Dear Sir,

We are writing concerning your request for access to Commission documents registered on 08/12/2022 under case number 2022/7139. In particular, you requested:

1. A list of meetings (from 1. May 2021 till today) of Commissioner Gentiloni, his cabinet or representatives of DG TAXUD AND representatives of BusinessEurope.
2. Minutes and other reports of these meetings.
3. All correspondence with entities listed above, including emails from 1. May 2021 till today.

We are currently processing your request case number 2022/7139 and this is our interim assessment at this moment:

We already have identified \( +288 \) correspondence items. Your application concerns a very large number of documents, which need to be assessed individually. Such a detailed analysis cannot be carried out within the normal time limits set out in Article 7 of Regulation (EC) No 1049/2001.

However, Article 6(3) of Regulation (EC) No 1049/2001 also provides for a possibility to confer with an applicant informally with a view to finding a fair solution when an application concerns a very large number of documents.

In accordance with the case law of the EU Courts, such a solution can only concern the content or the number of documents requested, not the deadline for replying\(^1\). This means that the scope of the request must be reduced in a way that would enable its processing within the extended deadline of 15 + 15 working days.

For your information, based on experience, the processing of 10 documents takes approximately 30 working days\(^2\) given that the following steps must be followed:

- preliminary assessment and interpretation of your request,
- contacts and exchanges within the Directorate General,
- identification, gathering and quick screening of the documents falling under your request,
- assessment of the content of the documents,
- conducting consultations under Article 4(4) and/or 4(5) of Regulation 1049/2001, if necessary,
- performing possible redactions of the relevant parts that fall under exceptions of Regulation 1049/2001,
- preparation of the draft reply, and formal approval of the decision by the Director General.

In view of the above, we propose a fair solution and suggest you to narrow down the scope of your request (i.e. link the ‘correspondence’ mentioned in paragraph 3 of your request to the ‘meetings’ in paragraph 1), to allow us to make the workload more manageable and to better focus our replies on those documents that address your objective.

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\(^2\) Taking into account other applications for access to documents and other tasks that the staff concerned are likely to have to deal with during the same period.
This fair solution will allow us to balance interests in requests for access to documents and reply to you within the extended deadlines proposed.

For future requests, it would help us if the request determines the scope as regards content (which matter in the area of VAT, Direct taxation, customs, excise?), as regards the time scope (for which period do you want documents?) and as regards the persons involved.

In order to enable us to provide you with access to the documents as soon as possible, we would ask you for a swift response to this proposal for a fair solution, within five working days at the latest, by emailing TAXUD-ACCESS-TO-DOCUMENTS@ec.europa.eu. In the absence of a reply within five working days, we will unilaterally decide to apply this fair solution taking into account your legitimate interests, the deadlines of Regulation 1049/2001 and the interests of safeguarding good administration.

Yours faithfully,

TAXUD ACCESS TO DOCUMENTS