

CREATIVE EUROPE – MEDIA SUB-PROGRAMME

GUIDE FOR EXPERTS

ON ASSESSMENT OF TRAINING ACTIONS

CALL EACEA/09/2018

managed by the Education, Audiovisual and Culture Executive Agency

Unit B2 - MEDIA

1. INTRODUCTION

The European Commission's Education, Audiovisual and Culture Executive Agency (the Agency) is responsible for the implementation of the Actions of the Creative Europe MEDIA. The Agency is in charge of the selection of projects to be funded, it assesses projects with the assistance of independent experts to ensure that only those of the highest quality are selected for funding. Thus, the final decision on the selection or rejection of applications is taken by the Agency.

This Guide for Experts provides instructions and guidance for experts when assessing applications, in order to ensure a standardised and high quality assessment.

The Guide for Experts provides information on:

- the role and appointment of experts;
- the principles of the assessment;
- the assessment process in practice;
- information on how to assess the award criteria for each action and field.

2. THE MEDIA SUB-PROGRAMME: TRAINING SCHEME

The general objectives of the MEDIA sub-programme of Creative Europe are to strengthen the competitiveness and distribution of the audiovisual industry in Europe and thus contribute to growth and jobs as well as to cultural and linguistic diversity.

The specific objectives include the aim to support the capacity of the European cultural and creative sectors to operate transnationally and internationally; and to promote the transnational circulation of cultural and creative works and transnational mobility of cultural and creative players, in particular artists, as well as to reach new and enlarged audiences and improve access to culture and creative works in the Union and beyond, with a particular focus on children, young people, people with disabilities and under-represented groups.

The objective of the Support to Training is to facilitate the acquisition and improvement of skills and competences of audiovisual professionals and the development of networks. Emphasis is put on the use of digital technologies to ensure adaptation to latest market developments, testing new ways of storytelling in all formats and for all platforms, testing new approaches to audience development including reaching young audiences, testing new business models and enhancing the capacity to access finance.

The expected results of the Training scheme are in particular:

- to improve the capacity of the A/V sector to operate transnationally and internationally, including knowledge-sharing, networking capabilities, talent development, marketing, promotion and innovation,
- to improve the competitiveness of the A/V sector on European and international markets and to have a structural effect on European companies, including testing new business models and enhancing the capacity to access finance, as well as through linkages with financial instruments,
- to improve the circulation of European A/V works on international markets, including audience development and new distribution models, in particular in ways to reach new and young audiences,
- to improve the capacity of the A/V sector to integrate digital and new technologies, including in the field of animation.

3. EXPERTS

3.1 Role of experts

The assessment and selection of grant applications is organised on the basis of impartiality and equal treatment of all applicants.

The role of experts allows providing a fair, impartial, and consistent assessment of project applications according to the objectives and the policy priorities of the Programme.

The assessment is a key part in the selection procedure. Based on the experts' assessment, a list of grant applications ranked in quality orders is established, which serves as a basis for the Agency to take the grant award decision, following the proposal of the Evaluation Committee.

Based on the experts' comments, the Agency provides feedback to the applicants on the quality of their application (cf. section 4).

3.2 Appointment of experts, code of conduct and conflict of interest

Experts are appointed on the basis of their skills and knowledge in the areas and the specific field(s) of the audiovisual sector in which they are asked to assess applications.

To ensure their independence, the names of the experts are not made public.

Experts are required to perform the assessment to the highest professional standards and within the deadline agreed with the Agency.

Through the appointment by the Agency experts are bound to a code of conduct as set out in the appointment letter or contract with the expert.

All information related to the assessment process is strictly confidential. Therefore, experts are not allowed to disclose any information about the applications submitted and results of the assessment and selection to the public. They must not have a conflict of interest¹ in relation to the proposals on which they are requested to give their opinion. To this end, they sign a confidentiality and conflict of interest declaration prior to beginning their work and adhere to it during and after the evaluation.

4. ASSESSMENT OF APPLICATIONS

4.1 Preparation for assessment

Before the start of the assessment, the experts are briefed by the Agency on the Programme and the action under assessment, as well as on the assessment process.

Experts are provided with the reference documents for the assessment and get access to the Online Evaluation Expert Tool (OEET), in which they perform the assessment using the standard quality assessment forms.

