Dear Mr De Lamaze,

Subject: Your application for access to documents (2024/0246)

We refer to your request registered on 16/01/2024 under the above-mentioned reference number.

You requested access to the following documents:

- The content of France's notification of provisions on penalties, as required by article 13 of regulation (EC) No 715/2007, of 20 June 2007.

- The content of France's notification of any subsequent amendments affecting the aforementioned penalties, as required in the same article, sent by member states to the Commission since 2 January 2009.

We have identified the enclosed 2 documents that fall within the scope of your request.

Please note that documents originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

A complete disclosure of the identified documents 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, contact information and functions of Commission staff members not pertaining to the senior management.
- the names initials, contact details and functions 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.

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 in one of the following ways:

by asking for a review via your portal\(^1\) account (available only for initial requests submitted via the portal account),

or by mail:
European Commission
Secretariat General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

[Signature]
Mark Nicklas
Head of Unit

Encl.: 2

\(^1\) [https://www.ec.europa.eu/transparency/documents-request](https://www.ec.europa.eu/transparency/documents-request)