Practical information on Access to Documents requests

DIGIT Management Meeting, 02 May 2022

DIGIT A3.001
<table>
<thead>
<tr>
<th>DIGIT AtD Coordinator</th>
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<tbody>
<tr>
<td>Receives AtD requests (via the functional mailbox)</td>
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<tr>
<td>Checks admissibility / ask for further clarifications</td>
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<tr>
<td>Identifies documents falling under the scope of the request</td>
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<td>Liaises with Unit(s)/Sector(s) responsible for the documents</td>
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<td>Drafts reply and follows-up</td>
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<td>Ensures the deadlines are respected</td>
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<tr>
<td>Liaises with SG</td>
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Regulation (EC) No. 1049/2001

COM Implementing Decision 2001/937

Guidance – EC Secretariat General
Document – as defined by Reg. 1049

- any content
- whatever medium
- concerns a matter relating to policies, activities and decision
## Exemptions

<table>
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<tr>
<th>Article</th>
<th>Description</th>
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| Art. 4(1)(a) | • Public interest:  
  • Public security  
  • Defence and military matters  
  • International relations  
  • Financial, monetary or economic policy of the Community or of a MS |
| Art. 4(1)(b) | • Privacy and integrity of the individual – protection of personal data |
| Art. 4(2) | • Commercial interests of a natural/legal person, including IP  
  • Court proceedings and legal advice  
  • Purpose of inspections, investigations and audits |
| Art. 4(3) 1 para. | • During decision making: disclosure would seriously undermine the institution’s decision-making process |
| Art. 4(3) 2 para. | • After decision has been made: disclosure would seriously undermine the institution’s decision-making process |

- **Absolute exemption**
- **Relative exemption**

• Applies unless there is an overriding public interest in disclosure
Recommendations on registration (Ares)

1st Q Is the document related to policies, activities or decisions falling within the institution’s sphere of responsibility?

2nd Q Is the info contained in the document important and not short-lived?

3rd Q Is the Document drawn up or received by the COM?
Recommendations on doc. creation (potentially public)

Be mindful of the language used – please exclude:

• strong and/or subjective opinions
• speculations not based on facts
• inappropriate style (sarcasm, humorous expressions, personal remarks, etc).

Examples:

• Formal notes and comm.
• ISC contributions
• Meetings’ minutes (especially with external stakeholders)
• Info received from/sent to MS or EUIs
What previous requestors have asked for?

- Info on PD transfers outside the EU including TIAs – no docs held reply
- PM² Programme Management Guide vers. X.y – positive reply
- Any doc with no. of staff with BG keyboard – no docs held reply
- Contact between COM and external stakeholders on GayaX, including intra COM comm. – partial disclosure of external PPT + internal interview (redacted for PD)
- Information on the “opening of tenders for outside services for development, advice and support in the field of information systems, reference no. xxxxx” – partial reply, letter translated in PL
Thank you – any questions?

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