

# HOW TO REPLY TO AN AtD REQUEST

The overview on the next page focusses on the points that operational units should bear in mind when an AtD request is attributed to them.

# 8 Steps to processing an access to documents request

1

- Check whether the request covers documents only from your unit (within 24 hours):
  - If it only concerns documents of another unit, please send it back to the AtD Team.
  - If it also concerns documents of another unit, please inform the AtD Team which part of the request has to be reallocated and to whom.
  - Contact the AtD team if the request is too vague and you need more information from the applicant.

2

- Identify the documents that are requested:
  - If the document management procedures in your unit comply with the DMO rules regarding registration of documents, you only need to search ARES and/or one of the other document management IT systems.
  - If not, you also need to search the common drive of your unit and ask colleagues to check their e-mails.

3

- Register the documents:
  - If any of the documents identified have not been registered in Ares or in an equivalent document management IT system, please register each one separately in Ares.
  - **KEEP IN MIND:** Documents that are shortlived, such as e-mails, must not be registered. Please see for details the DMO registration rules [Ares intranet webpage: [Registration of documents in a nutshell](#)]

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- If you identify a large number of documents (at least 25-30):
  - Immediately and at the latest within 72 hours inform the AtD team how many documents you expect to identify and
  - Discuss with the ATD team whether a **fair solution** should be proposed in order to limit the scope or agree a schedule of delivery with the requestor.

5

- Check whether the document(s) is already publicly available:
  - Check in the Register of Commission documents, Eur-Lex, the comitology register, the register for expert groups or other publicly available search tools if the document is already in the public domain
  - If it is, only a hyperlink to the specific document (not the database) would be provided to the requestor.

6

- Check whether the document(s) can be fully or partially disclosed, or whether access should be refused
  - Examine the content of each document to determine whether its disclosure or of any of its parts would undermine one or more of the interests protected by Article 4 of Regulation No 1049/2001. If it would not, we must fully disclose the document(s).
  - If it would, set out your detailed arguments for the partial or full refusal (AtD intranet webpage: [document of previously used exceptions to help you](#)). For partial refusal, you need to provide for each and every deletion of text an argumentation linked to the exceptions.

7

- Check if a third party (including Member States) drafted the document(s) or is mentioned in it
  - If you consider it necessary, the AtD team will consult and obtain their opinion (or their agreement in the case of a MS) on whether the document can be disclosed.
  - **KEEP IN MIND:** no access is granted to personal data neither from third parties, nor from Commission staff (not forming part of senior management)

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- Deliver to the AtD team by e-mail the completed Excel-table, indicating for each document:
  - whether it can be fully disclosed, partially disclosed or refused, together with any relevant argumentation
  - whether the AtD team has to consult a third party, including Member States, to obtain their opinion
  - In the case of partial refusal, deliver the document(s) with your proposal for deletion of texts **highlighted in yellow**