



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR INFORMATICS

Director-General

Brussels, **30. 07. 2018**
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Subject: Your applications for access to documents

Ref.: GESTDEM 2018/3723 and 2018/3725

Dear Sir,

We refer to your messages dated 12 July 2018, in which you made two requests for access to documents, registered on 13 July 2018 under the above-mentioned reference numbers.

1. APPLICATIONS UNDER REGULATION (EC) No 1049/2001

You request access to documents described as follows:

<p>GESTDEM 2018/3723</p>	<p><i>“ ... documents which contain the following information: The number of units (see below) purchased from Bechtle AG in the change request 7190-82 amendment 13 to Framework contract No 7190 MEQ III as of 13/12/2017 til present:</i></p>
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	<ol style="list-style-type: none"> 1. iPhone 8 - 64GB 2. iPhone 8 - 256GB 3. iPhone 8 Plus - 256 GB 4. iPhone X - 256 GB"
GESTDEM 2018/3725	<p>"... documents which contain the following information:</p> <p>The number of new model units purchased from Bechtle AG under framework contract change request 'MEQIII - DI07190-29', reference DIGIT/R2/PO/2012/027 as of 31/12/2014 til present for the following items:</p> <ol style="list-style-type: none"> 1. Microsoft Surface Pro 3 i5 256GB 8GB RAM 2. Microsoft Surface Pro 3 i5 128GB 4GB RAM"

We regret to inform you that no single document held by the Commission and pre-dating your request contains precisely the information described in your messages. That information is in fact scattered across many Order Forms issued under the Framework Contract to which you refer; these Order Forms would need to be identified and analysed solely in order to compile the requested information.

Furthermore the requested information cannot be extracted easily from a single information system through pre-programmed search tools either.

As provided for in Article 2(3) of Regulation (EC) No 1049/2001, the right of access under that Regulation applies only to existing documents in the possession of the Commission.

Therefore we are not in a position to fulfil your request.

In accordance with Article 7(2) of Regulation 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 (Belgium)

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

2. REQUEST FOR INFORMATION

Nevertheless, in order to assist you as much as possible, we have also considered your applications as a request for information under the Commission's *Code of Good Administrative Behaviour*.

On this basis, we have put some effort into gathering relevant information. As a result, we are now in a position to provide you with the following consolidated

tables, which —to the best of our knowledge— should be roughly accurate and correspond to the information you wanted to obtain.

Model	Number of units purchased from 31/12/2014 until the end of Framework Contract DI-07190-00
iPhone 8 - 64GB	857
iPhone 8 - 256GB	85
iPhone 8 Plus - 256 GB	2
iPhone X - 256 GB	24

Model	Number of units purchased from 13/12/2017 until the end of Framework Contract DI-07190-00
Microsoft Surface Pro 3 i5 256GB 8GB RAM	30
Microsoft Surface Pro 3 i5 128GB 4GB RAM	6

I trust that you will find this information helpful.

I would like to underline that this way of proceeding is exceptional and should not be taken as creating a precedent requiring the Commission to go beyond its strict legal obligations under Regulation (EC) No 1049/2001 whenever no existing documents are in scope of an application for access.

Yours faithfully,



Mário Campolargo, in absence of
Gertrud Ingestad

2018/07/30 13:58