

[REDACTED]

From: DICKINSON Roy (ECFIN)
Sent: 04 July 2016 17:30
To: [REDACTED]
Cc: [REDACTED] ECFIN ACCESS TO DOCUMENTS
Subject: FW: Access-to-documents request related to the UK Referendum - Gestdem 2016/3305 (Hai)

Thanks [REDACTED],

So if José agrees, the response can be sent to ask+request-3034-f7e049e5@asktheeu.org with ECFIN-ACCESS-TO-DOCUMENTS@ec.europa.eu in copy.

Best wishes

Roy

From: ECFIN ACCESS TO DOCUMENTS
Sent: Monday, July 04, 2016 5:02 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Access-to-documents request related to the UK Referendum - Gestdem 2016/3305 (Hai)

I agree, with the referendum behind us, this caveat has become obsolete.

[REDACTED]

[REDACTED]

Principal Legal and Anti-Fraud Officer
Transparency (Access-to-documents) and Data Protection Coordinator
Deputy Local Security Officer



European Commission

DG Economic and Financial Affairs
Unit R.3 (IT, Internal Control and
Business Continuity)

CHARL [REDACTED]
B-1049 Brussels/Belgium
+ [REDACTED]
roberto.hayder@ec.europa.eu

From: DICKINSON Roy (ECFIN)
Sent: Monday, July 04, 2016 5:00 PM
To: ECFIN [REDACTED]; [REDACTED]

Subject: RE: Access-to-documents request related to the UK Referendum - Gestdem 2016/3305 (Hai)

Dear [REDACTED]

Many thanks. I would propose the following.

I saw from earlier correspondence that UKTF asked to be consulted, and suggested drawing on the following language:

"The Commission, in view of its institutional role, does not take an active part in the UK referendum campaign. This being said, the Commission continues to exercise the role conferred on it by the Treaties (Article 17 TEU). Providing factual information about the EU and how it operates – including in response to media questions – is part of these tasks."

I wonder whether, in fact, it might be better to avoid this reference, partly given that the referendum has been held and partly because it slightly risks inciting further requests for documents produced by UKTF and/or SPP? But happy to take your advice.

Good wishes

Roy

Dear Mr Hai,

Subject: Your application for access to documents – Ref GestDem No 2016/3305

We refer to your e-mail dated 12/06/2016 in which you make a request for access to documents, registered on 13/06/2016 under the above mentioned reference number.

Twitter messages and other documents produced by officials in a personal capacity do not form "documents of the institution" within the meaning of Regulation 1049/2001.

In relation to the performance of the duties of the official in question, there are three relevant documents.

We enclose copies of the documents requested.

<< File: 02 March 2016.PDF >> << File: 08 March 2016.PDF >> << File: 12 April 2016.PDF >>

The attachments to the first two of these documents are in the public domain and are available here:

<https://www.gov.uk/government/publications/the-process-for-withdrawing-from-the-european-union>

<https://www.gov.uk/government/publications/alternatives-to-membership-possible-models-for-the-united-kingdom-outside-the-european-union>

<http://www.bankofengland.co.uk/publications/Documents/other/treasurycommittee/other/governorletter070316.pdf>

<http://www.bankofengland.co.uk/publications/Documents/speeches/2015/euboe211015.pdf>

The third document refers to economic analysis done by a third party whose terms of use prohibit transfer to other parties.

Disclaimer:

You may reuse the documents requested free of charge for non-commercial and commercial purposes provided that the source is acknowledged, that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

Yours faithfully,

José LEANDRO

From: ECFIN ACCESS TO DOCUMENTS

Sent: Monday, July 04, 2016 4:20 PM

To: DICKINSON Roy (ECFIN); [REDACTED]

Cc: [REDACTED]

Subject: RE: Access-to-documents request related to the UK Referendum - Gestdem 2016/3305 (Hai)

Dear Roy,

as discussed on the phone, the release of the three emails would meet the request of Mr Hai and thus are a positive reply, which can be replied by simple email (I would suggest by your superior, in order to underline objectivity).

