

From: [REDACTED] (OLAF)
Sent: Thursday, April 10, 2014 5:11 PM
To: [REDACTED] (SG); [REDACTED] (SJ)
Cc: SG DOSSIERS ACCES; [REDACTED] (OLAF)
Subject: RE: Request of [REDACTED] for access to ADONIS metadata of documents

Dear [REDACTED]

Following the request of [REDACTED] to metadata of 267 OLAF documents I'd like to clarify the following issues.

[REDACTED] requested access to Adonis metadata of 267 documents with email of **19 March 2014**.

We clarified an issues with the SecGen and prepared a reply (draft attached) informing [REDACTED] that OLAF is not treating the request as an application for access to documents under Regulation 1049/2001, however, we missed a deadline of 15 days (yesterday, 9 April). Neither, we sent a holding reply to [REDACTED].

Today, [REDACTED] submitted a confirmatory application by email. He treats that no reply from OLAF is an implied negative decision.

The issue is whether OLAF should treat:

- (1) Both emails as a request for information and send a reply within one month (Code of good administrative behaviour), or
- (2) Should OLAF reply with its confirmatory reply, signed by the DG to be on the safe side? The reply of the DG would indicate that OLAF could not identify any documents. This reply would constitute a confirmatory reply in case of possible action before the court?

Could you briefly indicate your advice?

Kind regards, [REDACTED]

Ps. If I understand correctly [REDACTED] submitted a confirmatory application to you as well?