



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR FINANCIAL STABILITY, FINANCIAL SERVICES AND CAPITAL MARKETS UNION

General Affairs

Policy planning and implementation, inter-institutional relations

Brussels, 10/09/2019

FISMA.A.2/ah/ARES/s.(2019) s. 6101329

Mr Wicke Patrick
46c Northdown Street
N19BP London
Great Britain

By registered letter with
acknowledgement of receipt

Advanced copy per e-mail

Subject: Your request for access to documents (our ref. GESTDEM: 2019/3706)

Dear Mr Wicke,

We acknowledge a receipt of your e-mail dated 17 June 2019, in which you make a request for access to documents, registered under the above mentioned reference number.

Your request is as follows:

Dear Financial Stability, Financial Services and Capital Markets Union,

Under the right of access to documents in the EU treaties, as developed in Regulation 1049/2001, I am requesting documents which contain the following information:

- a list of meetings between DG FISMA officials/representatives [1] and all interest representatives [2] between 1. September 2011 and today.

I would like the list to include the following information:

Name and job title of the European Commission officials that were present (e.g. head of unit, etc.) . Names of interest representatives (company/organisation name) present at the meeting, . Names of the lobbyist(s) present, . The sector they represented (business, NGOs, academia, think tanks as per categories of EU Transparency Register if they are registered),

[1] excluding the European Commissioner, his Cabinet and the Director-General [2] including companies, consultancies and law firms, trade/business/professional associations, think tanks and NGO.

On the basis of your request, we have extracted a document with a list of meetings for the period from 1 December 2014 to 17 June 2019 (date of the initial request). Unfortunately, we do not have a similar list for the prior period from 1 September 2011 to 1 December 2014.

Having examined the list of meetings requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that it may be only partially disclosed as it contains personal data, in particular names and contact details of participants of the meetings. Therefore, regarding the specific information that you requested about the names and job titles of officials, representatives and lobbyists present in the meetings, we regret to inform you that we are not in the position to give you access to those information and their disclosure is prevented by exception to the right of access laid down in Article 4 of this Regulation, for data protection reasons.

Personal data can only be transmitted under specific exceptional conditions, including if *'the recipient establishes that it is necessary to have the data transmitted for a specific purpose in the public interest'*. According to Article 9(1)(b) of Regulation 2018/1725, the European Commission also only has to examine the further conditions for a lawful processing of personal data if the recipient has established that it is necessary to have the data transmitted for a specific purpose in the public interest. In your request, you do not put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Notwithstanding the above, please note that there are reasons to assume that the legitimate interests of the data subjects concerned would be prejudiced by disclosure of the personal data reflected in the documents.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation 1049/2001, access cannot be granted to the personal data, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

Should you disagree with the assessment that the redacted data are personal data which can only be disclosed if such disclosure is legitimate under the applicable rules on the protection of personal data, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to submit 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 Secretariat-General of the Commission at the following address:

European Commission
Secretariat-General
Unit C.1. 'Transparency, Document Management and Access to Documents'
BERL 7/076
B-1049 Brussels, or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,



Dorota Kalina ZALIWSKA

Enclosure:

1. List of meetings between DG FISMA officials/representatives and interest representatives comprised between 1 December 2014 and 17 June 2019.