Before starting the assessment of applications, experts must:

¹ Financial Regulation Art. 57(2): « ... a conflict of interests exists where the impartial and objective exercise of the functions of a financial actor or other person, ..., is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other shared interest with a recipient.»

- have a sound knowledge of the Training Guidelines² which provides all necessary information to potential applicants on the actions for which they can apply for a grant;
- have an in-depth understanding of the award criteria applicable to the applications under assessment (cf. section 4.3);
- be familiar with all the reference documents and tools provided by the Executive Agency.

Experts have to read the whole application carefully before completing the assessment form. It is recommended to read several applications before assessing any one of them in full: this allows experts to benchmark answers in different sections of the applications.

Each expert works individually and independently, gives scores and comments for each criterion and summarises his/her assessment in the quality assessment form.

The eligibility criteria are assessed by the Agency in the first phase of the selection process. Only eligible projects are sent to experts for evaluation. Each eligible project is sent to two experts for an independent evaluation.

4.2 Assessment forms

Experts carry out their assessment in English, using the Online Expert Evaluation Tool (OEET). The applications to be assessed as well as the evaluation forms are accessible through OEET. Experts are provided with technical instructions for the use of OEET by the Agency as part of their briefing.

Experts examine the issues to be considered under each award criterion, enter their scores for each applicable criterion and provide comments on each award criterion and on the application as a whole (cf. section 4.3).

On completion of the assessment, experts validate the individual assessment in the Online Expert Evaluation Tool, thereby confirming that they have no conflict of interest with respect to the assessment of that particular proposal.

4.3 Assessment of award criteria and scoring

Experts assess applications only against the award criteria defined in the Guidelines. These award criteria are listed and further explained in Annex 1 of this Guide.

Each of the award criteria is defined through several elements which must be taken into account by experts when analysing an application. These elements form a list of points to be considered before giving a score for the given criterion. They are intended to help experts arrive at the final assessment of the criterion in question.

In order to give clear guidance to experts as to how individual elements of analysis should be assessed, further information is provided in the above mentioned annex.

When assessing applications against award criteria experts make a judgement on the extent to which applications meet the defined criteria. This judgement must be based on the information provided in the application. Experts cannot assume information that is not explicitly provided. Information relevant for a specific award criterion may appear in different parts of the application and experts take all of them into account when scoring the award criterion.

² https://eacea.ec.europa.eu/creative-europe/funding/support-training-2018-eacea092018_en

An application can receive a maximum of 100 points for all criteria relevant for the action. The table below shows the relative marks of each criterion:

	Criteria	Definitions	Max. points
1	Relevance and European added value	This criterion evaluates the relevance of the content of the action its international/European/regional dimension vis-à-vis the objectives of the Call for proposals, the needs and trends of the industry, especially digital distribution and young audience reach, the level of innovation of the project in relation to the existing Training offer, the co-operation between players from different groups of countries as well as the partnerships with the audiovisual industry including animation.	30
2	Quality of the content and activities	This criterion assesses the adequacy of content and methodology of the proposed action to the objectives, adequacy of the format, the cost-effectiveness as well as the integration of innovative aspects relying on the use of the latest digital technologies especially digital promotion tools, innovation in content development and storytelling, talent development, access to finance. Special attention to the adequacy of the content of the action, the proposed methodology, the pedagogical approach and the suitability to reinforce the capacity of professionals from low production capacity countries will be given.	40
3	Dissemination of project results, impact and sustainability	This criterion assesses the mechanisms to disseminate good practice and results beyond participants, the impact on participating professionals, single companies, the audiovisual sector and the digital distribution of works as well as impact on access to international networks and markets of individuals and companies.	20
4	Organisation of the project team	This criterion assesses the distribution of the roles and responsibilities of the team as well as the relevance of the pedagogical expertise of the tutors, experts and coaches vis-à-vis the specific objectives of the action.	10

Within the maximum number of points per award criterion, ranges of scores are defined that correspond to a fixed definition of the expected quality standard so that an as coherent approach as possible is implemented, across experts as well as across actions. The standards on a 10 points scale are as follows:

- 9-10 Very good – the application addresses all relevant aspects of the criterion in question convincingly and successfully. The answer provides all the information and evidence needed and there are no concerns or areas of weakness.
- 7-8 Good – the application addresses the criterion well, although some small improvements could be made. The answer gives clear information on all or nearly all of the evidence needed.
- 5-6 Acceptable – the application broadly addresses the criterion, but there are some weaknesses. The answer gives some relevant information, but there are areas where detail is lacking or the information is unclear.
- 3-4 Fair – the application addresses the criterion, but there are many weaknesses. The answer gives some relevant information, but there are several areas where detail is lacking or the information is unclear.
- 1-2 Very weak – the application fails to address the criterion or cannot be judged due to missing or incomplete information. The answer does not address the question asked, or gives very little relevant information.
- 0 No evidence – the application fails to include a minimum amount of evidence to enable the criterion to be evaluated.

