



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL FOR AGRICULTURE AND RURAL DEVELOPMENT

The Director-General

Brussels,  
DG/JP/R.6/VA D(2016) 6984146

***By registered letter with acknowledgment of receipt***

***Mrs Helen Darbishire  
Access Info Europe  
Calle Cava de San Miguel 8  
280005 Madrid  
Spain***

***Advance copy by email : [ask+request-3510-ca65ed7a@asktheeu.org](mailto:ask+request-3510-ca65ed7a@asktheeu.org)***

**Subject: Your application for access to documents – Ref GestDem No 2016/5956**

Dear Madam

We refer to your e-mail dated 04/11/2016 regarding your access to documents request.

As regards financing of the CAP and EU CAP spending, you may wish to refer to our yearly reports such as the report on the distribution of direct aids which is published every year and put online on our EUROPA website.

As regards possible existing data bases of beneficiaries in the agricultural sector, please bear in mind that under Article 103(1) of Regulation (EU) n° 1306/2013, "*Member States and the Commission shall take all necessary steps to ensure the confidentiality of the information communicated or obtained under inspection and clearance of accounts measure implemented under this Regulation. The rules laid down in Article 8 of Regulation (Euratom, EC) n° 2185/96 shall apply to that information.*"

For the CATS (Clearance Audit Trail System) database, the individual accounting information submitted by the Member States shall only be used in the context of the clearance of accounts for audit purposes according to Article 31 of Commission Implementing Regulation (EU) No 908/2014. In this context, that Article requires the Commission to keep the accounting information confidential and secure. Consequently, this clearance of accounts data is internal and only available to auditors and OLAF for investigation purposes.

Furthermore, the Commission considers that the Member States' accounting data as such is not a "document" within the meaning of Regulation 1049/2001 and that its content, which is constantly evolving and updated, cannot be considered as a "document" in an "existing format" in the meaning of Article 10(3) of the Regulation.

Finally, as regards your last question, Article 111 of Regulation (EU) n° 1306/2013 does not require Member States to send a copy to the Commission of the data that are made

public on Member States websites. As Article 59(1) of Commission Implementing Regulation (EU) n° 908/2014 puts it, the information "*shall be accessible through a search tool allowing the users to search for beneficiaries by either name, or municipality (...), or amounts received or by measure or by a combination thereof and to extract all the corresponding information as a single set of data.*"

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled 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](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,



Jerzy PLEWA