

EUROPEAN COMMISSION

Directorate-General for Financial Stability, Financial Services and Capital Markets Union

Director General

Brussels

FISMA 02/ED/DB/el/Ares (2016) 2313229

Ms Vicky Cann,
CEO
Rue d'Edimbourg
B-1050 Bruxelles

(by registered mail with
acknowledgment of receipt, copy by
e-mail.)

Subject: Your application for access to documents GestDem 2016/680

Dear Ms. Cann,

I refer to your e-mail dated 12 February 2016 in which you make a request for access to documents, registered on the same date under the above-mentioned reference number.

Your application concerns the following documents: all "agendas, minutes, meeting reports, and preparatory documents for all meetings held since 1 December 2014 by the commissioner, cabinet or director-general with the following: Bertlesmann Stiftung, Bruegel, Centre for European Policy Studies, Centre for European Reform, European Centre for International Political Economy, Friends of Europe, Open Europe".

In order to facilitate your search, we have produced a list of meetings for Commissioner Hill and Members of his Cabinet as well as for present and former Director Generals of DG FISMA (Directorate-General for Financial Stability, Financial Services and Capital Markets Union)

We have identified three documents in the list of meetings (1, 11 and 12). We have no documents corresponding to the other meetings.

When a meeting is requested, we receive a request and confirm the date and time of the meeting. This information is not substantial and I presume that you would not be interested in accessing it.

Having examined the documents corresponding to meetings 1, 11 and 12, I have concluded that these documents may be only partially disclosed because they contain personal data (names) of the external participants of the meetings and the names of civil servants in our Directorate-General below the level of Director. Those names have been erased. A copy of these documents is attached.

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001 ("the Regulation"), access to a document has to be refused if its disclosure would undermine the protection of the privacy and the integrity of an individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.¹

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable.²

According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

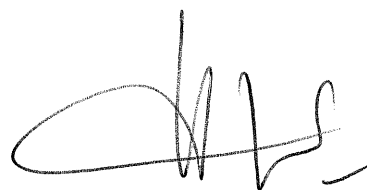
We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested with the personal data removed.

Should you disagree with the assessment that the removed data is of a personal nature which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/282
B-1049 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu



Olivier Guersent

Enclosures: list of meetings and the three documents to which your request refers

¹ Official Journal L 8 of 12.1.2001, p. 1

² Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.