



EUROPEAN
COURT
OF AUDITORS

Ioanna METAXOPOULOU

Director

Chamber IV Directorate – Regulation of markets and competitive economy

NOTICE OF CALL FOR EXPRESSIONS OF INTEREST

EXTERNAL EXPERTS IN GEO-BLOCKING IN THE EUROPEAN UNION REGULATION (EU) 2018/302 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 28 FEBRUARY 2018, EU LAW AND EU DIGITAL SINGLE MARKET

1. Contracting authority

European Court of Auditors,
12, rue Alcide De Gasperi,
1615 Luxembourg, LUXEMBOURG.
Internet: <http://www.eca.europa.eu>

2. Context and objective, application procedure

The European Court of Auditors (ECA) was established in 1975 as the European Union's external auditor. One of the EU's seven institutions, it is based in Luxembourg and employs around 900 audit, support and administrative staff of all EU nationalities.

The ECA operates as a collegiate body of 27 Members, one from each EU Member State. Our auditors check that the EU keeps good accounts and correctly applies its financial rules, and that its policies and programmes achieve their intended objectives and deliver value for money.

Through our work, we contribute to improving the EU's financial management and promote accountability and transparency. We warn of risks, provide assurance, indicate shortcomings and successes and offer guidance to EU policymakers and legislators. We present our observations and recommendations to the European Parliament, the Council of the EU, and national governments and parliaments, as well as the general public.

For general information about the ECA, please refer to our website at the following link: <http://www.eca.europa.eu>.

The ECA carries out compliance and performance audits. Based on its findings, the ECA will produce on the basis of Article 287(4) of the TFEU an Annual Report and Special Reports, which will be published. To prepare the reports, the audit team may need support from experts regarding opinions and consultancy (hereinafter referred to as "assignment(s)").

The ECA is therefore organising a call for expressions of interest (hereinafter referred to as “CEI”) on the basis of Articles 237 of the Financial Regulation¹ with a view to select remunerated external experts who will be asked to provide opinions and advice in the field of geo-blocking in the European Union, Regulation (EU) 2018/302 of the European Parliament and of the Council of 28 February 2018, and EU law on the EU digital single market.

A list of experts shall be drawn up following the call for expression of interest. The experts will conclude short-term assignments with the ECA, in the form of service contracts.

Expressions of interest should be submitted in one of the official languages of the European Union by electronic mail at the following address: eca-procurement.service@eca.europa.eu

Inclusion on the list entails no obligation on the part of the ECA concerning the conclusion of contracts.

3. General description of the procedure

Natural persons are invited to submit an expression of interest in accordance with the rules set out in this notice (see point 13).

The ECA will draw up a list of experts who meet the criteria set out in point 10.

Where a particular task relating to the field described at point 6 needs to be performed by an external expert, the ECA will assign experts to the task after selection on the basis of the necessary skills, experience and knowledge and in accordance with the principles of non-discrimination, equal treatment and absence of conflict of interests (see point 14).

4. Protection of personal data

Processing your expression of interest involves the recording and processing of personal data (such as your name, address and CV). Such data will be processed pursuant to Regulation (EU) 2018/1725 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. Unless indicated otherwise, your reply to this notice and any personal data requested, are required for the purposes indicated above in point 4 and will be processed solely for those purposes by the ECA, which is also acting as data controller. Details concerning the processing of your personal data are available on the privacy statement at:

https://www.eca.europa.eu/ContentPagesDocuments/Privacy_statements/Public_procurement/Specific_Privacy_Statement_for_Procurement_and_External_Experts_EN.pdf

The responsible Authorizing Officer of the Commission may register your personal data in the Early Detection and Exclusion System (EDES), should you be in one of the situations listed in Article 136 and 141 of the Financial Regulation.

