



EUROPEAN COMMISSION

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

The Director-General

Brussels
GROW.B.1

Mr Moritz Neujeffski
Heidebrinkerstraße 10,
13357 Berlin
Germany

By email: ask+request-12429-4bfb56f3@asktheeu.org

Subject: Your application for access to documents – Ref. EASE 2023/0381

Dear Mr. Neujeffski,

We refer to your e-mail of 17 January 2023 in which you make a request for access to documents, and to your e-mail of 25 January 2023 clarifying your request and registered on the same day under the above-mentioned reference number.

Your request concerns the following:

“The EU Transparency Register lists a meeting between the EU government relations law firm Alber & Geiger and Agnieszka Drzewoska and Kaius Kristian Hedberg on 13 January 2015 regarding German Gambling Laws. (Here is a link to the meeting: [https://urldefense.com/v3/_https://www.lobbyfacts.eu/datacard/alber--geiger?rid=67820416722-09&sid=147447_!!DOxrgLBm!B_O51eyTHae1nOp0340XOf3AArmumL_GOamnj_Nu5IiuxE9PBssNH-iQMA9UmBFJHo_Y6AJ7M9KqT0uz9W9dGzg3doul6gY-DwuDSYdRfMEj\\$](https://urldefense.com/v3/_https://www.lobbyfacts.eu/datacard/alber--geiger?rid=67820416722-09&sid=147447_!!DOxrgLBm!B_O51eyTHae1nOp0340XOf3AArmumL_GOamnj_Nu5IiuxE9PBssNH-iQMA9UmBFJHo_Y6AJ7M9KqT0uz9W9dGzg3doul6gY-DwuDSYdRfMEj$))

Please provide me with:

- 1. all minutes and other reports of these meetings and/or calls; 2. all documents prepared for the purpose of the meetings issued both in preparation and after the meetings took place.*
- 2. all correspondence, including attachments (i.e. any emails, mail correspondence or telephone call notes) between the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, including any Cabinet Members and/or officials, and Alber & Geiger discussing “German Gambling Laws” or Gambling Laws in general.*

We have identified the enclosed document that falls within the scope of your request.

Personal data protection:

A complete disclosure of the identified document 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 it contains the following personal data:

- the names/initials, contact information and functions of Commission staff members not pertaining to the senior management.
- the names/initials, contact details and functions of other 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 any 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 document, 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.

Protection of decision-making process:

A complete disclosure of the identified document is also prevented by the exception concerning the protection of the decision-making process outlined in Article 4(3) of Regulation (EC) No 1049/2001.

The document which you seek to obtain contains description of non-finalized internal proceedings within the institution. Disclosure of these documents requested would undermine the protection of the decision-making process of the Commission as it would reveal preliminary views and policy options that may be under consideration. The Commission's services must be free to explore all possible options in preparation of a decision free from external pressure. Therefore, the exception laid down in Article 4(3) of Regulation (EC) No 1049/2011 applies to this document.

The exceptions laid down in Article 4(3) of Regulation (EC) No 1049/2001 apply unless there is an overriding public interest in disclosure of the documents. I have examined whether there could be such an overriding public interest in disclosure as part of our request, but have not been able to identify such an interest.

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

by asking for a review via your portal¹ account (available only for initial requests submitted via the portal account),

or by mail:

European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

Electronically signed

Kerstin Jorna
Director-General

Enclosure: 1

¹ <https://www.ec.europa.eu/transparency/documents-request>