He has sent a reminder on Saturday, 2 July (email attached).

<< Message: FW: Freedom of Information request - Roy Dickinson referendum campaigning - GESTDEM 2016/3305 >>

Replying to him today (or tomorrow morning) would be sufficient to meet the deadline.

Regards

[REDACTED]

(Legal coordinator)

ECFIN ACCESS TO DOCUMENTS TEAM

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European Commission

Directorate-General for Economic and Financial Affairs

R.3: IT, internal control and business continuity

From: [REDACTED] (ECFIN)
Sent: Friday, July 01, 2016 11:43 AM
To: ECFIN ACCESS TO DOCUMENTS; [REDACTED]
Cc: [REDACTED]
Subject: RE: Access-to-documents request related to the UK Referendum - Gestdem 2016/3305 (Hai)

Dear [REDACTED],

Sorry for the delay: as I think [REDACTED] mentioned I was on leave for a couple of weeks.

Obviously, I agree fully with your view that my personal twitter account is not covered by the Regulation.

You then ask about documents drawn up in the exercise of my duties. I can confirm that I had no professional responsibility for issues related to the UK Referendum, except in the most general of senses. However, I have found three e-mails (attached) where information about others' analysis of the economic impact of Brexit were exchanged. I cannot see any problem with these being released. Grateful for your view.

Best wishes

To: [REDACTED]
Cc: [REDACTED]

Dear colleagues,

DG ECFIN has received a request, **Gestdem 2016/3305**, attached herewith (together with the acknowledgement of receipt), made under the Regulation 1049/2001, for access to the following documents:

Documents and Twitter messages of Roy Dickinson to support the remain campaign in the UK referendum

1.

As regards your **private Twitter-messages**, we consider them not part of "documents held by the institution" in the meaning of Article 2, paragraph 3 of Regulation N° 1049/2001; the request is inadmissible insofar.

For the other part (**documents prepared in the conduct of service**), could you please assess

a) whether any documents drawn up in the exercise of your duties fall under the scope of the request, and

b) whether they can be released (or whether the exemptions listed in Art. 4 of Regulation 1049/2001 apply).

The reply to the applicant, within the 15 working days from registration until

04/07/2016.

You can renew the deadline once (15 more working days).

2.

You will find templates for the reply on the SG Corporate website:

<https://myintracomm.ec.europa.eu/sg/docinter/Pages/tools.aspx>

A guidance can be found on the GoPro (Guide to procedures)-website

<https://webgate.ec.europa.eu/fpfis/wikis/display/REGISTRY/Preparation+of+reply+to+the+applicant>

(attached also in pdf-format).

3.

According to

- Article 3 of the Detailed Rules of Application of Regulation 1049/2001 (Commission Decision 2001/937 of 5 December 2001, OJ L 345, of 29 December 2001) and
- the Secretary-General's instructions (Note of 26 November 2014 (Ares (2014)3950212), Transparency/Access to documents Newsletter n° 11 of 2 December 2014):

A positive reply (including those where only personal data is redacted in the documents to be released) shall be signed by the Director A (you may opt as well for a simple e-mail of his personal assistant sent on his behalf).

A negative reply (refusing fully or partial access to the documents requested) shall be signed by the Director-General.

4. Please put us in copy of your reply, in order to register it in the GestDem-database (in case of a negative reply, please put us in the loop of the e-signataire for the Director General, in order to exercise a *compliance* check.

The ECFIN ACCESS TO DOCUMENTS TEAM (Legal and/or Administrative coordinator) is at your disposal to give you any assistance needed for the reply.

Many thanks.



(Legal coordinator)

<< Message: FW: Freedom of Information request - Roy Dickinson referendum campaigning - GESTDEM 2016/3305 >> <<
File: GOPRO-Preparationofreplytotheapplicant-150316-1558-3554.pdf >>

ECFIN ACCESS TO DOCUMENTS TEAM

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European Commission

Directorate-General for Economic and Financial Affairs

R.3: IT, internal control and business continuity