



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

Directorate C - Transparency, Efficiency & Resources
The Director

Ref. Ares(2019)5693626 - 11/09/2019

Brussels,
SG.C/VT

Mr Alexander Fanta
By e-mail: <ask+request-7230-
5b2fc5f1@asktheeu.org>

**Subject: Your application for access to documents in accordance with
Regulation 1049/2001– Ref. GestDem 2019/4936**

Dear Mr Fanta,

I refer to your e-mail dated 21 August 2019, registered on the same date under the above-mentioned reference [Ares(2019)5337970].

In your application, you request access to “...documents which relate to post term-of-office activities (relevant under Article 245 TFEU and the Code of Conduct for Commissioners 1.2) by any of the outgoing current European Commissioners, including but not limited to, Günther Oettinger. In particular... copies of any application(s) that Oettinger and others have made relating to their undertaking a new professional activity; and all documents (correspondence, emails, meeting notes etc) related to the authorisation of the new role or roles.”

Please note that the Commission has not received yet any notification from current Commissioners informing of their intention to engage in a professional activity after they have ceased office. As regards, Commissioner Oettinger, he informed the President of the Commission about the establishment of a company. He would notify his intention to engage in an activity at a later stage once his considerations with regard to an active role in this company have become more concrete in line with Article 11(2) of the Code of Conduct for the Members of the European Commission¹.

I would also like to inform you that in accordance with Article 11(7) of the Code of Conduct, the Commission's decisions on post term of office activities and the related opinions of the Independent Ethical Committee will be made public on a dedicated website² with due consideration to the protection of personal data.

¹ [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32018D0221\(02\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32018D0221(02))

² https://ec.europa.eu/info/about-european-commission/service-standards-and-principles/codes-conduct/ethics-and-integrity-eu-commissioners_en

Therefore, given that at this stage no such documents, corresponding to the description given in your application, are held by the Commission, the Commission is not in a position to fulfil your request.

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 within 15 working days upon receipt of this letter to the Secretariat-General of the Commission at the following address:

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,



Tatjana VERRIER

c.c.: SG-DOSSIERS-ACCES@ec.europa.eu