



AsktheEU.org  
Att.: Peter Teffer

By e-mail only:  
Email: [ask+request-4237-8d300744@asktheeu.org](mailto:ask+request-4237-8d300744@asktheeu.org)

Copenhagen, 2 June 2017  
SBN/KRY  
Ref.: EEA/D/51780

**Subject: Request for access to documents: Rental contract(s)**

Dear Mr Teffer,

I refer to your email of 8 May 2017 requesting access in pursuance of the provisions of Regulation (EC) No 1049/2001<sup>1</sup> to the rental contracts of the buildings occupied by the European Environment Agency (EEA). The EEA occupies office space in the following two buildings: Kongens Nytorv 6 and 8, 1050 Copenhagen K.

Since the documents concerned co-originate from third parties (*i.e.*, the lessors of the buildings), those third parties have been consulted in accordance with Article 4(4) of Regulation (EC) No 1049/2001.

The lessor of Kongens Nytorv 6 has objected to disclosure of the lease agreement on the grounds, that it contains confidential information relating to the rental conditions, hereunder the provisions on termination and notice. The lessor of Kongens Nytorv 8 has objected to disclosure of the lease agreement because he considers the lease agreement to contain protected information of commercial interest.

Following an examination of the documents requested under the provisions of Regulation (EC) No 1049/2001 and taking into account the opinion of the third parties, I regret to inform you that your application cannot be granted, as disclosure is prevented by exceptions to the right of access laid down in Article 4 of this Regulation.

The documents which you seek to obtain would undermine the protection of commercial interests of the lessors of the buildings occupied by the EEA, and are thus exempt from disclosure under the first indent of Article 4(2) of Regulation (EC) No 1049/2001. Your interest in getting access to the documents concerned appears as an interest of a private nature and the EEA does not see any public interest that would outweigh the interest in protection of commercial interest of the lessors.

We would like to inform you that some key information relating to the EEA's buildings are already publicly available. Please consult the Draft General Budget of the European Commission for the financial year 2017 (page 261), which is publicly available here: [http://ec.europa.eu/budget/library/biblio/documents/2017/DB2017\\_WD03\\_en.pdf](http://ec.europa.eu/budget/library/biblio/documents/2017/DB2017_WD03_en.pdf).

<sup>1</sup> Regulation of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145 of 31.5.2001, p. 43) applicable to the EEA by virtue of Article 6 of Regulation (EC) No 401/2009 of the European Parliament and of the Council of 23 April 2009 on the European Environment Agency and the European Environment Information and Observation Network (OJ L 126 of 21.5.2009, p. 13).

Please be informed that in accordance with Article 7(2) of Regulation (EC) No 1049/2001, you may, within fifteen working days from receipt of this letter, make a confirmatory application requesting the EEA to review its position with regard to access to the requested documents.

Yours sincerely,

  
Søren Nielsen  
Head of Programme  
Administrative Services