



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

The Director-General

Brussels

Ms Paula CASTRO
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Subject: Your application for access to documents – EASE 2022/6798

Dear Ms Castro,

We refer to your request for access to European Commission documents registered on 24 November 2022 under the above-mentioned reference number.

You requested access to: *“All 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:*

- 1. Meeting with Banco Santander, S.A. on 08/11/2022 regarding "Basel III"*
- 2. Meeting with Fleishman-Hillard, Invesco Management SA (IMSA), BlackRock (BLK), State Street Corporation (STT), Schroders Investment Management (Europe) SA, Capital International Management Company (CIMC) on 26/10/2022 regarding "EMEA Asset Management CEOs to discuss retail investor engagement as well as ESG/sustainable finance. Cab EVP Dombrovski also participated Andrea Beltramello"*
- 3. Meeting with Allianz SE (Allianz) on 11/10/2022 regarding "Retail investment strategy, Solvency II"*
- 4. Meeting with Crédit Agricole S.A. (CA S.A.) on 08/09/2022 regarding "Basel III"*
- 5. Meeting with BNP PARIBAS (BNPP) on 08/09/2022 regarding "Basel III"*

With regard to the above meetings, we have identified 12 documents that are specified in the attached list.

The documents number 1, 2, 3 and 4 originate from or contain elements originating from a third party (Banco Santander). The originator of the documents 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. Banco Santander has objected to the disclosure of the full text of the documents 2 and 3 because they

contain sensitive commercial information which would be detrimental to their market position if disclosed. For the same reason, a sentence has been redacted in document 4.

Article 4(2) first indent provide 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, access to these documents is prevented under article 4(2) of Regulation (EC) No 1049/2001.

Documents 5, 7, 9 and 11 also originate from third parties. They have been consulted and they have not objected to the disclosure of the documents with the exception of personal data which have been redacted.

According to Article 4(1)(b) of Regulation (EC) No 1049/2001, personal data have been redacted in all the attached documents.

Article 9(1)(b) of the Regulation (EU) 2018/1725 on the protection of natural persons with regard to the processing of personal data 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 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 Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents.

Please note that minutes were drawn up for internal use under the responsibility of relevant members of the staff. They 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. They 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.

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 portal¹ account (available only for initial requests submitted via the portal account),

¹ <https://www.ec.europa.eu/transparency/documents-request>

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

Yours faithfully,

Electronically signed
John BERRIGAN

Enclosure: List of documents and 10 documents