

EUROPEAN COMMISSION
Secretariat-General

Directorate D - Policy Co-ordination I
Director

Brussels, 29 September 2016
SG/D.2 AW/loc

Ms Vicky Cann
CEO - Corporate Europe Observatory
Rue d'Édimbourg 26
B-1050 Brussels
BELGIUM

Email: ask+request-3237-0d9c189f@asktheeu.org

**Subject: Your application for access to documents:
Ref GestDem N° 2016/4639**

We refer to your request for access to documents, registered on 22/08/2016 under the above mentioned reference number.

Your e-mail requested access to documents, as follows:

- "Under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, I am requesting all documentation relating to Vice President Katainen's hosting of BusinessEurope on 3 December 2015 for the "Group CEO event" and dinner. This should include all invitations, attendance lists (to include all Commission attendees and those from BusinessEurope and its members), agendas, reading materials, minutes and/ or follow up reports."

We have identified three documents to be partially disclosed, as follows:

- 1) Programme 151203
- 2) Invitation letter
- 3) List of participants
- 4) Background paper

The documents to which you have requested access contain personal data.

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the 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.

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

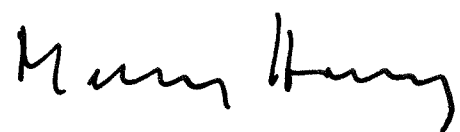
If you wish to receive these personal data, we invite you to provide us with arguments showing the need for having these personal data transferred to you and the absence of adverse effects to the legitimate rights of the persons whose personal data should be disclosed.

In case you would disagree with the assessment that the expunged data are personal data 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

Yours faithfully,



Marcel Haag