



EUROPEAN COMMISSION

Directorate B: Criminal justice
Unit B.3 : Financial Crime

Brussels,
JUST.B.3/BV/sk

Subject: Your application for access to documents – Ref GestDem No 2017/4201

We refer to your e-mail dated 14/07/2017 in which you make a request for access to documents, registered on 14/07/2017 under the above-mentioned reference number. We received this application together two other applications (GestDem No 20117/4203 and GestDem No 2017/4205).

You request access to:

1. Note[s] for the attention of Mr Schaub, Director General, preparation of Coreper 17/18 November 2004.
2. Note[s] for the attention of Mr Schaub, Director General, Report on 1st Council working Group meeting for 3AMLD (13th July 2004)
3. Note[s] for the attention of Mr Wright, Director General, 3AMLD negotiation Council (27 October 2004)
4. Note[s] for the file 2nd Council Working Group on 3AMLD, of 23rd July 2004
5. GRI Meeting of 19th May 2005, Note for the attention of GRI on 3AMLD (document dated 18th May 2005)

Please note that a part of your request (GRI note – document No 5) falls under the responsibility of other Directorates-General and this part has therefore been attributed to the Secretariat-General. This reply relates only to the documents (1 - 4) held by DG Justice and Consumers. You will receive a reply from the Secretariat-General in due course.

Sven Giegold
ASP 05F163
Rue Wiertz 60
1047 Brussels

By registered letter with acknowledgment of receipt

Advance copy by email: ask+request-4485-c276e4e8@asktheeu.org

Your application concerns the following documents:

#	Author	Addressee	date	title/the subject	ARES ref.
1	D. Wright, Director	A Schaub, General Director	Not indicated	(Internal note) Proposal for A Directive of the EP and of the Council on the prevention of the use of the financial system for the purpose of money laundering and terrorist Financing	Ares(2017)5059907
2	Administrator unit G4 [Redacted]	A Schaub, General Director	13 July 2004	Rapid report on the first Council working group meeting on the proposal for the third Directive on money laundering and terrorist financing	Ares(2017)5059907
3	Head of Unit G4 [Redacted]	D. Wright, Director	27 October 2004	3 rd Money Laundering Directive. Negotiations at the Council – Progress so far	Ares(2017)5059907
4	Administrator unit G4 [Redacted]	Note for the file + annex [for internal documentation]	23 July 2004	Second Working Group Meeting on the proposal for the third directive on money laundering and terrorism financing	Ares(2017)5059907
5	To be provided directly by the Secretary General				

We enclose copies of the documents requested (documents 1 – 4). 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 data¹.

¹ Official Journal L 8 of 12.1.2001, p. 1

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,

[e-signed]
Despina VASSILIADOU
Acting Head of Unit

Enclosures: 4

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.