



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR RESEARCH AND INNOVATION

The Director-General

B1/RS/JCV/CL

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By registered letter with acknowledgment of receipt

CLARK Sam
35 Farringdon St, Holborn
London EC4A 4HT
United Kingdom

Advanced copy by email:

ask+request-8785-7cd8573d@asktheeu.org

Subject: Your request for access to documents – GestDem 2020/7449

Dear Mr Clark,

We refer to your application of 17 November 2020 and clarifications of 1 December 2020 in which you submitted a request for access to documents within the framework of Regulation (EC) No 1049/2001¹, registered in our Directorate-General on 17 November 2020 under the above-mentioned reference number.

1. SCOPE OF YOUR REQUEST

You requested “... documents which contain the following information:

- Details of grants provided by the European Commission for the facilitation of GDPR Codes of Conduct, referred to in this parliamentary answer:

https://www.europarl.europa.eu/doceo/document/P-9-2020-004834-ASW_EN.html

- The cost of any such grants and which parties will receive the funds.

In this answer to a question in European Parliament [...] -

https://www.europarl.europa.eu/doceo/document/P-9-2020-004834-ASW_EN.html - it

says: "As announced in the European Strategy for Data(1), the Commission encourages the drawing up, in accordance with Article 40 of the General Data Protection Regulation (GDPR)(2), of a Code of Conduct for processing of personal data in the health sector.

The Commission intends to facilitate such a Code of Conduct mainly by financing projects through grants."

I am requesting more information about these grants, which presumably the Commission

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents ([OJ L 145, 31.5.2001, p. 43](#)).

holds if it intends to "finance projects through grants". I am requesting any and all information the Commission holds about this subject.

We have already informed you on 1 December that our Directorate-General has not yet provided a specific grant *'for the facilitation of GDPR Codes of Conduct'* and we directed you to the public CORDIS page of the ADOPT BBMRI-ERIC project, whose work under Work Package 5 contributed to the drafting of a Code of Conduct in the health sector.

We regret to inform you that DG RTD does not hold any document that would correspond to the description given in your application.

As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution². Therefore, we are not in a position to handle your request.

2. MEANS OF REDRESS

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, should you wish the Commission to review this position, you are entitled to make a confirmatory application 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 SG.C.1 – Transparency, document management & access to documents

BERL 07/076

1049 Brussels

Belgium

or by email to:

sg-acc-doc@ec.europa.eu

Yours sincerely,

Jean-Eric Paquet

² *This Regulation shall apply to all documents held by an institution, that is to say, documents drawn up or received by it and in its possession, in all areas of activity of the European Union.*