



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR RESEARCH & INNOVATION

Directorate J - Common Support Centre
J.1 - Common Legal Support Service

Brussels

*By registered letter with acknowledgment
of receipt:*

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Subject: Your application for access to documents–Ref GestDem No 2016/7173

Dear Madam,

We refer to your application dated 20/12/2016 in which you made a request for access to documents, registered on 21/12/2016 under the above mentioned reference number.

You requested access to *all documentation relating to the 12/09/16 event MEETING WITH MEMBERS OF ERT (EUROPEAN ROUND TABLE OF INDUSTRIALISTS) which was hosted by the Commission. This should include all invitations, attendance lists, agendas, background papers, minutes/ notes.*

Your application concerns the following documents:

1. ERT attendance list;
2. Background paper - Ideas for a European Innovation Council - Overview of Responses to the Call for Ideas – available at <https://ec.europa.eu/research/eic/index.cfm>;
3. Background paper – contribution of Unit B1;
4. Background paper – contribution of Unit B3;
5. Background paper – contribution of Unit G1;
6. Background paper – ERT meeting - brief;

7. Background paper - ERT Paper #3 “Start-ups/Entrepreneurship” - Executive Summary;
8. Background paper - ERT Paper #3 “Start-Ups/Entrepreneurship” – available at <http://www.ert.eu/document/ert-trilogy-digital-economy3>;
9. ERT Steering Committee Members;
10. ERT meeting - short summary of discussions.

Please note that documents 1 and 10 do not reflect the position of the Commission. They cannot be quoted as reflecting the Commission's position and cannot be reproduced or disseminated for commercial purposes without prior consent given by the Commission.

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Please note that documents 7-9 were received by the Commission from the European Round Table of Industrialists (ERT). They are disclosed for information only. They do not reflect the position of the Commission and cannot be quoted as such.

The requested documents contain names, email addresses, other addresses and telephone numbers of certain members of the staff of the Commission and of external entities which constitute personal data within the meaning of Article 2(a) of Regulation (EC) No 45/2001¹.

Article 4(1)(b) of Regulation (EC) No 1049/2001 provides that access to documents is to be refused where 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*.

According to Article 8(b) of Regulation (EC) No 45/2001, personal data shall only be transferred to recipients if the recipient establishes the necessity of having the data transferred and if there is no reason to assume that the data subject's legitimate interests might be prejudiced. Those two conditions are cumulative.

In the present case you did not put forward any arguments to substantiate a need to obtain these personal data. Furthermore, it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned.

Therefore, in conformity with the current administrative practice, the personal data of the staff not occupying any senior management position in the Commission and of the individuals other than the main representatives of the concerned external entities were withheld.

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

¹ 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 data

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 Secretariat-General of the Commission, at the following address:

European Commission
Secretariat-General
B4 Transparency
BERL 5/282
1049 Brussels/Belgium

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

Yours sincerely,

Liliane De Wolf
Head of Unit