



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

Directorate R. Management of resources
R.6. Document management and security

Brussels,
R.6/VK/VA D (2016) 6102357

Wiesje van Nunen
Access Info Europe
Cava de San Miguel 8, 4C
28005
Madrid

By registered letter with acknowledgment of receipt

Advance copy by email:
ask+request-3253-1f757515@asktheeu.org

Subject: Your application for access to documents – Ref GestDem No 2016/4974

Dear Madam,

We refer to your e-mail dated 01/09/2016 in which you make a request for access to documents, registered on 02/09/2016 under the above mentioned reference number.

You requested:

1. Memos, guidance, guidelines, or training material (or any other document) for EU Commission staff on record creation and/or record keeping. I am particularly interested in documents that refer to creation/keeping of: Agendas (diaries of public officials' engagements), lists of meetings, minutes of meetings, lists of participants in meetings, and documents justifying decisions.

2. Memos, guidance, guidelines, or training material (or any other document) for EU Commission staff on the processing of access to information requests.

As regards part (1) of your request, I would like to inform you that the Directorate-General for Agriculture and Rural Development (DG AGRI) follows the corporate document management rules. The main documents can be found at the following link: http://ec.europa.eu/archival-policy/legal_basis_en.htm.

For the part (2) of your request, we identified the following documents:

1. Vademecum on the procedure for treating access to documents requests,
(including 5 annexes)

Annex I: Regulation (EC) No 1049/2001 -
<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001R1049>

Annex II: SG Note on document management and access to documents - Ares(2015)182108, released with SG reply to request Gestdem 2016/4880

Annex III: Table with list of identified documents

Annex IV: Standard letter of negative reply

Annex V: Small guide on access to documents

2. Email on requests for access to documents and access to information, including two diagrams Ares(2015)4974417

3. Note on staff obligations when dealing with correspondence in compliance with the Code of good administrative behaviour Ares(2014)3295519, including link to the Code: http://ec.europa.eu/transparency/code/_docs/code_en.pdf

We enclose copies of the requested documents. Please note that all instructions and guidance materials specific to DG AGRI are internal documents within DG AGRI and as such do not reflect the position of the European Commission as a whole.

Some of 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 data¹.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable².

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 expunged from this personal data.

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:

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.

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,

Vesselina KOMITSKA

Attachments: 8