¹ [Regulation \(EU, Euratom\) No 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations \(EU\) No 1296/2013, \(EU\) No 1301/2013, \(EU\) No 1303/2013, \(EU\) No 1304/2013, \(EU\) No 1309/2013, \(EU\) No 1316/2013, \(EU\) No 223/2014, \(EU\) No 283/2014, and Decision No 541/2014/EU and repealing Regulation \(EU, Euratom\) No 966/2012.](#)

5. Use of the list resulting from this notice

The list resulting from this notice will be used exclusively for tasks to be carried out as follows:

- execution of the tasks within the field described at point 6, **up to a maximum remuneration of €140.000,00** (including travel, accommodation and daily allowances reimbursements) per expert.

When the above ceiling is reached (or is about to be reached) the expert can no longer be assigned tasks covered by the present call for expression of interest (CEI).

6. Full description of the fields covered by the call for expressions of interest

6.1 Geo-blocking in the European Union and Regulation (EU) 2018/302 of the European Parliament and of the Council of 28 February 2018

The assignments may inter alia cover the following issues:

- 6.1.1 the design of Regulation (EU) 2018/302 and its role within the legal framework applicable to the EU digital single market (see point 6.2);
- 6.1.2 the enforcement of Regulation (EU) 2018/302 and its impact on the EU digital single market.

6.2 EU law applicable to the digital single market

The assignments may inter alia cover the following EU laws, with reference, in particular, to their relationship with and implications on Regulation (EU) 2018/302:

- 6.2.1 EU Competition law;
- 6.2.2 EU Consumer protection law;
- 6.2.3 EU copyright law;
- 6.2.4 EU law applicable to cross-border sales;
- 6.2.5 Other EU law which regulates the digital single market.

7. Place of delivery

The place of performance of each assignment shall be the expert(s)' premises or any other place indicated in this notice.

To ensure information security and confidentiality where specific information provided by the auditee is to be assessed, the expert(s) shall be required to work in a secure data room and on computers provided at the ECA' premises or at those of the auditee, in order to ensure information security and confidentiality.

With regard to other confidential documents and information, it remains at the ECA' discretion to determine the level of security and confidentiality as regards their handling. The expert(s) shall be available for teleconferences, meetings and debriefings at the ECA' premises in Luxembourg, and for meetings to discuss and clarify pending issues and examine documents at the auditee's premises.

8. Expiry date of the list resulting from this call for expressions of interest

The list resulting from this notice is valid for five years from the publication date of this notice. Interested parties may submit an expression of interest at any time prior to the date indicated in point 16.

9. Exclusion criteria

Experts who are not a national of an EU Member State and/or that are in one of the situations described in Articles 136 and 141 of the Financial Regulation shall be excluded from participation in this CEI.

In this connection, experts are required to provide a formal declaration on honour (Annex 2 of this notice), dated and duly signed, stating that they are not in one of the situations described in Articles 136 and 141 of the Financial Regulation. In case of doubt, the ECA reserves its right to request supporting evidence it considers necessary (in particular a recent extract from the expert's judicial record, a recent certificate issued by the competent authorities of the Member State where they reside at the date of publication of the present CEI, confirming payment of taxes and of social security contributions).

In addition, the selected experts cannot work for the European Commission at the deadline for the submission of their expression of interest and they shall not accept any assignment from the European Commission, in relation with the present CEI, for the duration of their assignment with the ECA.

10. Selection criteria

The experts applying to the present CEI shall:

- 1) Have a university degree in a field relevant to this CEI (e.g., law or audit);
- 2) Have a minimum of five years of professional experience in EU law, in particular in at least one of the fields listed in point 6;
- 3) Be proficient in either English or French.

Experts can, optionally, fill in the attached project reference form (annex 4) regarding publications or projects provided to public or private bodies and related to their field(s) of expertise.

The number of relevant publications or projects are taken into consideration for the individual assignment.

Regarding the supporting evidence, please see point 13, selection procedure.

11. Type and duration of assignment

ECA short-term expert assignments will involve support to the audit team, remotely carrying out specific studies or drafting reports, and/or provide training to ECA staff.

