



## EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP  
AND SMES

Planning, Finance, Data

**B.1 – Planning & Briefings**

Brussels  
GROW.B.1/MS

Mr Hoedeman  
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Belgium  
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**Subject: Your application for access to documents – GESTDEM 2021/8313**

Dear Mr Hoedeman,

We refer to your e-mail of 22 December 2021, registered on the same day, in which you make a request for access to documents under the above-mentioned reference number, to your e-mail of 10 January 2022 clarifying your request, and to your e-mail of 9 February 2022 replying to our fair solution proposal.

Your initial access concerns access to:

*“- all reports (and other notes) from meetings in 2021 between the European Commission and representatives of the European Roundtable of Industrialists (ERT), BusinessEurope, EuroCommerce and EuroChambres where the Single Market ('completing the Single Market', removing barriers, Single Market governance, enforcement of single market rules, etc.) was discussed.*

*- all 2021 correspondence (including emails) between the European Commission and representatives of the European Roundtable of Industrialists (ERT), BusinessEurope, EuroCommerce and EuroChambres where the Single Market ('completing the Single Market', removing barriers, Single Market governance, enforcement of single market rules, etc.) was mentioned.*

*- a list of all the above-mentioned documents (including dates, names of participants/senders/recipients and their affiliation, subject of meeting/correspondence)”.*

With the following clarification:

*“- my request covers only documents held by DG GROW*

*- the request covers all the mentioned levels: Cabinet members, the Director-General and unit level.*

*- I would like the following topics covered: ‘completing the Single Market’, removing barriers in the Single Market, Single Market governance, and enforcement of single market rules.*

*- regarding the requested list, I confirm that I wish to have access to listed information created for this request.”*

Following your response to our fair solution proposal, we have agreed to your suggested restrictions of scope as follow:

*“(…) In your letter you propose to narrow down the request and only cover meeting notes (not correspondence) and only EuroCommerce and EuroChambres (not the ERT and BusinessEurope). In the light of the objective outlined above, I would agree to narrow down the request to cover meeting notes and correspondence with the ERT and BusinessEurope (thus excluding EuroCommerce and EuroChambres). If a list of documents is produced we can follow up with a new request for specific documents regarding the two other organisations.”*

We have identified the 15 enclosed documents that fall within the scope of your request and presented in the enclosed table. The table also lists the documents related to EuroCommerce and EuroChambres as requested.

With regards to documents 1, 8, 9, 10, 12, 14 and 15, a complete disclosure is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons;
- other information relating to identified or identifiable natural persons.

Article 9(1)(b) of the Data Protection Regulation does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents, 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.

The minutes were drawn up for internal use under the responsibility of the relevant services of the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs. They solely reflect the services’ interpretation of the interventions made and do not set out any official position of the third parties to which the document refers, which

were not consulted on its content. They do not reflect the position of the Commission and cannot be quoted as such.

Please note that documents originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released document without the agreement of the originator, who may hold an intellectual property right on it. The European Commission does not assume any responsibility from their reuse.

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 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](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

*Electronically signed*

Małgorzata Pitala  
Deputy Head of Unit  
on behalf of  
Laurence de Richemont  
Head of Unit

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