

Mr. Alexander Fanta
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Subject: Access to documents application

Dear Mr Fanta,

Thank you again for your interest in the activities of the European Maritime Safety Agency (EMSA).

This is a reply to your application for access to documents registered on 6 September 2022, whereby you requested:

- “1. Memos, guidance, guidelines, or training material (or any other document) for staff on record creation and/or record keeping. I am particularly interested in documents that refer to creation/keeping of text messages.”*
- “2. Memos, guidance, guidelines, or training material (or any other document) for staff on the processing of access to information requests.”*

Please be informed that your application has been processed in line with the provisions of Regulation (EC) No 1049/2001 of the European Parliament and of the Council regarding public access to documents.

The following documents, per subject matter, have been identified within the scope of your application and are attached to this reply:

1. Memos, guidance, guidelines, or training material (or any other document) for staff on record creation and/or record keeping. I am particularly interested in documents that refer to creation/keeping of text messages

- AB Decision on Records management and Archives at EMSA;
- ED Decision 2021.18 relating to the implementing rules of the AB Decision on records management and archiving at EMSA;
- Implementing Rules of the AB Decision on Records Management and Archives at EMSA.

Note that in the first two documents partial redactions were applied on content falling within the exception covered by the provisions of Articles 4.1.(b) “[...] where disclosure would undermine the privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data”.

In case of personal data, the provisions of Regulation (EU) 2018/1725 shall apply. This Regulation protects “personal data” which means any information relating to an identified or identifiable person. As the requested content includes information relating to the identification of private individuals and in the context where these private individuals have not given their consent for their personal data to be disclosed for such purposes, and the necessity of a transfer was not demonstrated by express and legitimate justifications, such personal data shall be protected as per the applicable legislation.

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

- EMSA practical guide to staff ethics and conduct 2017.

Also, further information in relation to access to information may be found in the EMSA website – [Transparency Portal](#).

Note that, in line with Article 7(2) of Regulation (EC) No.1049/2001 of the European Parliament and of the Council regarding public access to documents, you may file a confirmatory application within 15 working days of receiving this email.

Kind regards,
EMSA Document Access Coordinator