The **tasks to be performed** are:

- an analysis of Regulation (EU) 2018/302 and its connections within the overall EU legal framework applicable to the digital single market (see point 6) ;
- an analysis of the enforcement of Regulation (EU) 2018/302 and of case law relevant to geo-blocking in the EU;

- an assessment of the legal implications of revising Regulation (EU) 2018/302, notably with reference to enlarging its scope, on the overall EU legal framework applicable to the digital single market (see point 6).

- technical assistance when drafting documents on the subject for which the expertise is provided.

The duration of assignments might take from **1 working day of 8 hours to 20 working days of 8 hours**.

The duration might be **extended** by mutual agreement, to a **maximum of 40 working days in total**.

12. Conditions of remuneration and reimbursement of experts

The experts listed in the roster shall be remunerated at the daily rate corresponding to 8 working hours (VAT excluded). There are three bands of expert remuneration according to the relevant experience:

i. Junior expert with a minimum of 4 to 10 years relevant professional experience in the fields listed under point 10 “Selection criteria”: EUR 1 165 daily rate,
ii. Intermediate expert with a minimum of 11 to 15 years relevant professional experience in the fields listed under point 10 “Selection criteria”: EUR 1 750 daily rate,
iii. Senior expert with a minimum of 16 years relevant professional experience in the fields listed under point 10 “Selection criteria”: EUR 2 330 daily rate.

This remuneration is all-inclusive, calculated to cover all the expenditure borne by the expert in the performance of the assignment. Travel and subsistence costs expenses are reimbursed in case it is necessary for the performance of the assignment and stipulated in the contract.

13. Selection procedure for inclusion in the experts list

Experts with the relevant professional experience (see point 11) who are available for short-term assignments are invited to fill in **the curriculum vitae** in Europass format (<https://europass.cedefop.europa.eu/editors/en/cv/compose>) with their full contact details and to send it to: eca-procurement.service@eca.europa.eu.

In the subject line of the e-mail, the expert must refer to the title of the procedure and the field(s) of expertise for which he/she is applying. Example: “*CEI External experts in geo-blocking, EU law and EU digital single market - FIELD 6.2.2: EU Consumer protection law*”.

With his/her application, the applicant shall fill in and return the attached **declaration of confidentiality and absence of conflict of interests** (Annex 1), the **declaration on honour** (Annex 2), **the full contact details and list of the area of expertise** (Annex 3) and optional **the project reference form** (Annex 4).

In applying for inclusion in this list, the applicant accepts all the terms and conditions contained in the call for interest and in the general conditions for supply, service and works contracts of the ECA (<http://www.eca.europa.eu/en/Pages/General-conditions.aspx>) and irrevocably commits to perform the assignment under those conditions and the ones set out in the contract.

The CVs received will be evaluated with regard to the general qualifications and expertise criteria per field required for inclusion on the ECA expert list. Where necessary, pursuant to article 151 of the Financial Regulation, the applicant will be contacted for further information or clarifications. The ECA reserves the right to request proof of the experience and qualifications mentioned in the CVs.

Within **60 days from the closure date for the applications**, the applicant shall be informed of the ECA's decision as to whether his/her name has been included on the ECA experts list and for which field(s).

14. Selection for a particular assignment

In the event of an appropriate assignment, the experts corresponding best to the required skills will be contacted in descending order of their ranking on the list, by e-mail. The selected expert(s) will thus be invited – within a period specified in that e-mail – to inform of their interest, their availability and the absence of any conflict of interests for the assignment in question.

The selected expert(s) will then be invited to conclude a contract for the particular assignment(s). The contract must be signed² and returned by e-mail as soon as possible and in any case within 3 working days from its receipt.

The expert(s) must send with the contract, the declaration of confidentiality and absence of conflict of interests as well as the completed bank details form for their payment (for this purpose, the expert(s) will receive a bank detail form with the contract).

Disclaimer

Inclusion of an expert on the list does not imply any obligation for the ECA to provide them a contract. The experts on the list are not specifically endorsed by the ECA and cannot be considered ECA staff. The opinions and thoughts expressed by the experts cannot be considered representative of the views of the ECA. The ECA is entitled to terminate the list at any time without any type of compensation for the experts.

