



EUROPEAN COMMISSION

JOINT RESEARCH CENTRE

Directorate A – Strategy and Work Programme Coordination

Legal Affairs

Head of Unit

Ref. Ares(2016)5611748 - 28/09/2016

Mireia Crespo Castellano
Access Info Europe
Cava de San Miguel 8, 4C
28005 Madrid - Spain

By registered letter with acknowledgment of receipt

Advance copy by email

28. 09. 2016

Dear Madam,

Subject: Your application for access to documents – Ref GestDem No 2016/4949

We refer to your e-mail dated 02/09/2016 in which you make a request for access to documents, registered on 05/09/2016 under the above mentioned reference number.

You request access to:

"1. Memos, guidance, guidelines, or training material (or any other document) for DG staff on record creation and/or record keeping. I am particularly interested in documents that refer to creation/keeping of:

- Agendas (diaries of public officials' engagements), lists of meetings, minutes of meetings, lists of participants in meetings, and documents justifying decisions.

2. Memos, guidance, guidelines, or training material (or any other document) for DG staff on the processing of access to information requests."

Your application concerns the following documents:

1. 10 basic principles driving the rules of access to documents under the Regulation 1049/2001
2. JRC guidelines on application of Regulation 1049/2001 (access to documents)
3. Management of applications for access to the JRC documents
4. The documents and files lifecycle in 3 stages
5. File closure and transfer to intermediate archives
6. How to define the Content Of Files (COF)
7. JRC document management training plan
8. JRC document management governance
9. JRC document and records management communication procedure
10. JRC documents & records management policy
11. Work instruction - rules for the modification of registered documents in ARES (for DMO and CAD)
12. Rules for the creation of files in NomCom
13. Rules for the use of e-Signatory
14. Filing plan for scientific projects files (2014-2020)
15. Training - using ARES in JRC
16. IMS procedure - management of controlled documented information

The documents to which you have requested access contain personal data.

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data¹.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable².

According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data.

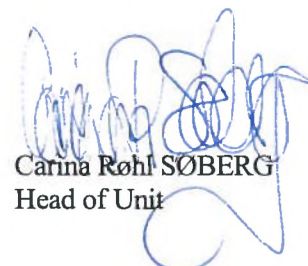
In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/282
B-1049 Bruxelles

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

Yours sincerely,



Carina Røhl SØBERG
Head of Unit

¹ Official Journal L 8 of 12.1.2001, p. 1

² **Judgment** of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.