



## EUROPEAN COMMISSION

Directorate-General for Communications Networks, Content and Technology

Cooperation  
Stakeholders

Brussels,  
DG CNECT/D4/AAK/SS/ns  
ARES (2015)

Ms Vicky Cann  
Corporate Europe Observatory  
26, rue d'Edimbourg  
B-1050 Bruxelles, Belgique

Email: [ask+request-1805-4e8e0c0a@asktheeu.org](mailto:ask+request-1805-4e8e0c0a@asktheeu.org)

### REGISTERED LETTER WITH ACKNOWLEDGEMENT OF RECEIPT

**Subject: Your request for Access to Documents Ref. GestDem 2015/1270; our holding reply on the extension of the deadline of 23/03/2015**

Dear Ms Cann,

I refer to your e-mail dated 02/03/2015 in which you make a request for access to documents, registered by our services on 02/03/2015 under the above-mentioned reference number. I also refer to the notification on the extension of the deadline that we sent on 09/03/2015.

The documents that you have requested contain personal data.

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is 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<sup>1</sup>.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable. According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

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<sup>1</sup> OJ L 8 of 12.1.2001, p. 1

I consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned.

Therefore, I am sending you the requested document expunged from this personal data.

If you wish to receive these personal data, I 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 persons whose personal data should be disclosed.

In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to make 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 Secretary-General of the Commission at the following address:

European Commission  
Secretary-General  
Transparency unit SG-B-4  
BERL 5/327  
B-1049 Bruxelles  
or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

Antoaneta Angelova-Krasteva

Enclosure: Email correspondence

c.c.: S. Szalai, M. Mateo Goyet, A. Marcos Figueruelo (CNECT), K. Sjudoff (CAB Oettinger)