



**EUROPEAN COMMISSION**

DIRECTORATE-GENERAL

TAXATION AND CUSTOMS UNION

International and General Affairs

**Inter-institutional relations, coordination, communication, strategic planning**

Head of Unit

**17. 05. 2018**

Brussels,

Taxud E2/IO – taxud.e.2(2018)2786287

Mrs Vicky Cann

CEO

Rue d'Edimbourg 26

BE – 1050 Brussels

[ask+request-4910-059de411@asktheeu.org](mailto:ask+request-4910-059de411@asktheeu.org)

*(by e-mail and registered mail)*

**Subject: Your application for access to documents – Ref GestDem No 2018/1813**

Dear Mrs Cann,

We refer to your application dated 27 March 2018, under which you request to have access to the following documents: *"... minutes of meetings with STEP, IFF, the Irish Tax Institute, CFE, PwC, KPMG, and a joint meeting with CFE/CCBE."*

Your request has been dealt with in accordance with Regulation 1049/2001 and we have identified the following documents:

1. *Meeting with Irish Tax Institute to discuss mandatory disclosure rules for intermediaries (DAC6), 8 January 2018 [Ares(2018)103561];*
2. *Meeting with representatives of STEP ("The Society of Trust and Estate Practitioners"), 6 February 2018 [Ares(2018)1234073];*
3. *Meeting with CFE, 1/3/2018: Discussion on DAC6 intermediaries, 1 March 2018 [Ares(2018)1234073];*
4. *Summary minutes IFF 7 December 2017, 29 March 2018 [Ares(2018)1740620].*

As a general remark, the scope of the request covered the topic *minutes of meetings with STEP, IFF, the Irish Tax Institute, CFE, PwC, KPMG, and a joint meeting with CFE/CCBE*, so the irrelevant parts, i.e. the chapters relating to other topics in document 2 have been redacted.

In view of the nature of the documents, we would like to stress that Commission officials draft reports for internal use. These reports are usually of value only for a limited time. These documents are intended for internal Commission use only and have not been agreed upon or discussed with any of the other participants at the meeting. Therefore, they constitute a subjective view of the contents of the meetings covered and cannot in any way be regarded as official minutes of the meeting.

Following the assessments of the Commission, identified documents with parts relevant for your request, are partially disclosed to you, because they 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<sup>2</sup>. 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.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data.

You may reuse the documents requested free of charge for non-commercial and commercial purposes provided that the source is acknowledged, that you do not distort the original meaning or message of the documents.

Please note, that the Commission does not assume liability stemming from the reuse.

In case you would disagree with the overall assessment of the documents or if you consider 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.

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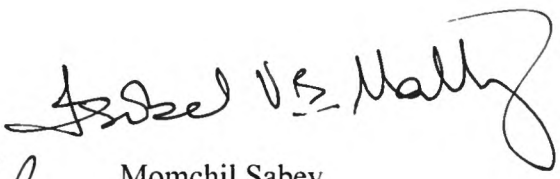
<sup>1</sup> Official Journal L 8 of 12.1.2001, p. 1

<sup>2</sup> Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P, Commission/The Bavarian Lager Co. Ltd, ECR 2010 I-06055.

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 5/282  
B-1049 Bruxelles  
or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

  
VP.  
Momchil Sabev

Annexes: as stated above