



EUROPEAN COMMISSION
DIRECTORATE-GENERAL COMMUNICATION

DG01- Coordination and Evaluation
Head of Unit

Brussels,
COMM/DG.01/AJ/MFC/acg/Ares(2016)

***By registered letter with
acknowledgment of receipt***

Ms Wiesje van Nunen
Access Info Europe
Cava de San Miguel 8, 4C
28005 MADRID

Advance copy by email

Subject: Your application for access to documents – Ref GestDem No 2016/4890

Dear Ms van Nunen,

We refer to your e-mail dated 02/09/2016 in which you make a request for access to documents, registered on 02/09/2016 under the above mentioned reference number.

Your application concerns the following documents:

1. Memos, guidance, guidelines, or training material (or any other document) for DG staff on record creation and/or record keeping, particularly documents that refer to creation/keeping of: Agendas (diaries or 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.

With regard to point 1 of your request, we have identified the following documents, which fall within the scope of your request:

a - Programme – DMO Correspondents Representations - Workshop Document Management (Brussels - 26 & 27 February 2015)

b - Programme – Correspondants DMO Représentations - Workshop Gestion de Documents (Bruxelles 25 & 26 février 2016)

c - Power point presentation – Workshop Document Management (Bruxelles, 25& 26 février 2016)

d – Programme – DMO Correspondents - Document Management Workshop (Bruxelles - 19 May 2016)

e - Power point presentation – Ares & NomCom Workshop (Bruxelles – 19 May 2016)

f - REPS' Guidelines - Disposal and Transfer of files - 2014.

With regard to point 2 of your request, we have identified the following documents, which fall within the scope of your request:

g - DG Communication's Intranet Page on Access to Documents Workflows

h - Note for the attention of Heads of Representation and Heads of Unit - 2013.

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding access to documents, I have come to the conclusions that you can have access to the documents under above b, c and e: I enclose a copy of these documents.

The documents under above a, d, f, g and h, to which you have requested access contain personal data, in particular Commission staff names who are not staff in senior management positions.

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 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 documents a, d, f, g and h expunged from these personal data.

If you wish to receive these personal data, we invite you to provide us with arguments showing the need for having these personal data transferred to you and the absence of

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.

adverse effects to the legitimate rights of the persons whose personal data should be disclosed.

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

Yours sincerely,



Sonja Ziemer