15. Ex-post transparency

The list of experts selected following the present CEI shall be published on the website of the ECA.

If an expert has concluded a contract with a value of more than €15 000, the name, amount, type and subject of the contract shall be published on the website of the ECA in the annual lists of contracts no later than 30 June of the year following the contract award. The information shall be removed two years after this publication.

16. Date of dispatch of notice and validity of the roster

This CEI for experts is published inter alia on the ECA's website as of January 2024 available at <http://www.eca.europa.eu/en/Pages/PublicProcurement.aspx>.

Applications can be filed until 30 June 2028. Experts in the list can be called up for assignment until 30 June 2029.

17. Contact

Any requests for additional information must only be made in writing, via email, to:

eca-procurement.service@eca.europa.eu

² The qualified electronic signature is strongly recommended. In case of a handwritten signature, the expert(s) must send the original of the contract within the same timelapse (date of the post stamp considered).

18. Environmental provisions

The ECA received EMAS certification since March 2017, and operates an environmental management system in line with the EMAS requirements (hereinafter the 'EMAS system') provided for by Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC and Commission Regulation (EU) 2017/1505 of 28 August 2017 amending Annexes I, II and III to Regulation (EC) No 1221/2009 of the European Parliament and of the Council on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS).

The ECA also complies with the quality requirements of the international standard ISO 14001: 2004 (Environmental management system), it is registered in the ISO 14001 certificate. These certifications can give rise to constraints which must be provided by the contracted expert(s) without financial compensation. In the area of the contract, the contracted expert(s) will provide all necessary support to the ECA for the implementation of EMAS, in particular by providing, if applicable, information on market required for the drafting and updating of documents provided for by Regulation 1221/2009 as well as for regular evaluation of the system. They will adopt all measures necessary to ensure compliance with [the environmental policy of the Court](#).

Therefore, the ECA pays particular attention to the environmental footprint of its buildings and activities and commits to reduce the environmental impact of its daily work and to improving its environmental performance on an ongoing basis by (non exhaustive list):

- taking measures to prevent pollution and to achieve more efficient use of natural resources (energy, water, paper, etc.);
- taking the measures necessary to reduce all CO² emissions;
- encouraging waste prevention by maximising waste recycling and re-use, and optimising the disposal of waste;
- incorporating environmental criteria into public procurement procedures and into the rules regarding the organisation of events;
- complying with the relevant environmental legislation and regulations;
- promoting sustainable behaviour by all staff members.

The contracted experts shall pay special attention to their environmental performance and impacts during the implementation of the services under this contract. This may be done, if applicable, through their environmental management system with the objective to limit any environmental impact linked to the services.

The contracted experts shall comply with the environmental legislation applicable to the subject of the contract and will take all necessary measures to ensure that the execution of the contract does not become a cause for the withdrawal of the labels SuperDrecksKëscht fir Betriber® or EMAS® delivered to the Court.

19. Specific environmental requirements during the execution of the expert's assignment(s)

- Deliverables of the expert(s): all reports, annexes, presentations are delivered in e-format. Paper deliverables are not allowed.
- All meetings for the coordination of the assignment are organised by videoconference to limit (air) travel, unless otherwise specified by the ECA. The ECA will provide the technical

infrastructure/support for the meeting (add description of the system used and its compatibility with other video conferencing systems).

- When a meeting needs to take place on the ECA premises, the expert(s) shall follow the waste sorting measure in place at the ECA and try to avoid single used plastic usage.
- If travelling is necessary, the expert(s) shall give priority to train travel or air travel proposing offsetting.

