

CALL FOR APPLICATIONS FOR THE RENEWAL OF THE MEMBERSHIP OF THE EXPERT GROUP ON THE IMPLEMENTATION OF THE PACKAGE TO EXCHANGE AND TRANSMIT PAYMENT DATA TO COMBAT VAT FRAUD

1. Background

On 18 February 2020, the Council adopted a legislative package introducing transmission and exchange of payment data in order to combat VAT fraud¹.

The package aims at enhancing Member States' capacity to fight e-commerce VAT fraud. It introduces new record-keeping obligations for payment service providers established in the EU and creates a mechanism for tax authorities to collect, exchange and analyse the payment data transmitted by payment service providers.

In particular the legislative package:

- Introduces an obligation for payment service providers to :
 - ✓ Keep records of cross-border payments when the payer is in a Member State and the payee is in another Member State, third country or third territory and when the payee receives more than 25 payments per quarter;
 - ✓ Transmit the records to the tax authorities of the Member States where they provide their payment services.
- Creates an EU database called Central Electronic System of Payment information (CESOP):
 - ✓ To be developed and maintained by the Commission;
 - ✓ Where the tax authorities will transmit the payment data;
 - ✓ Accessible only to the anti-fraud experts of the Member States for the purpose of fighting VAT fraud;
 - ✓ That will store, aggregate and analyse the payment data.

This system will allow Member State' tax authorities to detect fraudsters established in another Member State or in third countries, which sell goods or supply services to consumers on their territories.

In light of the above, in March 2020 the Commission's Directorate-General Taxation and Customs Union ('DG TAXUD') set up an expert group on the implementation of the legislative package to transmit and exchange payment data in order to combat VAT fraud, which was composed of a limited number of Member States and several business organisations acting as Payment Service Providers.

¹ [Council adopts new rules for exchange of VAT payment data](#)

The smooth and sound implementation of the legislative package depends on a number of factors that are not all in the hands of tax administrations, such as the proper budget allocation for IT development, the correct and timely transposition of the legislation. Therefore, depending on the topics at stake, the participation to the group might be extended to the level of Directors of both Member States administrations and the Commission (in order to provide for clear guidance and achieve a quick resolution of issues threatening the comprehensive and timely implementation of the system, such as legal constraints or technical delays). The participation might include representatives from national authorities responsible for the public procurement of the required IT development.

Furthermore, the group shall nominate specific observers at high level that are able to monitor Member States' performance and provide technical leadership (for instance from the TADEUS network).

From a system implementation point of view, the group's tasks shall be to provide expertise to the Commission:

- (a) in developing, operating and maintaining the Central Electronic System of Payment information;
- (b) to set-up the business requirements and necessary capabilities for CESOP to be able to perform its functions properly;
- (c) regarding the exchange of information between payment service providers, in order to develop the electronic standard form that will be used for the transmission of payment data from payment service providers.

DG TAXUD considers it now appropriate to renew the membership of this group offering all Member States and a wider range of Payment Service Providers the possibility to participate in the work of the group. With this increased expertise, the group should then support the Commission more comprehensively.

With this call, the Commission is requesting applications with a view to selecting members of the group other than Member States' authorities.

Payment service providers appointed as members of the group in 2020 should express their interest by responding to this call for applications if they intend to continue to participate in the work of the group.

2. Features of the Group

2.1. COMPOSITION

Members shall be:

- up to twenty seven Member States' tax authorities specialised in anti-fraud, on a voluntary basis;
- up to fifteen organisations acting as payment service providers under the provisions of Directive (EU) 2015/2366 ("PSD2") and which fall under the reporting obligation laid down in article 243b of the amended Directive (EU)

2006/112, with experience in exchange of payment information and payment processing.

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

2.2. APPOINTMENT

Member States' tax authorities shall be appointed by direct invitation.

Member organisations shall be appointed by the Director General of DG TAXUD from applicants complying with the requirements referred to in section 4 of this call.

The group will last one year, renewable for an additional year. Accordingly, member organisations shall be appointed for one year. They shall remain in office until replaced or until the end of their term of office. Their term of office may be renewed for an additional year.

Registration in the Transparency Register² is required in order for organisations to be appointed.

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

Member organisations which are no longer capable of contributing effectively to the group's deliberations, which in the opinion of DG TAXUD do not comply with the conditions set out in Article 339 of the Treaty on the Functioning of the European Union or which resign, shall no longer be invited to participate in any meetings of the group and may be replaced for the remainder of their term of office.

2.3 RULES OF ENGAGEMENT AND OPERATION OF THE GROUP

The group shall be chaired by Director C of DG TAXUD, who in case of absence may delegate this task to a TAXUD head of unit.

The group shall act at the request of DG TAXUD in compliance with the Commission's horizontal rules on expert groups ('the horizontal rules')³.

In principle, the group shall meet two to six times per year on Commission premises or through online means in order to perform the tasks referred to in chapter 1. DG TAXUD 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

² <http://ec.europa.eu/transparencyregister/public/homePage.do?locale=en#en>

³ See Article 13.1 of the horizontal rules.

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.

As far as possible, the group shall adopt its opinions, recommendations or reports by consensus. In the event of a vote, the outcome of the vote shall be decided by simple majority of the members. Members who have voted against or abstained shall have the right to have a document summarising the reasons for their position annexed to the opinions, recommendations or reports.

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

Travel and subsistence expenses incurred by organisations acting as payment service providers for the activities of the group and sub-groups shall not be reimbursed by the Commission. Travel expenses incurred by EU Member States' representatives, 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 fiscal matters in the European Union under the FISCALIS programme⁴. The Commission shall reimburse one expert per EU Member State.

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

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

DG TAXUD 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.

DG TAXUD may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by DG TAXUD. 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.

⁴ Regulation (EU) No 2021/847 of the European Parliament and of the Council of 20 May 2021 establishing the 'Fiscalis' programme for cooperation in the field of taxation and repealing Regulation (EU) No 1286/2013.

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

⁶ Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53).

2.4. TRANSPARENCY

The group shall be registered in the Register of Commission expert groups and other similar entities ('the Register of expert groups')⁷.

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

- the name of Member States;
- the name of member organisations; the interest represented shall be disclosed.

DG TAXUD shall make available all relevant documents, including the agendas, the minutes and the participants' submissions, either on the Register of expert groups. In particular, DG TAXUD shall ensure publication of the agenda and other relevant background documents in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be foreseen where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001⁸.

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

3. Application procedure

Interested organisations are invited to submit their application to DG TAXUD .

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 is sent by the deadline and includes the documents referred to below. All documents submitted by applicants should be duly filled in, legible, signed and numbered sequentially.

Supporting documents

Each application shall include the following documents:

- a cover letter explaining the applicant's motivation for answering this call and stating what 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 section 4 of this call (Annex II).

⁷ <http://ec.europa.eu/transparency/regexpert/index.cfm>

⁸ 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.

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

The duly signed applications must be sent by 22 June 2023 at the latest. The date of sending will be established as follows:

- Where applications are sent by e-mail to the following e-mail address: TAXUD-UNIT-C4@ec.europa.eu , the date of the e-mail will be the date of sending.
- Where applications are sent by post to the following address: European Commission, DG TAXUD, Unit C4 - Tax administration and fight against tax fraud, secretariat – Rue de Spa 3, B-1000 Brussels, the postmark will be considered the date of sending.
- Where applications are hand-delivered to the following address: European Commission, DG TAXUD, Unit C4 - Tax administration and fight against tax fraud, secretariat – Rue de Spa 3, B-1000 Brussels, the date on the receipt given upon delivery will be considered the date of sending.

4. Selection criteria

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

- proven and relevant competence and experience, including at European and/or international level, in areas relevant to the execution of payments and the exchange of information for the processing of payments (authorisation process,etc.);
- excellent knowledge of payment service providers processes and information exchanged for the execution of payments;
- expertise in data management within payment service providers;
- knowledge of IT processes for the exchange and collection of data between payment service providers;
- competence, experience and hierarchical level of the proposed representatives;
- good knowledge of the English language allowing active participation of the organisations' representatives in the discussions.

5. Selection procedure

The selection procedure shall consist of an assessment of the applications performed by DG TAXUD against the selection criteria listed in section 4 of this call, followed by the establishment of a list of the most suitable applicants, and concluded by the appointment of the members of the group.

When defining the composition of the group, DG TAXUD 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 DG TAXUD, Unit C4 Tax administration and fight against VAT fraud, e-mail: TAXUD-UNIT-C4@ec.europa.eu

ANNEXES:

- Annex I: Classification form
- Annex II: Selection criteria form
- Annex III: Privacy statement

Annex I - Classification form⁹

To be filled in by all applicants

This application is made as: (*please select only one option*)

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 C member of an expert group, it is not mandatory for the application procedure. Thus, interested 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

Academia, Research Institutes and Think Tanks

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

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

Banks/Financial institutions

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

Companies/groups

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

Law firms

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

NGOs

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

Professionals' associations

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

Professional consultancies

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

Trade and business associations

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

Trade unions

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

Other organisations

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

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

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

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

Definitions for interests represented

Academia/Research

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

Civil society

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

Employees/workers

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

Finance

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


Industry

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

Professionals

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

SMEs

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

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

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

Company category Employees Turnover or Balance sheet total

Medium-sized < 250 ≤ € 50 m ≤ € 43 m

Small < 50 ≤ € 10 m ≤ € 10 m

Micro < 10 ≤ € 2 m ≤ € 2 m

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

Other interest

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

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

Please select one **or more policy areas** in which you/your organisation¹⁰ operate(s):

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

¹⁰ To be inserted as required.

- 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 organisation¹¹:

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

¹¹ It is mandatory to use exactly the same name used when registering in the Transparency Register.

Annex II: Selection criteria form¹²

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

Proven and relevant competence and experience, including at European and/or international level, in areas relevant to the execution of payments and the exchange of information for the processing of payments (authorisation process,etc.).	
Excellent knowledge of payment service providers processes and information exchanged for the execution of payments.	
Expertise in data management within payment service provider.	
Expertise in data management within payment service providers.	
Knowledge of IT processes for the exchange and collection of data between payment service providers.	
Competence, experience and hierarchical level of the proposed representatives.	
Good knowledge of the English language allowing active participation of the organisations' representatives in the discussions.	

¹² This form must be filled in, signed and returned with the application.

For organisations applying to be appointed as Type C members

Name of the organisation¹³:

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

¹³ It is mandatory to use exactly the same name used when registering in the Transparency Register.



EUROPEAN COMMISSION

Annex III

PROTECTION OF YOUR PERSONAL DATA

Processing operation: *Selection of members of Commission expert groups and other similar entities¹⁴ 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 F4 (for the processing operation "Providing a public register of Commission expert groups and other similar entities", DPR-EC-00656), and*
- *DG TAXUD, Unit C4 (for the processing operation "Selection of members of Commission expert groups and other similar entities", DPR-EC-01066).*

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¹⁴ 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 DG TAXUD, Unit C4, 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)3301¹⁵ 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.

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

¹⁵ Commission Decision C(2016)3301 of 30 May 2016 establishing horizontal rules on the creation and operation of Commission expert groups.

groups, of representatives of candidate members and observers, and of immediate family members of candidate members and observers to be appointed in personal capacity to act independently and in the public interest.

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

For candidates, personal data are 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.

The names of the representatives of organisations, Member States' authorities and other public entities is usually not published in the Register of expert groups, as those persons only express the position of the organisation or entity that they represent, and, therefore, it is the name of the organisation, Member State's authority or other public entity that matters to ensure transparency of the work of the expert group. 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), unless specific and exceptional circumstances make it necessary to publish them to achieve the purpose of the processing operation, in accordance with Article 5(1)(a) of Regulation (EU) 2018/1725.. No other types of personal data of representatives is published.

The submissions of members in the context of the work of expert groups and subgroups are generally made public, with personal data withheld where appropriate.

In the cases when the group is chaired by a person different than the Commission or its services, the name of this person may be published on the basis of consent (Article 5(1)(d) of Regulation (EU) No 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).*
- *Personal data that may be included in submissions of members of expert groups.*

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, for individuals appointed as members or observers in personal capacity to act independently and in the public interest and for individuals appointed as members or observers to represents a common interest, 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.

The submissions of members in the context of the work of expert groups and subgroups are generally made public, with personal data withheld where appropriate.

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. They may furthermore be published in specific and exceptional circumstances where such publication is necessary to achieve the purpose of the processing operation.

The name of a person chairing the group, when this person is not from within the Commission (i.e. the group elects a chair from among its members or the Commission or its services appoint an individual as chair), may be published with his/ her prior freely given, specific, informed and unambiguous consent.

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. Following this five-year period, the personal data is transferred to the historical archives and a review takes place no later than 25 years after that transfer to the historical archives to evaluate whether to keep the data permanently or to delete some or all data.
- 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. Following this five-year period after the closure of the group, the personal data is transferred to the historical archives and a review takes place no later than 25 years from that transfer to evaluate whether to keep the data permanently or to delete some or all data.
- 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 on the servers of the Commission. 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.

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, are 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, European Ombudsman) 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) and Article 35 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.

Data subject requests shall be handled within one month from receipt of the request by the Commission. That period may be extended pursuant to 14(3) of Regulation (EU) 2018/1725. Should more time be required to handle the request for justified reasons, the data subject shall receive a holding reply from the unit responsible for the request.

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 TAXUD-UNIT-C4@ec.europa.eu

Likewise, as regards the data published on the Register of expert groups, please contact the corresponding Data Controller Secretariat-General, Unit F4: 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.