Subject: Your application for access to documents – Ref GestDem No 2017/641

Dear Sir,

We refer to your e-mail dated 02/02/2016 in which you make a request for access to documents under reference to Regulation (EC) No 1049/2001 regarding public access to documents¹ ('Regulation 1049/2001'), registered on 06/02/2017 under the above mentioned reference number.

Your application concerns 'All the documentation related to the handling of the request 2016/5921'.

In this context, it is our understanding that you are requesting public access to documents that you have not received previously. Therefore to our understanding the following documents would not be covered by the scope of your application:

- The acknowledgement of receipt of your application GestDem 2016/5921, dated 21/10/2016 (ref. Ares(2016)6048822);
- The holding reply concerning your application GestDem 2016/5921, dated 10/11/2016 (ref. Ares(2016)6353953);
- The email sent to you by Ms Maria Martin-Prat in the context of the handling of your application GestDem 2016/5921, dated 06/12/2016 (ref. Ares(2016)6820917);

Regulation 1049/2011 applies to documents drawn up or received by the institution and in its possession, in all areas of activity of the European Union, concerning a matter

¹ OJ L 145, 31.5.2001, p.43.
relating to the policies, activities and decisions falling within the institution's sphere of responsibility².

In accordance with the Commission Decision on document management³, a document drawn up or received by the Commission must be registered if it contains important information which is not short-lived and/or may involve action or follow-up by the Commission or one of its departments.

Given that no documents, which could possibly match in this way with the scope of your request, have been identified as existing documents in the possession of the Commission, we are not in a position to handle your request.

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In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review the above positions.

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 5/327
B-1049 Brussels

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

Yours faithfully,

Roberto Viola

Contact: CNECT-I2@ec.europa.eu

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² Article 2(3) of Regulation 1049/2001