(S)Ioanna Metaxopolou

20. Annexes

Annex 1: Confidentiality agreement and declaration of absence of conflict of interests

Annex 2: Declaration of honour on exclusion and selection criteria

Annex 3: Full contact details and list of the area of expertise

Annex 4: Optional: Project reference form



ANNEX 1

CONFIDENTIALITY AGREEMENT AND DECLARATION OF ABSENCE OF CONFLICT OF INTERESTS

(to be returned duly completed and signed)

The expert undertakes to treat, in respect of themselves and their staff, in the strictest confidence and not make use of or divulge to third parties any information or document linked to or obtained in the course of their assignment. These obligations shall continue to apply following performance of the contract, therefore the expert must return or commit to destroy any information or document provided by the ECA in the context of this contract, whatever the medium it is saved on, once the execution of the contractual tasks is terminated.

The expert further undertakes to process any personal data solely for the foreseen purpose and following the instructions given by the relevant officials of the Chamber and in accordance with Regulation (EU) No 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 data³. The expert shall continue to be bound by this undertaking after completion of the assignment.

Participating in this assignment involves the collection and processing of personal data (such as your name, address and bank account details, etc.), that will be processed pursuant to Regulation (EU) No 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of individuals with regard to the processing of personal data by the European Union institutions and bodies and on the free movement of such data.

Information concerning the processing of your personal data is available in the privacy statement at: https://www.eca.europa.eu/ContentPagesDocuments/Privacy_statements/Public_procurement/Specific_Privacy_Statement_for_Procurement_and_External_Experts_EN.pdf

Furthermore, the expert formally declares that:

- a) he/she is not affected by any conflict of interests in the context of this assignment. A conflict of interests may arise in particular where the impartial and objective performance of the assignment is compromised for reasons involving family, emotional life, political or national affinity, economic interest, or any other direct or indirect personal interest ;
- b) neither he/she, nor his/her employer, are engaged in any lobbyist activity vis à vis the EU institutions linked directly or indirectly to the subject matter of the assignment;

³ and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/ECText with EEA relevance, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1547484765039&uri=CELEX:32018R1725>.

- c) will immediately inform the requesting authority of any situation constituting a conflict of interests or capable of leading to a conflict of interests;
- d) has not made and will not make any offer, of any type whatsoever, from which an advantage might be derived under the present assignment;
- e) have not granted, sought, attempted to obtain, or accepted, any advantage, financial or other, to or from any person whatsoever, constituting an unlawful practice or involving corruption, directly or indirectly, as an incentive or reward relating to the award of the said assignment.

The European Court of Auditors reserves the right to verify the information provided.

Signature:

Name:

Date:

ANNEX 2

**Declaration on honour on
exclusion criteria and selection criteria**

The undersigned [*insert name of the signatory of this form*]

ID or passport number: ('the person')
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The person is not required to submit the declaration on exclusion criteria if the same declaration has already been submitted for the purposes of another similar procedure of the same contracting authority⁴, provided the situation has not changed, and that the time that has elapsed since the issuing date of the declaration does not exceed one year.

In this case, the signatory declares that the person has already provided the same declaration on exclusion criteria for a previous procedure and confirms that there has been no change in its situation:

Date of the declaration	Full reference to previous procedure

I – Situation of exclusion concerning the person

	YES	NO
➤ declares that the above-mentioned person is in one of the following situations:		
a) it is bankrupt, subject to insolvency or winding-up procedures, its assets are being administered by a liquidator or by a court, it is in an arrangement with creditors, its business activities are suspended or it is in any analogous situation arising from a similar procedure provided for under EU or national laws or regulations;	<input type="checkbox"/>	<input type="checkbox"/>
b) it has been established by a final judgement or a final administrative decision that the person is in breach of its obligations relating to the payment of taxes or social security contributions in accordance with the applicable law;	<input type="checkbox"/>	<input type="checkbox"/>
c) it has been established by a final judgement or a final administrative decision that the person is guilty of grave professional misconduct by having violated applicable laws or regulations or ethical standards of the profession to which the person belongs, or by having engaged in any wrongful conduct which has an impact on its professional credibility where such conduct denotes wrongful intent or gross negligence, including, in particular, any of the following:		
(i) fraudulently or negligently misrepresenting information required for the verification of the absence of grounds for exclusion or the fulfilment of selection criteria or in the performance of a contract or an agreement;	<input type="checkbox"/>	<input type="checkbox"/>

⁴ The same EU institution, agency, body or office.

