

Timo Knaebe

From: PAD
Subject: FW: Request for notification on reporting meeting and/or contact of the Executive Director and Heads of Divisions with Third Party Stakeholder(s)

From: [personal data]
Sent: 30 June 2021 08:56
To: [personal data]
Cc: [personal data]
Subject: FW: Request for notification on reporting meeting and/or contact of the Executive Director and Heads of Divisions with Third Party Stakeholder(s)

Dear [personal data],

With reference to your request, this is to confirm that the meeting mentioned below does not fall under the legal obligation to report it in the Transparency Register.

According to Article 3(2) of ED Decision No R-ED-2021-67 on the Transparency Register, meetings and contacts are exclusions from the scope if these serve the purpose to manage the already established contractual relationship between Frontex as the Contracting Authority, and the Third Party Stakeholder -Contractor, within the framework of the contract implementation phase.

Kind regards,
[personal data]

From: [personal data]
Sent: 29 June 2021 12:31
To: [personal data]
Cc: [personal data]
Subject: FW: Request for notification on reporting meeting and/or contact of the Executive Director and Heads of Divisions with Third Party Stakeholder(s)

Dear Colleagues,

We would like to consult you regarding your request for notification on reporting meetings with third party stakeholders.

Last week a meeting was organised between Frontex and a contractor of FWC TEF Lot 1. The FWC is an inter-institutional contract signed back in 2020 and the contracting authorities are eu-LISA and Frontex. The purpose of the meeting was to manage the contractual relationship between Frontex and the contractor and to express our contractual needs.

It is our understanding that it doesn't fall under the obligation to report but please kindly correct us if we are wrong. Please don't hesitate to contact us in case of additional questions.

Many thanks,
[personal data] on behalf of ETIAS Central Unit Division Director a.i.

[personal data]

From: [personal data]
Sent: 29 June 2021 11:43
To: [personal data]
Cc: [personal data]
Subject: RE: Request for notification on reporting meeting and/or contact of the Executive Director and Heads of Divisions with Third Party Stakeholder(s)

Dear [personal data]
As correctly [personal data] advised, the transparency register, both as precious initiative and as a living tool and document is being kept in ICO.

If the meeting is under the remit of the relevant ED Decision, it shall be registered there, but is better to consult ICO before such decision keeping Proc in the loop for our awareness.

Nice day 😊
[personal data]

From: [personal data]
Sent: 29 czerwca 2021 11:25
To: [personal data]
Subject: RE: Request for notification on reporting meeting and/or contact of the Executive Director and Heads of Divisions with Third Party Stakeholder(s)

[personal data]
Transparency Register is outside the competence of Procurement Sector.
Please address [personal data]
Thank you,
[personal data]

From: [personal data]
Sent: 29 czerwca 2021 11:12
To: [personal data]
Subject: FW: Request for notification on reporting meeting and/or contact of the Executive Director and Heads of Divisions with Third Party Stakeholder(s)

[personal data]
Bedziesz miała chwile dzis, żeby porozmawiać ze mna na ponizszy temat? [personal data] mnie odeslal do Proc w tej sprawie.

Dzieki
[personal data]

[personal data]

From: [personal data]
Sent: 29 June 2021 11:08
To: [personal data]
Cc: [personal data]
Subject: RE: Request for notification on reporting meeting and/or contact of the Executive Director and Heads of Divisions with Third Party Stakeholder(s)

Dear [personal data]

Please consult PROC, what they do in similar cases where for a FWC, Frontex signs further specific contracts, and what they advise in this particular case where the contract will be signed by eu-LISA.

Best,
[personal data]

From: [personal data]
Sent: 29 June 2021 11:02
To: [personal data]
Subject: FW: Request for notification on reporting meeting and/or contact of the Executive Director and Heads of Divisions with Third Party Stakeholder(s)

Dear [personal data]

I was wondering if we should fill in the notification for the meeting, which was organised last week with the contractor of TEF Lot 1 but as I read in the ED Decision it should be excluded from the register:

Art.3:

1. This Decision shall not apply to contacts or meetings held between Frontex's representatives and Third Party Stakeholders in the context of a procurement procedure after the publication of the relevant contract

notice or after the dispatch of call for proposals or expressions of interest. Such contacts and meetings are regulated in the applicable procurement framework and shall be recorded accordingly.

2. This Decision shall not apply to contacts and meetings held with a Frontex representative and a Third Party Stakeholder if such contacts and meetings serve to manage the already established contractual relationship between Frontex as the Contracting Authority, and the Third Party Stakeholder -Contractor, within the framework of the contract implementation phase.

I assume that the requirement doesn't apply to us since we are contractual authority of the signed TEF Lot 1 FWC and the purpose of the meeting was to manage the already established contractual relationship between Frontex and the contractor and to express our contractual needs. But please correct me if I am wrong.

Many thanks,
[personal data]

From: [personal data]

Sent: 28 June 2021 13:54

To: [personal data]

Subject: FW: Request for notification on reporting meeting and/or contact of the Executive Director and Heads of Divisions with Third Party Stakeholder(s)

From: [personal data]

Sent: 25 June 2021 10:52

To: [personal data]

Cc: [personal data]

Subject: Request for notification on reporting meeting and/or contact of the Executive Director and Heads of Divisions with Third Party Stakeholder(s)

Dear Executive Director, Dear Directors, Dear Coordinators,

In accordance with Article 118 of the EBCG Regulation – “*The transparency register shall include **all meetings and contacts**^[1] between third-party stakeholders^[2] and the executive director, deputy executive directors and heads of division in matters concerning procurements and tenders for services, equipment or outsourced projects and studies.*”

Therefore in line with the respective Decision of the Executive Director No R-ED-2021-67 on the Transparency Register (attached), in case such event took place after 6 May 2021, we kindly request you to notify by using the attached ‘Notification form’ and send it back to ICO at your earliest convenience, but not later than **29 June 2021, (Tuesday), EOB.**

As outlined before, meetings and contacts in the margins of an ongoing procurement or tender procedure or meetings with stakeholder in the framework of a concluded contract do NOT to be reported. In cases if you have any doubts, please do not hesitate to contact ICO for clarification and validation.

When reporting, please keep in mind that the Third Party Stakeholder(s) shall be informed of the fact that contacts and meetings will have to be reported and made public. Thus the 'Privacy statement on the processing of personal data as regards Frontex Transparency Register' is attached to be distributed accordingly. It was further agreed, that in case the representative of the third party stakeholder refused that his/her information to be made public, such meetings or contacts should not be agreed on and held.

Furthermore, in order to update the information stored in the Transparency Register on the website of the Agency on a biweekly basis, we would appreciate if you notify ICO (in the future), within a period of one week following such events.

Your cooperation is highly appreciated.

Kind regards,
[personal data]

^[1] Article 2 e) and f) of the Executive Director No R-ED-2021-67 on the Transparency Register

² Article 2 b) of the Executive Director No R-ED-2021-67 on the Transparency Register

^[1] Article 2 e) and f) of the Executive Director No R-ED-2021-67 on the Transparency Register

^[2] Article 2 b) of the Executive Director No R-ED-2021-67 on the Transparency Register