This call will remain open. Applications can be sent at any time to GROW-RED@ec.europa.eu.

DG GROW will assess applications received as long as the work of the group should require members to be appointed.

¹⁵ 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, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.

4. Selection criteria

4.1. GENERAL CRITERIA

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

- proven performance of specific activities or representation of specific interests, at European level, in relation to the internal or digital single market for radio equipment;
- experience in preparing analytical papers and/or opinions in relation to the internal or digital single market for radio equipment;
- extent of proven operational capacity of the organisation to take part in the work of the group, to be demonstrated by its experience in the internal or digital single market for radio equipment elaborated in a description of the organisation;
- understanding of relevant EU legislation;
- hierarchical level and experience of the proposed representatives in areas relevant to internal market for radio equipment;
- good knowledge of the English language of the proposed representatives allowing active participation in the discussions; and
- employment of the proposed representatives as specified in chapter 4.2 of this call.

4.2. SPECIFIC CRITERIA

Due to the fact that critical policy aspects, such as cybersecurity, are discussed within the group, including sharing of relevant information and early drafts of legal acts, unrestricted participation of any person may lead to vulnerabilities for the EU in terms of safeguarding its interests, policy objectives, and values. Therefore, the representatives of any Type C members of the group shall be employed by an EU entity or by an EEA entity, as defined below¹⁶.

Within the meaning of this call for applications, EU entities are legal entities established in a Member State of the European Union, while EEA entities are legal entities established in a Member State of the European Free Trade Association (EFTA) that are also members of the European Economic Area (EEA), in accordance with the conditions laid down in the Agreement on EEA.

The aforementioned Type C members that are controlled by entities established in third countries will not be considered as EU entities or as EEA entities. The control should be understood as the ability to exercise a decisive influence on a legal entity directly, including through national legislation, or indirectly through other means including control over its corporate structure and decision-making process, its infrastructure, facilities, assets, resources, intellectual property or know-how needed for the purposes of the expert group.

¹⁶ Representatives of any Type C member of the Group, if those representatives were appointed before 1/5/2022 and do not meet this condition, shall cease to be representatives as of 1/1/2023.

5. Selection procedure

The selection procedure shall consist of an assessment of the applications performed by the DG GROW against the selection criteria listed in chapter 4 of this call, followed by the establishment of a list of the most suitable applicants, and concluded by the appointment of the members of the group, as long as the work of the group requires so.

When defining the composition of the group, DG GROW shall aim at ensuring, as far as possible, a high level of expertise, as well as a balanced representation of relevant know how and areas of interest, while taking into account the specific tasks of the group, the type of expertise required, as well as the relevance of the applications received.

For any further information please contact: GROW-RED@ec.europa.eu

ANNEXES:

- I. Classification form
- II. Selection criteria form
- III. Privacy statement

Annex I - Classification form¹⁷

To be filled in by all applicants

This application is made as:

☐ **An organisation (Type C member).**

Transparency Register identification number: [...]

Nota Bene: although registration in the Transparency Register (TR) is required in order to be appointed as a Type C member of an expert group, it is not mandatory for the application procedure. Thus, interested individuals and organisations that at the time of the application are not featured yet on TR and, as a consequence, do not have a TR identification number, may still apply. However, should the applicant be selected as a result of the call for applications, it shall register in the TR as a condition to be appointed as a Type C member.

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):

Definitions for organisation types

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

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
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Small	< 50	≤ € 10 m	≤ € 10 m
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Micro	< 10	≤ € 2 m	≤ € 2 m
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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 your organisation operates:

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

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

For organisations applying to be appointed as Type C members

Name of the organisation¹⁸:

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

¹⁸ It is mandatory to use exactly the same name as the one encoded in the Transparency Register.