N.B. Although indicated on the scoring scale, experts should avoid "0" which relates to "no evidence". For obvious particular case, experts should contact the Agency staff a priori.

Experts are expected to give comments on each award criterion and, in their comments, refer explicitly to the elements of analysis under the relevant criterion. The comments on each award criterion have to reflect and justify the score given for it. Experts are advised to translate their assessment into a list of explicit "bullet points" (or equivalent) instead of complete sentences in order to save time and facilitate the consolidation with the other expert. This will allow easy rephrasing of opinions in the consolidated assessment.

At the end of the assessment, experts give overall comments on the application as a whole. In the comments, experts must provide a thorough analysis of the application highlighting its relative strengths and weaknesses.

As their comments will be used by the Executive Agency to provide feedback to applicants, experts must pay particular attention to clarity, consistency and appropriate level of detail. All evaluation reports are to be written in English.

The Executive Agency monitors the quality of expert assessments and can require the expert to revise the assessment should the necessary quality standard not be met.

Experts must assess all applications in full, regardless of the score given to any award criterion.

4.5 Possible problems with applications

Experts are under no circumstances allowed to contact applicants directly. In case of any problems arising during the assessment, experts contact the Agency. The Agency decides whether the applicant will be asked to provide additional information or clarifications or if the application should be assessed in the form it was submitted.

Also, if experts notice during the assessment that the same or similar text appears in two or more applications submitted, as well as any other indications of possible double submissions and overlaps, they inform the Agency about that immediately.

4.6 Panel of experts and consolidated assessment and final score

Once all applications have been assessed by two experts, the experts meet in Brussels to fulfil the following further evaluation steps:

First phase of the Expert panel: Consolidation of each assessment between the two experts.

In this phase, the two experts having assessed the project compare their evaluations and reach to an agreement for a consolidated score. In case the two experts fail to agree on the consolidation, the project will be discussed collectively by the expert panel in the second phase or will be assessed by a third expert.

Second phase of the Expert panel:

During the second phase of the Expert panel, the following evaluation steps will be carried out by all experts:

- to discuss the projects for which the consolidation has failed, and that need to be discussed further;
- to validate scores of all projects that have been subject to consolidation process;
- to discuss any issues/questions related to projects;
- discuss the ranking of all projects.

The consolidated assessment is considered to be the final assessment of a given application. The consolidated assessment forms the basis for ranking the application on the list of eligible grant applications.

5. Feedback to applicants

As explained in the Guidelines, the Agency notifies the applicant in writing of the selection result once the grant award decision is taken, providing the relevant information on the assessment scores and comments.

In case of a request for further information or appeal by an applicant, the Agency may request the expert involved in the assessment to provide additional elements of information on the assessment as necessary.

Annexes:

- 1.** Training - Award criteria
- 2.** Reference documents on policy priorities in the audiovisual field
- 3.** Template for the Declaration of absence of conflict of interests and of confidentiality

