



**EUROPEAN COMMISSION**  
OFFICE FOR THE ADMINISTRATION AND PAYMENT OF INDIVIDUAL ENTITLEMENTS

The Director

Brussels, *10 December 2013*  
PMO/ML/JPV – ARES(2013)

Mrs Mullen  
by email to:  
[ask+request-992-  
8de779e9@asktheeu.org](mailto:ask+request-992-8de779e9@asktheeu.org)

**Sent by registered mail**

**Subject: Your application for access to documents – Ref GestDem No 5767/2013**

Dear Madam,

I refer to your e-mail of 7 November 2013 in which you make a request for access to documents, registered on 20/11/2013 under the above mentioned reference number.

Your request, addressed to the European Parliament, was forwarded to the European Central Bank and the Office for Administration and payment of individual entitlements (PMO) which handles the mission payments for Commission staff members.

To fully understand your request, it should be specified that, for the Commission, the "expenses claimed by each EU official" are interpreted to mean "mission costs". Mission costs include travel costs, accommodation costs, daily subsistence allowances and any other expenses which are eligible for reimbursement according to the Guide to Missions for officials and other servants of the Commission.

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I regret to inform you that your application cannot be granted, as disclosure is prevented by exceptions to the right of access laid down in Article 4 of this Regulation.

The documents which you seek to obtain contain personal data. Indeed, mission costs which are viewed by the Commission as elements of remuneration and information on the salary constitutes personal information as defined in Regulation (EC) No 45/2001<sup>1</sup>. Pursuant to this Regulation, personal data can only be transferred to a person residing in a Member

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<sup>1</sup> 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 data, OJ L 008, 12.01.2001, p. 1 - 22

State of the EU if the necessity of disclosing the personal data has been established and if there is no reason to assume that the legitimate rights of the person concerned could be prejudiced. Moreover, the disclosure of such records might be harmful to them, since it would constitute linking financial information with named persons.

Given that the necessity of disclosing the aforementioned personal data to you has not been established and it cannot be assumed that such a disclosure would not prejudice the legitimate rights of the person concerned, the documents containing information on mission expenses cannot be disclosed.

We have considered whether partial access could be granted to the documents requested. The documents which you seek to obtain contain personal data. More specifically a declaration of expenses contains a large quantity of personal data (name and bank account of the mission performer, the cost of the mission, and other nominative information). Therefore, after expunging all of this information no relevant elements would exist.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled to make a confirmatory application for the part of your request for which access has not been granted, requesting the Commission to review this position. We invite you to provide us with arguments showing the need for having these personal data transferred to you and the absence of adverse effects to the legitimate rights of the person whose personal data should be disclosed.

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-5  
BERL 5/327  
B-1049 Bruxelles

or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)



Marc Lemaître  
Director