Annex II: Selection and eligibility criteria form

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

Proven performance of specific activities or representation of specific interests, at European level, in relation to the internal or digital single market for radio equipment	
Experience in preparing analytical papers and/or opinions in relation to the internal or digital single market for radio equipment	
Extent of proven operational capacity of the organisation to take part in the work of the group, to be demonstrated by a description of the organisation, its experience in the internal or digital single market for radio equipment	
Understanding of relevant EU legislation	
Experience and hierarchical level of the proposed representatives in areas relevant to internal or digital single market for radio equipment	
Good knowledge of the English language of the proposed representatives allowing active participation in the discussions	
Employment of the representatives by an EU or EEA entity	

For organisations applying to be appointed as Type C members

Name of the organisation¹⁹:

Surname of the representative proposed:

First name of the representative proposed:

Entity that employs the representative proposed:

Surname of the person applying on behalf of the organisation:

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

Date:

Signature

¹⁹ Idem

Annex III: 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 entities²⁰ and publication of personal data on the Register of Commission expert groups and other similar entities ("the Register of expert groups").*

Data Controller:

- *Secretariat-General, Unit F.4 (for the processing operation "Providing a public register of Commission expert groups and other similar entities", DPR-EC-00656), and*
- *Directorate General for Internal Market, Industry, Entrepreneurship and SMEs, Unit H.2 (for the processing operation "Selection of members of Commission expert groups and other similar entities", DPR-EC-01066).*

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²⁰ Provisions included in this privacy statement referring to expert groups equally apply to their sub-groups.

1. Introduction

The European Commission (hereafter ‘the Commission’) is committed to protect your personal data and to respect your privacy. The Commission collects and further processes personal data pursuant to [Regulation \(EU\) 2018/1725](#) of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.

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 Commission expert groups and other similar entities”** undertaken by the Commission department which runs the selection process for your expert group and which is the Data Controller for the selection process, Directorate General for Internal Market, Industry, Entrepreneurship and SMEs, Unit H.2, and

(2) **“publication of personal data on the Register of expert groups and other similar entities”** undertaken by the Commission, Secretariat-General, Unit F.4 which is the Data Controller together with the Commission department managing your expert 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 and other similar entities 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.

For the purpose of this privacy statement and the corresponding records, the term “expert groups” describes Commission expert groups in the sense of Article 2(1) of Commission Decision C(2016)3301²¹ and their sub-groups, as well as other similar entities in the sense of Article 2(2) of Commission Decision C(2016)3301 and their sub-groups.

²¹ Commission Decision C(2016)3301 of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups.

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 Commission 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 individuals appointed as members (either appointed in personal capacity to act independently and in the public interest or to represent a common interest shared by stakeholders in a particular policy area) are made publicly available on the Register of expert groups (as described under Headings 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) 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) 2018/1725). The Union act for such necessary processing under Article 5(1)(a) and (b) of Regulation (EU) 2018/1725 is Commission Decision C(2016)3301 of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups and in particular Articles 10 and 22 thereof.

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

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

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

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

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

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 three years after the end of the selection process and do not

process them for other purposes; these personal 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 Heading 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 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 authorised for carrying out this processing operation and to other authorised Commission 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 Headings 4 and 5, is publicly available on the Register of expert groups.

The XML files referred to in Heading 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).

Please note that pursuant to Article 3(13) of Regulation (EU) 2018/1725, public authorities (e.g. Court of Auditors, EU Court of Justice) which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients. The further processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing.

The information we collect will not be given to any third party, except to the extent and for the purpose we may be required to do so by law.

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 Heading 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 Heading 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 10 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 Directorate General for Internal Market, Industry, Entrepreneurship and SMEs, Unit H.2, grow-red@ec.europa.eu.

Likewise, as regards the data published on the Register of expert groups, please contact the corresponding Data Controller Secretariat-General, Unit F.4: SG-EXPERT-GROUPS@ec.europa.eu.

- The Data Protection Officer (DPO) of the Commission

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

- The European Data Protection Supervisor (EDPS)

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

10. Where to find more detailed information?

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

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