AWARD CRITERIA	Definition of the award criteria	Elements of analysis of award criteria relevant for all projects	Weighting of the criterion	Aspects to be taken in consideration
Relevance and European added value (maximum 30 points)	1. Relevance of the content of the activity including its international/European/regional dimension vis-à-vis the objectives of the Call for proposals, the needs and trends of the industry, the level of innovation of the project in relation to the existing European training offer and the partnerships with the audiovisual industry.	1a) Relevance of the content of the activity including its international/European/regional dimension vis-à-vis the objectives of the Call for proposals, the needs and trends of the industry especially digital distribution and young audience reach.	15	<ul style="list-style-type: none"> • Clarity and consistency of the action with regards to the objectives of the Call for proposals and the Creative Europe MEDIA sub-programme. • Adequacy of the action with regards to the needs of the industry, especially regarding digital distribution and young audiences reach • European / international / regional added value of the action
		1b) The level of innovation of the project in relation to the existing training offer.	10	<ul style="list-style-type: none"> • Clarity of the added value and quality of the unique positioning of the action compared to similar training actions
		1c) The co-operation between players from different groups of countries as well as the partnerships with the audiovisual industry, including animation.	5	<ul style="list-style-type: none"> • Evidence of financial partnership / co-financing from the audiovisual sector (public funds or private companies). • Evidence of any pedagogical partnerships with the audiovisual industry, including with other training actions. • Evidence of partnerships with festivals or co-production markets within Europe and internationally. • The participation of decision makers at pitching sessions, organised at the end of a training action and networking activity. • Evidence of partnerships which facilitate the development, co-financing, circulation and exhibition of works.

Quality of the activities (maximum 40 points)	2. Adequacy of the content and the methodology of the proposed action to the objectives, adequacy of the format, the cost-effectiveness, as well as the integration of innovative aspects relying on the use of the latest digital technologies especially digital promotion tools, innovation in content development and storytelling, talent development, access to finance. Special attention to the adequacy of the content of the action, the proposed methodology, the pedagogical approach and the suitability to reinforce the capacity of professionals from low production capacity countries, will be given.	2a) Adequacy of the content of the action, and the proposed methodology, and pedagogical approach to the specific type of action and to the target group.	10	<ul style="list-style-type: none"> • Adequacy of the subjects, skills taught and learning outcomes • Adequacy of the content, methodology and pedagogical approach to the specific type of action (European/international/regional) and to the target group (size, type of professionals, level of skills and professionals experience)
		2b) Adequacy of the format and participants , the selection procedure, the scholarship policy, the professional benefits and the long and short terms effects on the participants	10	<ul style="list-style-type: none"> • Adequacy of the format: duration, type and number of modules, workshops, one-to-one meetings, on-line sessions, on-line consulting,etc). • Adequacy of the participants (number of participants, professional profile, level of experience, specific targeted nationalities) and the professional benefits for participants, as well as the long and short term impact in their future professional career. • . Adequacy of the promotion and the call for applications strategies. Adequacy of the selection of participants process. Adequacy of the scholarships' allocation policy and other ways of financial assistance provided to the participants.
		2c) Cost effectiveness of the action.	10	<ul style="list-style-type: none"> • Global cost-effectiveness of the training action, taking into account: <ul style="list-style-type: none"> - Estimated budget for the number of participants, projects and days. - Adequacy of the budget in the context of the goals and benefits of the training action. - Allocated resources appropriate and justified according to market rates.

Annex 1 TRAINING – Award Criteria

		<p>2d) Adequacy of the integration of innovative aspects relying on the use of the latest digital technologies especially digital promotion tools, innovation in content development and storytelling, talent development, access to finance.</p>	5	<ul style="list-style-type: none"> • How do you ensure the use of latest technologies (especially digital promotion tools) in the implementation of the action? • Level of innovation in the format and methodology of the action with regards to content development and storytelling (new formats for all platforms), talent development and access to finance.
		<p>2e) Adequacy of the action to the reinforcing of the capacity of professionals from low production capacity countries</p>	5	<ul style="list-style-type: none"> • Adequacy of the content of the action, the proposed methodology, the pedagogical approach to reinforce the capacity of professionals from low production capacity countries.
<p>Dissemination of project results, impact and sustainability (maximum 20 points)</p>	<p>3. Mechanisms to disseminate good practice and results beyond participants, the impact on participating professionals, single companies, the audiovisual sector and the digital distribution of works as well as impact on access to international networks and markets of individuals and companies.</p>	<p>3a) Adequacy of the mechanisms put in place to disseminate good practice, business models, and results beyond the participants and follow up of projects and participants.</p>	10	<ul style="list-style-type: none"> • Dissemination of project results EU widely. • Dissemination of business models and results beyond participants and follow up of projects and participants beyond the training. • Adequacy of the follow up of the professional career of participants and development of selected projects, beyond the action.
		<p>3b) Impact on participating professionals (gained expertise, career development and access to markets and networks), on selected projects (international co-production and distribution), on companies (development of business models and good practices) and on the audiovisual sector (increased competitiveness and growth).</p>	10	<ul style="list-style-type: none"> • Facilitation of networking and peer to peer collaboration. • Impact on individual learning outcomes, skills and career development. • Impact on projects (co-production and circulation). • Impact on companies (development of new business models and good practices). • Gained knowledge and accessibility to international markets and networks by participating professionals. • Increased competitiveness and growth of the European audiovisual industry.

