

To: Nicolas Lee - ask+request-10407-0c201855@asktheeu.org

Brussels, 17 January 2022

Subject: Case 2021-39 - Your application for access to documents

Dear Mr. Lee,

We refer to your e-mail dated 16/12/2021 in which you make a request for access to documents, registered on 17/12/2021 under reference number 2021/39. The deadline to reply is therefore 18/01/2022.

You requested access to documents containing the following information: information shared on Confluence regarding FATCA, as referenced in document 41, which was disclosed in response to a previous access to documents request (2021-33).

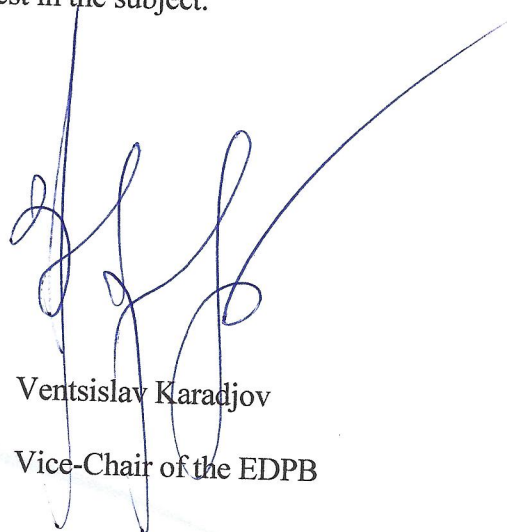
Having conducted this assessment, we regret to inform you that the European Data Protection Board (EDPB) does not hold any documents containing the information referred to above, as the above mentioned forum was in fact never created.

Please note that in accordance with Article 2(3) of Regulation (EC) No 1049/2001, the right of access under this regulation applies only to existing documents in the possession of the EDPB. Therefore, the EDPB is not in a position to fulfil your request.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the European Data Protection Board to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the following email address: edpb@edpb.europa.eu. Please make reference to the case number of your request in the subject.

Yours sincerely,



Ventsislav Karadjov
Vice-Chair of the EDPB

Secretariat of the European Data Protection Board

rue Wiertz, 60
1047 Brussels