



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate E - Implementation & Support to
Member States
ENV.E.4 - Compliance & Better Regulation

DIRECTORATE-GENERAL
CLIMATE ACTION
Administrative and Legal Support, Liaison SRD

Brussels,

By registered letter with acknowledgment of receipt

Wiesje VAN NUNEN
Access Info Europe
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Advance copy by email:

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**Subject: Your applications for access to documents –
GestDem 2016/4988 and 2016/5012**

We refer to your e-mails dated 2 September 2016 in which you make a request for access to documents, registered on 6 and 8 September 2016 respectively under the above mentioned reference numbers.

You request access to:

1. *Memos, guidance, guidelines, or training material (or any other document) for DG staff on record creation and/or record keeping. I am particularly interested in documents that refer to creation/keeping of:*
 - *Agendas (diaries of public officials' engagements), lists of meetings, minutes of meetings, lists of participants in meetings, and documents justifying decisions.*
2. *Memos, guidance, guidelines, or training material (or any other document) for DG staff on the processing of access to information requests.*

Part 2 of your request has been responded to individually by Directorates General ('DG') Environment and Climate Action on 27 and 26 September 2016 respectively.

We would like to point out that DGs Environment and Climate Action share the service responsible for the implementation of the institution's policy on document management on the level of both DGs. We have therefore decided to make a joint reply for part 1 of both your requests to DGs Environment and Climate Action, since the concerned documents are identical for both DGs.

As indicated in our individual aforementioned replies, we are aware that you and your colleague Mireia CRESPO CASTELLANO have made, on behalf of 'Access Info

Europe', identical requests to a large number of Directorates General, including the General Secretariat of the European Commission.

The General Secretariat of the European Commission is responsible for defining and monitoring the institution's policies on document management, and has replied to your colleague's relevant request as follows:

– GestDem 2016/4877 – reply dated 20 September 2016

The corporate elements indicated in this reply apply in full within DGs Environment and Climate Action, and are implemented accordingly.

Based on the aforementioned corporate elements, the service shared by DGs Environment and Climate Action responsible for the implementation of the institution's document management policy has issued following documents for the benefit of both DGs:

1. Ares(2016)79552 – note to all services in DGs Environment and Climate Action
2. Internal note on better document management
3. Presentations for all staff on
 - * opening files
 - * file management
 - * closing files

All documents are enclosed to this letter.

Please note that these documents are working documents within DGs Environment and Climate Action and as such do not reflect the position of the European Commission as a whole. They cannot be quoted as reflecting the European Commission's position, and cannot be reproduced or disseminated for commercial purposes without prior consent given by the European Commission.

Document 1. to which you have requested access contains personal data, in particular names, office addresses and direct phone numbers.

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 data¹.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable².

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

¹ Official Journal L 8 of 12.1.2001, p. 1

² 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.

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 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.

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 5/282
B-1049 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu

Sincerely,



Robert KONRAD
DG Environment



Rudy VAN HORENBEEK
DG Climate Action

Enclosures: documents