



EUROPEAN COMMISSION

OFFICE FOR THE ADMINISTRATION AND PAYMENT OF INDIVIDUAL ENTITLEMENTS

The Director

Brussels,
PMO/VG

Abdul Hai
119 Back Church Lane
London
E1 1LT

E-mail:

XXXXXXXXXXXXXXXXXXXX@XXXXXXXXX.XXX

Subject: Your application for access to documents – Ref GestDem N° 2017/4985

Dear Sir,

We refer to your e-mail dated 31 August 2017 in which you request access to documents, registered on the following day under the reference number mentioned above.

You request access to documents which would contain information on payments Lord Hill received from the Commission since he resigned as a Commissioner. You would like also to know if there was a communication with the Commission regarding the House of Lords and Brexit. The part of your request which is related to payments was forwarded to the Office for Administration and payment of individual entitlements (PMO) which manages the payment of salary and expenses for Commission staff members.

Financial rights of former Commissioner Hill are governed by the Council regulation 422/67/EEC, n° 5/67 Euratom (OJ L 268 of 20.10.1977) determining the emoluments of the President and members of the Commission and of the President, Judges, Advocates-General and Registrar of the Court of Justice and of the President, Members and Registrar of the Court of First Instance. According to this regulation, upon leaving office, the member of the Commission is normally entitled to an allowance to cover his/her resettlement expenses, equivalent to one months' basic salary, the reimbursement of travel expenses for himself/herself and members of his/her family and the reimbursement of the cost of removing his/her personal effects (including insurance). For three years beginning on the day after he/she leaves office, a former member of the Commission can also receive a monthly transitional allowance. This allowance is calculated as a percentage (from 40% to 65%) of the basic salary varying with the number of years he/she has served and the family allowances remain payable. If, during this three-year period, the former member concerned takes up any

new gainful activity, the amount by which his/her gross monthly remuneration together with the allowance exceeds the remuneration which he/she was receiving as a member of the Commission, shall be deducted from the allowance.

Please note that this regulation has been replaced by the Council Regulation (EU) 2016/300 of 29 February 2016 determining the emoluments of EU high-level public office holder (OJ : JOL_2016_058_R_0001).

With regard to your request, having examined the documents requested under the provisions of Regulation (EC) No 45/2001 regarding public access to documents, I regret to inform you that your application cannot be fully granted, as disclosure is prevented by exception to the right of access laid down in Article 4 of this Regulation. Indeed, documents containing allowances paid cannot be disclosed to third parties since these elements are based on the personal situation of the former Commission Hill, and thus constitute personal information.

We have considered whether partial access could be granted to the documents requested. However, the same conclusion shall apply. The examination of the documents in question shows that partial access would be meaningless because the parts of the documents that could be disclosed would be of no use to you.

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: xxxxxxxxxx@xx.xxxxxx.xx

Yours sincerely,

[Signed]
Veronica Gaffey