



EUROPEAN COMMISSION

Executive Agency for Small and Medium-sized Enterprises (EASME)

C.2 Head of Unit Administration

Brussels,
EASME/EC/easme.c.2.3(2018)531855

Ms Luisa Izuzquiza
Access Info Europe
Calle Cava de San Miguel 8, 4c
28005 Madrid
Spain

By registered letter with acknowledgment of receipt

advanced copy by email to: ask+request-5040-39153307@asktheeu.org

Subject: Your application for access to documents – Ref Ares(2018)288505 17/01/2018

Dear Ms Izuzquiza,

We refer to your e-mail dated 16/01/2018 and registered under the above mentioned reference number, in which you request *"under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, I am hereby requesting access to the travel expenses of EASME's Director, for the period 1 January 2016 to 31 December 2016 inclusive. I am looking for documents that contain, for each of the trips, the following information:*

- Place of origin and destination, and the amount spent on travel or transportation;*
- Exact dates and duration of the trip;*
- Amount spent on accommodation;*
- Amount spent on subsistence;*
- Other information, such as possible miscellaneous costs. If the travel was by air taxi and a team of people were travelling, please also provide documents with details on the other travellers (at a minimum, names and job titles).*

With respect to personal information contained in any documents that you might have, I note that the only information being sought here is the name and surname of EASME's Director, something which is already in the public domain. This request does not seek access to any other personal information such as bank account details. Nor am I requesting data such as the office addresses, signatures or telephone numbers of EASME staff members. "

Having carefully analysed your application, EASME has established that your application concerns the following documents: two mission settlements of two business trips by the EASME Director, Patrick Lambert, and the Acting Director Marco Malacarne:

- 1) mission settlement of business trip by Patrick Lambert to Berlin (30/05-01/06/2016),
- 2) mission settlement of business trip by Marco Malacarne to Bratislava (13/11-16/11/2016) .

Please note however that the documents to which you have requested access contain personal data. In particular, they contain the name and the contact details of the staff member who processed the expenditure settlement request, the ID number and the contact details of the Directors.

Pursuant to Article 4 (1) (b) of Regulation (EC) N° 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) N° 45/2001 of the European Parliament and of the Council of 18 December 2000¹ 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) N° 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.

Please note also that some parts of the documents have been blanked out, as they fall outside the scope of the application. This concerns in particular the internal communications between the PMO and the mission performer in order to clarify points concerning the statement of the expenses.

We enclose therefore a copy of the documents requested expunged.

In accordance with Article 7(2) of Regulation (EC) N° 1049/2001², you are entitled to make a confirmatory application requesting the Agency to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Director of EASME at the following address:

European Commission
Executive Agency for Small and Medium sized Enterprises (EASME)
To the attention of Julien Guerrier, Director
COV2 12/134
B-1049 Brussels
or by email to: easme-access-to-documents@ec.europa.eu

Yours sincerely,

Natalia Martinez Paramo

Enclosures:

Annex I: settlement of expenses for business trip Patrick Lambert.

Annex II: settlement of expenses for business trip Marco Malacarne.

¹ OJ L 8/1, 12.01.2001.

² OJ L 145/43, 31.5.2001.