



EUROPEAN COMMISSION

Brussels, 18.4.2019
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33600 Pessac
France

**DECISION OF THE EUROPEAN COMMISSION PURSUANT TO ARTICLE 4 OF THE
IMPLEMENTING RULES TO REGULATION (EC) No 1049/2001¹**

**Subject: Your confirmatory application for access to documents under
Regulation (EC) No 1049/2001 - GESTDEM 2019/0971 and
2019/0972**

Dear ██████████,

I refer to your email of 09 March 2019, registered on the 11 March 2019, in which you submit a confirmatory application in accordance with Article 7(2) of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents² ('Regulation (EC) No 1049/2001').

1. SCOPE OF YOUR REQUEST

In the three separate initial applications you submitted on 19 February 2019, you requested access to the draft versions 1, 2 and 3 of the Commission legislative proposal for a Regulation of the European Parliament and of the Council on a pan-European personal pension product (PEPP), having as an identifier COM(2017)343. These three applications were registered under the references GESTDEM 2019/0970, GESTDEM 2019/0971 and GESTDEM 2019/0972 respectively.

In its initial reply of 4 March 2019, the Directorate-General for Financial Stability, Financial Services and Capital Markets Union refused access to the documents requested based on the exception of Article 4(3) of Regulation (EC) No 1049/2001' (protection of the decision-making process).

¹ Official Journal L 345 of 29.12.2001, p. 94.

² Official Journal L 145 of 31.5.2001, p. 43.

Through your confirmatory application, you request a review of this position. You limited the scope to draft versions 2 and 3 of this legislative proposal. In the reply to our clarification request received on the 20 March 2019, you specified that version 1 (registered under the reference GESTDEM 2019/0970) of the Commission proposal COM (2017)343 is also within the scope of your confirmatory application.

2. ASSESSMENT AND CONCLUSIONS UNDER REGULATION (EC) No 1049/2001

When assessing a confirmatory application for access to documents submitted pursuant to Regulation (EC) No 1049/2001, the Secretariat-General conducts a fresh review of the reply given by the Directorate-General concerned at the initial stage.

Following this review and taking into account the progress at this stage of the legislative decision-making, I am pleased to inform you that full access is granted to the three documents requested. Please find attached copies of these documents.

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Yours sincerely,



For the European Commission
Martin SELMAYR
Secretary-General

Enclosures: 3