Subject: Consultation pursuant to Regulation (EC) No 1049/2001 – request for access to documents [INSERT CASE NUMBER]

Dear Sir / Madam,


The application concerns the following document/documents originating from you/your organisation:

- Title, author, addressee (if applicable), date, reference Ares(20xx)xxxx (hereafter ‘document 1’), which includes the following annexes:
  - Title, author, addressee (if applicable), date, [reference Ares(20xx)xxxx, only if different from the reference of the main document] (hereafter ‘document 1.1’);

- …

Provide a list of the documents originating from the third party you consult falling within the scope of the application, detailing the author, addressee, date and title (or, if a title is not available, the subject) and the Ares reference of the documents. If the application covers a large number of documents, the list can be put in an annex.

The general principle of Regulation (EC) No 1049/2001 is to grant the widest possible access to any document held by an EU-institution which is requested under this Regulation. The institution only refuses disclosure of (a part of) the requested document(s), if disclosure would undermine the protection of a specific interest as laid down in Article 4 of this Regulation.

As regards third-party documents, Article 4, paragraph 4 of Regulation (EC) No 1049/2001 provides that ‘the institution shall consult the third party with a view to assessing whether an exception in paragraph 1 or 2 is applicable, unless it is clear that the document shall or shall not be disclosed’.

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With a view to handling this application, we invite you to indicate whether you agree with disclosure of the document/documents originating from you/your company/your organisation or, on the contrary, object to disclosure. In case you wish to object to disclosure, we kindly ask you to indicate how in your view, disclosure would affect one of the interests protected under Article 4, paragraphs 1 or 2 of Regulation (EC) No 1049/2001.

[Optional: Please note in this respect that the personal data of staff in your organisation, signatures, and contact details of individuals will be redacted by default, with reference to Article 4(1)(b) (protection of privacy and the integrity of the individual) of Regulation (EC) No 1049/2001].

In case you consider that the document/documents could be partially released, we would kindly ask you to indicate/mark the (parts of the) document/documents that should be withheld and to give reasons for withholding/redacting them. The document/documents is/are attached for your convenience.

Please note that documents partially and fully disclosed under Regulation (EC) No 1049/2001 are published on the Commission portal for access to documents.²

In order to enable us to reply to the request for access within the prescribed time limit, we would be grateful if you could inform us as soon as possible and in any case within five working days upon receipt of this letter, your/the position of your company/your organisation as regards the disclosure of the document/documents concerned.

In case we do not receive a reply within the prescribed time-limit, we will take a position on disclosure of the document/documents requested taking account of your/the legitimate interests of your company/your organisation on the basis of the information in our possession.

Please send your reply to (INSERT FUNCTIONAL MAILBOX OF THE DG AT THE INITIAL STAGE) [optionally indicate the e-mail address of the case handler(s)]

Thank you in advance for your assistance.

Yours faithfully,

Annexes: [Please indicate the number of the documents you annex to this consultation]

² https://www.ec.europa.eu/transparency/documents-request