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Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Director for Competitiveness and European Semester

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By registered letter with acknowledgment of receipt

Nina Katzemich
LobbyControl e. V.
Am Justizzentrum 7
50939 Köln
Germany

Advance copy by email: ask+request-3743-4c1e184d@asktheeu.org

Dear Ms Katzemich,

Subject: Your application for access to documents – Ref GestDem No 2017/0358

We refer to your e-mail dated 23/01/2017 in which you make a request for access to documents, registered on 23/01/2016 under the above mentioned reference number.

You request access to “all reports or minutes or other notes of meetings held with EUTOP consultancy since December 2014 between the lobbyfirm and DG GROW or within DG GROW concerning EUTOP. All written communication with EUTOP like Emails, letters etc. The request relates to all DG officials - including the Commissioner, his Cabinet and Director General”.

We have identified 15 documents which fall under the scope of your request and to which we grant you access. We enclose a copy of the documents requested, which are listed in the attached documents register. Please note that further documents have been identified and are currently under assessment. The result of this assessment will be communicated to you in the coming days.

Please note that some documents were received by the Commission from a third party. These documents are disclosed for information only and cannot be re-used without the agreement of the originator, who holds a copyright on them. They do not reflect the position of the Commission and cannot be quoted as such.

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Annalisa.la-rovere@ec.europa.eu

Some of 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 data.

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

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,


Eric Mamer

Annexes:

- Document register
- Zipped file containing 15 documents