(ii) entering into agreement with other persons with the aim of distorting competition;	<input type="checkbox"/>	<input type="checkbox"/>
(iii) violating intellectual property rights;	<input type="checkbox"/>	<input type="checkbox"/>
(iv) attempting to influence the decision-making process of the contracting authority during the award procedure;	<input type="checkbox"/>	<input type="checkbox"/>
(v) attempting to obtain confidential information that may confer upon it undue advantages in the award procedure;	<input type="checkbox"/>	<input type="checkbox"/>
d) it has been established by a final judgement that the person is guilty of the following:		
(i) fraud, within the meaning of Article 3 of Directive (EU) 2017/1371 and Article 1 of the Convention on the protection of the European Communities' financial interests, drawn up by the Council Act of 26 July 1995;	<input type="checkbox"/>	<input type="checkbox"/>
(ii) corruption, as defined in Article 4(2) of Directive (EU) 2017/1371 and Article 3 of the Convention on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, drawn up by the Council Act of 26 May 1997, and conduct referred to in Article 2(1) of Council Framework Decision 2003/568/JHA, as well as corruption as defined in the applicable law;	<input type="checkbox"/>	<input type="checkbox"/>
(iii) conduct related to a criminal organisation, as referred to in Article 2 of Council Framework Decision 2008/841/JHA;	<input type="checkbox"/>	<input type="checkbox"/>
(iv) money laundering or terrorist financing, within the meaning of Article 1(3), (4) and (5) of Directive (EU) 2015/849 of the European Parliament and of the Council;	<input type="checkbox"/>	<input type="checkbox"/>
(v) terrorist-related offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Council Framework Decision 2002/475/JHA, respectively, or inciting, aiding, abetting or attempting to commit such offences, as referred to in Article 4 of that Decision;	<input type="checkbox"/>	<input type="checkbox"/>
(vi) child labour or other offences concerning trafficking in human beings as referred to in Article 2 of Directive 2011/36/EU of the European Parliament and of the Council;	<input type="checkbox"/>	<input type="checkbox"/>
e) it has shown significant deficiencies in complying with the main obligations in the performance of a contract or an agreement financed by the Union's budget, which has led to its early termination or to the application of liquidated damages or other contractual penalties, or which has been discovered following checks, audits or investigations by a contracting authority, the European Anti-Fraud Office (OLAF) or the Court of Auditors;	<input type="checkbox"/>	<input type="checkbox"/>
f) it has been established by a final judgment or final administrative decision that the person has committed an irregularity within the meaning of Article 1(2) of Council Regulation (EC, Euratom) No 2988/95;	<input type="checkbox"/>	<input type="checkbox"/>
g) it has been established by a final judgment or final administrative decision that the person has created an entity under a different jurisdiction with the intent to circumvent fiscal, social or any other legal obligations in the jurisdiction of its registered office, central administration or principal place of business.	<input type="checkbox"/>	<input type="checkbox"/>

h) (only for legal persons) it has been established by a final judgment or final administrative decision that the person has been created with the intent provided for in point (g).	<input type="checkbox"/>	<input type="checkbox"/>
i) for the situations referred to in points (c) to (h) above the person is subject to: <ul style="list-style-type: none"> i. facts established in the context of audits or investigations carried out by the European Public Prosecutor's Office after its establishment, the Court of Auditors, the European Anti-Fraud Office (OLAF) or the internal auditor, or any other check, audit or control performed under the responsibility of an authorising officer of an EU institution, of a European office or of an EU agency or body; ii. non-final administrative decisions which may include disciplinary measures taken by the competent supervisory body responsible for the verification of the application of standards of professional ethics; iii. facts referred to in decisions of entities or persons being entrusted with EU budget implementation tasks; iv. information transmitted by Member States implementing Union funds; v. decisions of the Commission relating to the infringement of Union competition law or of a national competent authority relating to the infringement of Union or national competition law; or vi. decisions of exclusion by an authorising officer of an EU institution, of a European office or of an EU agency or body. 	<input type="checkbox"/>	<input type="checkbox"/>