Organisation of the project team (maximum 10 points)	4. The distribution of the roles and responsibilities of the team, as well as the relevance of the pedagogical expertise of the tutors, experts and coaches vis-à-vis the objectives of the training action.	4a) Relevance of the distribution of roles and responsibilities of the team,	5	<ul style="list-style-type: none"> Relevance of the distribution of roles and responsibilities of the team in the field of the action (i.e. event organisation, technical experience, expertise in the audiovisual sector). <i>The ability of the team to execute the project has already been assessed at the Selection stage. It should not be called into question when assessing this criteria.</i>
		4b) Relevance of the pedagogical expertise of the proposed tutors, experts and coaches vis-à-vis the specific objectives of the training action	5	<ul style="list-style-type: none"> Pedagogical expertise of trainers, experts, coaches and tutors involved in the action

The Legal basis of Creative Europe:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32013R1295:EN:NOT>

Training Guidelines:

https://eacea.ec.europa.eu/creative-europe/funding/support-training-2018-eacea092018_en

CODE OF CONDUCT FOR EXPERTS**ARTICLE 1 – PERFORMANCE OF THE CONTRACT**

1. The expert works independently, in a personal capacity and not on behalf of any organisation.
2. The experts must:
 - (a) carry out their tasks in a confidential and fair way, in accordance with the EACEA guidelines for submission of proposals and the related evaluation, selection and award procedures
 - (b) assist the contracting party or relevant service to the best of their abilities, professional skills, knowledge and applying the highest ethical and moral standards
 - (c) follow any instructions and time-schedules given by the contracting party or relevant service and deliver consistently high quality work.
3. The expert may not delegate another person to carry out the work or be replaced by any other person.
4. If a legal entity involved in a proposal approaches the expert during the evaluation of this proposal, s/he must immediately inform the contracting party or relevant service.

ARTICLE 2 – OBLIGATIONS OF IMPARTIALITY

1. The expert must perform their work **impartially**. To this end, the expert is required to:
 - (a) take all necessary measures to prevent any situation of conflict of interest;
 - (b) inform without delay the contracting party or relevant service of any conflicts of interest arising in the course of their work including of any proposal competing with the proposal where the expert may have a conflict of interest;
 - (c) confirm there is no conflict of interest for each proposal s/he is evaluating by signing a declaration in the electronic evaluation system.
2. **Definition of the conflict of interest:** Such situation arises where the impartial and objective performance of the Contract is compromised for reasons involving economic interest, political or national affinity, familial or emotional ties, or any other shared interest.

For a given proposal, a conflict of interest exists if an expert:

- (a) was involved in the preparation of the proposal
- (b) stands to benefit directly or indirectly if the proposal is accepted
- (c) has a close family or personal relationship with any person representing an applicant or participating legal entity
- (d) is a director, trustee or partner or is in any way involved in the management of an applicant legal entity
- (e) is employed or contracted by one of the applicant legal entities³ or any named subcontractors

³ However, the contracting party or relevant service may decide to invite an expert who is employed or contracted by one of the applicant legal entities or any named subcontractors to take part in the panel

(f) is a member of an Advisory Group set up by the Commission to advise on the preparation of EU work programmes related to, or in an area related to, the call for proposals in question

(g) is a National Contact Point

(h) is a member of a Programme Committee

In the following situations the contracting party or relevant service will decide whether a conflict of interest exists, taking account of the objective circumstances, available information and related risks.

when an expert:

(i) was employed by one of the applicant or participating legal entities in the last three years

(ii) is involved in a contract or grant agreement, grant decision or membership of management structures (e.g. member of management or advisory board etc.) research collaboration with an applicant or participating legal entity or a fellow researcher, or had been so in the last three years

(iii) is in any other situation that could cast doubt on their ability to participate in the evaluation of the proposal impartially, or that could reasonably appear to do so in the eyes of an external third party.

