Subject: Your application for access to documents 2023/5959

Dear Ms Vaughan,

We refer to your request for access to European Commission documents registered on 10 October 2023 under the above-mentioned reference number.

You request access to all documents related to the meeting with HSBC on 23 June 2023.

The following documents fall within the scope of your application:

− Meeting with HSBC, Director-General Stéphanie Riso, June 2023 (hereafter ‘document 1’)
− List with e-mails on agenda, attendees, and logistics, June 2023 (hereafter ‘document 2’)

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that the documents may be partially disclosed. Some parts of the documents have been blanked out as their disclosure is prevented by exceptions to the right of access laid down in Article 4(1)(a), 4(1)(b), and Article 4(2) of this Regulation.

The redacted parts of document 1 contain commercially sensitive business information on HSBC. Disclosure of these parts would undermine the protection of the commercial interests of HSBC as putting this information in the public domain would affect its competitive position on the market. In addition, some information related to the financial, monetary, or economic policy of the Community and/or a Member State has been redacted, as disclosing this information would undermine the protection of the public interest.

The exceptions laid down in Article 4(1) and 4(2) of Regulation (EC) No 1049/2001 apply unless there is an overriding public interest in disclosure of the documents. We have examined whether there could be an overriding public interest in disclosure, but we have not been able to identify such an interest.

With regard to document 2, a complete disclosure is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:
the names/initials and contact information of Commission staff members not pertaining to the senior management or pertaining to the senior staff but not explicitly requested in the current application;

– the names/initials and contact details of other natural persons.

Article 9(1)(b) of the Data Protection Regulation does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

These two documents were drawn up for internal use under the responsibility of the relevant officials of the Directorate-General for Budget. It solely reflects the authors' views and does not set out any official position of the third parties to which the document refers, which was not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position. Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it via your EASE portal account or by email, to: sg-acc-doc@ec.europa.eu.

Yours faithfully,

Stéphanie Riso
Director-General or Director in the Secretariat-General

Annex(es):

– Meeting with HSBC, Director-General Stéphanie Riso, 23 June 2023, (hereafter ‘document 1’)

– List with e-mails on agenda, attendees, and logistics, June 2023 (hereafter ‘document 2’)

1 https://www.ec.europa.eu/transparency/documents-request