II – Grounds for rejection from this procedure

➤ declares that the above-mentioned person:	YES	NO
Was previously involved in the preparation of the procurement documents used in this call for expression of interest, where this entailed a breach of the principle of equality of treatment including distortion of competition that cannot be remedied otherwise.	<input type="checkbox"/>	<input type="checkbox"/>

III – Remedial measures

If the person declares one of the situations of exclusion listed above, they must indicate the measures taken to remedy the exclusion situation, thus demonstrating their reliability. This may include e.g. technical, organisational and personnel measures to prevent further occurrence, compensation of damage or payment of fines or of any taxes or social security contributions. The relevant documentary evidence which illustrates the remedial measures taken must be provided in annex to this declaration. This does not apply for situations referred in point (d) of this declaration.

IV – Evidence upon request

Upon request and within the time limit set by the contracting authority the person must provide the following evidence concerning the person itself:

For situations described in points (a), (c), (d), (f), (g) and (h) of this declaration, production of a recent extract from the judicial record is required or, failing that, an equivalent document recently issued by a judicial or administrative authority in the country of establishment of the person showing that those requirements are satisfied.

For the situation described in point (b), production of recent certificates issued by the competent authorities of the State concerned are required. These documents must provide evidence covering all taxes and social security contributions for which the person is liable, including for example, VAT, income tax and social security contributions. Where any document described above is not issued in the country concerned, it may be replaced by a sworn statement made before a judicial authority or notary or, failing that, a solemn statement made before an administrative authority or a qualified professional body in its country of establishment.

The person is not required to submit the evidence if it has already been submitted for another similar procedure of the same contracting authority⁵. The documents must have been issued no more than one year before the date of their request by the contracting authority and must still be valid at that date.

The signatory declares that the person has already provided the documentary evidence for a previous similar procedure and confirms that there has been no change in its situation:

Document	Full reference to previous procedure
<i>Insert as many lines as necessary.</i>	

V – Selection criteria

➤ declares that the above-mentioned person complies with the selection criteria applicable to it individually as provided in the tender specifications:	YES	NO	N/A
(a) The expert fulfills the applicable technical and professional criteria indicated in point 10 of the present call for expression of interest.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

⁵ The same institution or agency.

VI – Evidence for selection

The signatory declares that the above-mentioned person is able to provide without delay the necessary supporting documents listed in the relevant sections of the present call for expression of interest and which are not available electronically upon request.

The person is not required to submit the evidence if it has already been submitted for another similar procedure of the same contracting authority⁶. The documents must have been issued no more than one year before the date of their request by the contracting authority and must still be valid at that date.

The signatory declares that the person has already provided the documentary evidence for a previous procedure and confirms that there has been no change in its situation:

Document	Full reference to previous procedure
<i>Insert as many lines as necessary.</i>	

The above-mentioned person may be subject to rejection from this procedure and to administrative sanctions (exclusion or financial penalty) if any of the declarations or information provided as a condition for participating in this procedure prove to be false.

Full name

Date

Signature

⁶ The same institution of agency.

ANNEX 3

Full contact details

Identity	Answer
Name in full and title	
Function	
Company or institution name, if applicable	
Address in full	
Telephone number	
E-mail address	

Expert fields

List of the specific areas of expertise (expert fields indicated in point 6).

List of the specific areas of expertise (expert fields indicated in point 6).

Signature:

ANNEX 4 - Optional: Projects and/or publications reference form

Name and surname of expert:

NAME OF THE CLIENT (PUBLIC OR PRIVATE)	RELATED TO FIELD OF EXPERTISE	DESCRIPTION OF PROJECT OR PUBLICATION

Signature: