



EUROPEAN CENTRAL BANK

EUROSYSTEM

Directorate General Secretariat

ECB-UNRESTRICTED

Ms Aoife Mullen
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11 December 2013
LS/PvdH/13/38

Request for public access to ECB documents

Dear Ms Mullen,

On 13 November 2013 your request for access to “*documents which contain the following information: The expenses claimed by each EU official that visited Ireland as part of Ireland's bailout assessment team, per visit, since Ireland entered the bailout in 2010*”, addressed to the European Parliament, was forwarded to the European Central Bank (ECB).

Having thoroughly examined your request, in line with the requirements established by the Decision of the European Central Bank of 4 March 2004 on public access to European Central Bank documents¹ (Decision ECB/2004/3), we would like to inform you that the requested documents cannot be disclosed, even partially, as they are protected under Article 4(1)(b) of Decision ECB/2004/3 (*the privacy and the integrity of the individual, in particular in accordance with Union legislation regarding the protection of personal data*) in conjunction with Article 8 of Regulation No 45/2001 on the protection of individuals with regard to the processing of personal data by the Union institutions and bodies and on the free movement of such data².

Please be informed that the expenses claimed by ECB staff members are those expenses that are eligible for reimbursement according to the ECB's internal business travel rules such as accommodation costs, travel costs, daily allowances. The processing of such expenses claimed by ECB staff members represents processing of personal data and is therefore subject to Regulation (EC) No 45/2001. Accordingly, such personal data is accessed only by the authorised ECB staff members dealing with the claims and can be shared only for administrative and financial purposes.

Pursuant to Article 8(b) of Regulation No 45/2001 (*Transfer of personal data to recipients, other than Community institutions and bodies, subject to Directive 95/46/EC*) personal data may be transferred to

¹ OJ L 80, 18.3.2004, p. 42, as amended by Decision ECB/2011/6 of 9 May 2011, L 158, 16.6.2011, p. 37.

² OJ L 8, 12.1.2001, p. 1.

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other recipients only if the recipient establishes the necessity of having the data transferred and if there is no reason to assume that the data subject's legitimate interests might be prejudiced.

Given that in your application you have not established the necessity of disclosing the aforementioned personal data to you and that it cannot be assumed that such disclosure would not prejudice the legitimate interests of the ECB staff members concerned, the documents containing information on expenses claimed by each relevant ECB staff member cannot be disclosed.

For the sake of good order, please note that Article 7(2) of Decision ECB/2004/3 provides that *“in the event of total or partial refusal, the applicant may, within 20 working days of receiving the ECB’s reply, make a confirmatory application asking the ECB’s Executive Board to reconsider its position”*.

Yours sincerely,



Pierre van der Haegen
Director General Secretariat



Roman Schremser
Senior Adviser Secretariat