



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL FOR RESEARCH & INNOVATION

Directorate J - Common Support Centre  
**J.1 - Common Legal support service**  
**The Acting Head of Unit**

Brussels,  
RS/JVC/MSM  
rtd.ddg3.j.1(2017)6247521

*By registered letter with acknowledgment  
of receipt*

Ms Vicky Cann  
CEO  
Rue d'Edimbourg 26  
1050 Bruxelles  
Belgium

*Advance copy by e-mail:*  
[ask+request-4730-2fbc59cd@asktheeu.org](mailto:ask+request-4730-2fbc59cd@asktheeu.org)

**Subject: Your application for access to documents – GestDem Ref No 2017/6125**

Dear Ms Cann,

We refer to your email dated 25/10/2017 in which you submitted, within the framework of Regulation (EC) 1049/2001<sup>1</sup>, an application for access to documents.

You requested access to the following documents: *a copy of the invitation letter and agenda, plus any subsequent versions, sent to Commissioner Moedas from BusinessEurope to attend its Advisory and Support Group on 21 November 2017.*

We have identified three documents falling under the scope of your request (hereinafter the 'requested documents'), namely an exchange of emails and two versions of the draft agenda.

We are pleased to inform you that full access can be granted to requested documents 2 and 3 (draft agenda) and partial access can be granted to requested document 1 (exchange of emails). We have expunged information which disclosure is prevented by Article 4(1)(b) of Regulation (EC) No 1049/2001, namely the protection of privacy and the integrity of the individual.

Document 1 contains personal data such as the name, email, office number, telephone number of some member of the Commission's staff as well as of BusinessEurope. This

---

<sup>1</sup> Regulation (EC) No 1049/2001 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, 31.5.2001, p. 43).

information clearly constitutes personal data in the meaning of Article 2(a) of Regulation (EC) 45/2001<sup>2</sup>.

According to Article 8(b) of Regulation (EC) 45/2001, personal data shall only be transferred to a recipient in the EU/EEA if the recipient establishes the necessity of having the data transferred and if there is no reason to assume that the data subject's legitimate interests might be prejudiced. Those two conditions are cumulative. In the present case, you have not put forward any arguments to substantiate a need to obtain these personal data. Furthermore, it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned.

Therefore, personal data have been withheld from the requested documents except the name of individuals forming part of senior management staff of the Commission and the name of the main representative of the third party in conformity with the Commission usual practice.

Please note that this document was received by the Commission from BusinessEurope. It is disclosed for information only. It does not reflect the position of the Commission and cannot be quoted as such.

In accordance with Article 7(2) of Regulation (EC) 1049/2001, you are entitled 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 Brussels**  
or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

*[Electronic signature]*  
Reinhard Schulte

---

<sup>2</sup> 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 institutions and bodies of the Community and on the free movement of such data (OJ L 8, 12.01.2001, p.1), hereinafter referred to as 'Regulation (EC) 45/2001'.