3. Consequences of a situation of conflict of interest:

If a conflict becomes apparent at any stage of the evaluation, the expert must immediately inform the contracting party or relevant service staff. If a conflict is confirmed, the expert must stop evaluating the proposal concerned. Any comments and scores already given by the expert will be discounted. If necessary, the expert will be replaced.

If it is revealed during an evaluation that an expert has knowingly concealed a conflict of interest, the expert will be immediately excluded, and sanctions will apply (see Articles 14, 15, 16 and 18 of the Contract or in the Financial Regulation and its implementing rules).

review session, if the expert works in a different department/laboratory/institute from the one where the work is to be carried out, and if the constituent bodies operate with a high degree of autonomy, and if such a role is justified by the requirement to appoint the best available experts and by the limited size of the pool of qualified experts. In this case, the expert must not take part in any detailed panel discussion (or electronic forum) of the proposal involving the legal entity concerned or in any hearings concerning the proposal.

In exceptional duly justified cases, experts in the circumstances described above may also participate in the consensus group for the proposal in question, provided valid reasons are given. The contracting party or relevant service will inform the other experts in the group of the affiliation of the expert concerned.

ARTICLE 3 – OBLIGATIONS OF CONFIDENTIALITY

1. The contracting party and the expert must treat confidentially⁴ any information and documents, in any form (i.e. paper or electronic), disclosed in writing or orally in relation to the performance of the Contract.

2. The expert undertakes to observe strict **confidentiality** in relation to their work. To this end, the expert:

(a) must not use confidential information or documents for any purpose other than fulfilling their obligations under the Contract without prior written approval of the contracting party

(b) must not disclose, directly or indirectly, confidential information or documents relating to proposals or applicants, without prior written approval of the contracting party.

In particular, the expert:

i. must not discuss any proposal with others, including other experts or contracting party or relevant service staff not directly involved in evaluating the proposal, except during the formal discussion at the meetings moderated by or with the knowledge and approval of the responsible contracting party or relevant service staff

ii. must not disclose:

- any detail of the evaluation process and its outcomes or of any proposal submitted for evaluation for any purpose other than fulfilling their obligations under the Contract without prior written approval of the contracting party
- their advice to the contracting party or relevant service on any proposal to the applicants or to any other person (including colleagues, students, etc.)
- the names of other experts participating in the evaluation.

iii. must not communicate with applicants, beneficiaries or any person linked to the applicant or participating legal entity on any proposal:

- during the evaluation or on-site visits, except in hearings or on-site visits between experts and the applicants or beneficiary organised by the contracting party or relevant service as part of the evaluation process;
- after the evaluation.

3. If the proposals are made available electronically to the expert who then works from their own or other suitable premises, s/he will be held personally responsible for maintaining the confidentiality of any documents or electronic files sent, and for returning, erasing or destroying all confidential documents or files upon completing the evaluation as instructed.

4. If the evaluation takes place in premises controlled by the contracting party or relevant service, the expert:

⁴ In this context, the term 'confidentiality' should not be taken as equating to the security classification 'EU CONFIDENTIAL'. The procedures related to 'EU CONFIDENTIAL' documents apply only to information and material the unauthorised disclosure of which would harm the essential interests of the EU of one of its Member States (Commission provisions on security (Commission Decision 2001/844/EC, ECSC, Euratom of 29 November 2001 amending its internal rules of procedure (OJ L 317, 3.12.2001, p. 1).

- (a) must not remove from the premises proposals, copies or notes on evaluation, either on paper or in electronic form
 - (b) will be held personally responsible for maintaining the confidentiality of any documents or electronic files sent, and for returning, erasing or destroying all confidential documents or files on completing the evaluation as instructed.
5. If the expert seeks further information (for example through the internet, specialised databases, etc.) to complete their examination of the proposals, s/he:
- (a) must respect the overall rules for confidentiality for obtaining such information
 - (b) must not contact applicants, beneficiaries or any person linked to the applicant legal entity
 - (c) must not contact third parties without prior written approval of the contracting party.
6. These confidentiality obligations are binding on:
- (a) the contracting party (see Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials
and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community⁵10
 - (b) the expert during performance of the Contract and for five years starting from the date of the last payment made to the expert unless:
 - i. the contracting party agrees to release the expert from the confidentiality obligations earlier
 - ii. the confidential information becomes public through other channels
 - iii. disclosure of the confidential information is required by law.

⁵ OJ 45, 14.6.1962, p. 1385.