



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL FOR FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL  
MARKETS UNION

The Director-General

Brussels

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**Subject: Your application for access to documents – Case 2022/6070**

Dear Ms Castro,

We refer to your request for access to European Commission documents registered on 26 October 2022 under the above-mentioned reference number.

You requested access to: “[a]ll documentation, including, but not limited to, attendance lists, agendas, background papers, minutes/notes and email correspondence about or summarising, the following meetings of Cabinet members of Commissioner Mairead McGuinness with organisations.

- *Meeting with European Banking Federation (EBF) on 13/10/2022 regarding "Sustainable Finance";*
- *Meeting with Allianz SE (Allianz) on 11/10/2022 regarding "Retail investment strategy, Solvency II";*
- *Meeting with Mizuho Financial Group, Inc. (MHFG) on 11/10/2022 regarding "Banking package";*
- *Meeting with BNP PARIBAS (BNPP) on 08/09/2022 regarding "Basel III";*
- *Meeting with Crédit Agricole S.A. (CA S.A.) on 08/09/2022 regarding "Basel III"*

We have identified ten documents that fall in the scope of your request; they are listed in the attachment. Please note that documents 3, 4, 7, 8, 9 and 10 were already partially disclosed by the European Commission in its reply to you of 10 March 2023 (reference Ares(2023)1763753) in relation to your other request of 24 November 2022 registered under the reference number 2022/6798. The European Commission granted partial access to these documents based on the exception of Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contained personal data. Since you already received these documents, they are not attached to this reply.

After the careful assessment of the remaining documents, namely documents 1, 2, 5 and 6, we conclude that we cannot grant full access to document 5 and its annex.

The document 5 and its annex originate by a third party. The originator of the document has been consulted in accordance with Article 4(4) of Regulation 1049/2001 with a view to assessing whether an exception provided for in Article 4 of that Regulation is applicable. The originator has objected to the disclosure of the full text of the document 5 and its annex because contain commercial information, the disclosure of which would be highly detrimental to its commercial interests. This sensitive information has been therefore redacted.

Article 4(2) first indent provides that: *“The institutions shall refuse access to a document where disclosure would undermine the protection of: — commercial interests of a natural or legal person, including intellectual property (...) unless there is an overriding public interest in disclosure.* The exception laid down in Article 4(2) of Regulation (EC) No 1049/2001 applies unless there is an overriding public interest in disclosure of the document. You make no mention of such an interest in your request, and we have not been able to identify it; for this reason, we confirm that access to part of this document is prevented under article 4(2) of Regulation (EC) No 1049/2001.

Furthermore, a complete disclosure of documents 1, 2, 5 and 6 is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain personal data.

Article 9(1)(b) of the Data Protection Regulation<sup>1</sup> does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, we conclude that pursuant to the combined provision of the Articles and Regulations quoted above, access cannot be granted to the personal data contained in the requested documents.

Furthermore, please be advised that documents 2 and 6 are minutes that were drawn up for internal use under the responsibility of the relevant member of staff. The minutes solely reflect the authors' interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer. The minutes do not reflect the position of the Commission and cannot be quoted as such.

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit a confirmatory application requesting the Commission to review this position.

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<sup>1</sup> Regulation (EU) 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 data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.

Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

**by asking for a review via your portal<sup>2</sup> account** (available only for initial requests submitted via the portal account),

**or by mail:**

European Commission

Secretariat-General

Transparency, Document Management & Access to Documents (SG.C.1)

BERL 7/076

B-1049 Bruxelles

**or by e-mail to:** [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely

e-signed  
John BERRIGAN

Attachments: List of identified documents and four documents.

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<sup>2</sup> <https://www.ec.europa.eu/transparency/documents-request>