



EUROPEAN COMMISSION
 DIRECTORATE-GENERAL JUSTICE and CONSUMERS

Directorate C: Rule of Law, Fundamental Rights and Democracy
Unit C.3: Data protection

Brussels, 09/08/2023
 JUST.C3 (2023)8185940

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Subject: Your application for access to documents – EASE/2023/3854

Dear Sir

We refer to your request registered on 5 July 2023 under the above mentioned reference number.

You request access to documents held by DG Justice and Consumers containing the following information:

“All inputs received from stakeholders, including supervisory authorities and member states, to the Proposal for a regulation laying down additional procedural rules relating to the enforcement of GDPR. This excludes the inputs previously published under the call for inputs for the regulation.”

Your application concerns the following documents:

No	Name of document
1	Ares(2022)7277399 flash report meeting with BEUC - 20 October 2022 (hereafter “document 1”)
2	Ares(2023)915395 Meeting JUST.C3 and Access Now_Friday 3 February 2023 (hereafter “document 2”)
3	Ares(2023)2070649 Amazon JUSTC3 meeting 20_03_23 (hereafter “document 3”)
4	Ares(2023)2710021 Meeting with the European Banking Federation_14.04.2023 (hereafter “document 4”)

5	Ares(2023)3553417 Meeting JUSTC3 and DOT_23.05.23 (hereafter “document 5”)
6	Ares(2023)3556947 ITI JUST.C3 meeting 10.05.23 (hereafter “document 6”)
7	Ares(2023)3566733 Meeting with Meta 1 March 2023 (hereafter “document 7”)
8	Ares(2023)4115998 Meeting JUSTC3 CCIA 04.05.23 (hereafter “document 8”)
9	Ares(2023)4960129 28.04.23 - GDPR Proc. rules - Meeting with MetaPlatforms (hereafter “document 9”)
10	Ares(2023)5294879 Minutes of GDPR Multistakeholder expert group meeting of 21 April 2023_final (hereafter “document 10”)
11	Ares(2023)5216579 Timelex Memorandum on Future GDPR Procedure Regulation - 14-06-2023 (hereafter “document 11”)
12	Ares(2023)5193472 Input VUB redacted (hereafter “document 12”)
13	Ares(2023)4965194 AMAZON_Non-paper - Harmonisation of GDPR cross-border procedures (hereafter “document 13”)
14	Ares(2023)4964221 230324_Consultation_ProcedureGDPR_Linklaters (hereafter “document 14”)
15	Ares(2023)4964069 note on procedural regulation FINAL (hereafter “document 15”)
16	Ares(2023)4963089 Dutch DPA Letter to COM Re Draft Proposal for Regulation complementing GDPR (hereafter “document 16”)
17	Ares(2023)4963758 NO DPA Input-EC presentation of proposal (hereafter “document 17”)
18	Ares(2023)4990476 EDPS 2023-0505 D1465 Informal comments (hereafter “document 18”)
19	Ares(2023)4990606 EDPS_contribution_Procedural_rules_GDPR_enforcement_21042023_final (hereafter “document 19”)
20	Ares(2023)4990695 EDPS_contribution_Annex_I_21042023 (hereafter “document 20”)
21	Ares(2023)4990813 EDPS_contribution_Annex_II_21042023 (hereafter “document 21”)
22	Ares(2023)5296004 Minutes GDPR-LED Expert Group - 19.04.2023 (hereafter “document 22”)
23	Ares(2023)5296046 Minutes GDPR-LED expert group – 30.11.2022 (hereafter “document 23”)

24	Ares(2023)4990344 AT_comments_on_the_Commission_legislative_initiative (hereafter “document 24”)
25	Ares(2023)4980549 BG (hereafter “document 25”)
26	Ares(2023)4980845 BG (hereafter “document 26”)
27	Ares(2023)4986305 DE_comments on the COM initiative on procedural aspects (hereafter “document 27”)
28	Ares(2023)4986511 EE_feedback on the EDPB wish list 11.01.2023 (hereafter “document 28”)
29	Ares(2023)4986657 FI_EDPB letter_FI comments (hereafter “document 29”)
30	Ares(2023)4985879 FR_2023 04 26 -cad 0175467-jpc 535-rgpd (hereafter “document 30”)
31	Ares(2023)4986088 FR_2023 02 08 - jpc-1073-2023 - note_EN (hereafter “document 31”)
32	Ares(2023)4985625 IE_ObsEDPBProposal (hereafter “document 32”)
33	Ares(2023)4984003 NL (hereafter “document 33”)
34	Ares(2023)4985106 NO (hereafter “document 34”)
35	Ares(2023)4985298 NO Comments (hereafter “document 35”)
36	Ares(2023)4984179 PL (hereafter “document 36”)
37	Ares(2023)4984758 SI (hereafter “document 37”)

Please note that data protection authorities provided input regarding the proposal mentioned in your request through the European Data Protection Board (EDPB) (which is composed of the national data protection authorities and the European Data Protection Supervisor, and which includes the participation of the Commission). In particular, the EDPB wrote to the Commission in October 2022 and provided a [list of procedural issues](#) that could be harmonised in EU law. In the context of the preparation of this input, the EDPB may possess documents reflecting the position of DPAs. In April and May 2023, the Commission participated in meetings of subgroups of the EDPB where delegations from data protection authorities provided further oral input on the proposal. We invite you to contact the EDPB regarding possible access to documents which may have been produced during such meetings.

Please note that documents 1-9, 11, 12, 14 - 17, 25, 26, 30 and 32 to 37 have been redacted because they contain personal data:

- the names/initials and contact information of staff members of the European Commission;
- the names/initials and contact details of other natural persons; and

- handwritten signatures/abbreviated signatures of natural persons.

Article 9(1)(b) of the EU Data Protection Regulation¹ does not allow the transmission of this personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced.

In your request, you do not express any particular interest to have access to this personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in these documents.

Please also note that parts of the documents disclosed that do not directly relate to the subject of your request have been redacted as being “out of scope”.

Regarding the documents numbered 1 to 9, please note that these documents were drawn up for internal use under the responsibility of the relevant services of the Directorate-General for Justice and Consumers. They solely reflect the services interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer, which were not consulted on their content. It does not reflect the position of the Commission and cannot be quoted as such.

Regarding documents 10, 22 and 23, please note that you may reuse public documents, which have been produced by the European Commission or by public and private entities on its behalf based on the [Commission Decision on the reuse of Commission documents](#). You may reuse the documents disclosed free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and 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.

Regarding the documents numbered 12 to 21 and 24 to 37, please note that documents originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, *OJ L 295*, 21.11.2018, p. 39–98.

by mail, to:

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,

Olivier MICOL
Head of Unit

Annex(es): Documents 1-37