



EUROPEAN COMMISSION

Cabinet of First Vice-President Frans Timmermans
Head of Cabinet

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Dear Mr Beyrer,

First Vice-President Timmermans has asked me to thank you for your letter dated 24 March 2015 and to reply on his behalf. The support and commitment of European business is essential for the good functioning of the Transparency Register. In fact, in-house lobbyists working for companies and groups and trade and business associations account for over 40% of the total number of all entities registered.

Further to the three issues you raise, I would like to provide you with the following clarifications:

1. Disclosure of information on memberships in EU structures and platforms

The rationale behind including this new heading in the Transparency Register is to give more transparency to the structural relations that interest representatives have with the EU institutions.

The Transparency Register contains links to the *Register of Commission Expert Groups and other similar entities*. However, data from the Expert Group Register cannot currently be fed into an entry in the Transparency Register, although we are ready to explore this further. As far as European Parliament Intergroups are concerned, there is no equivalent database of memberships. Establishing the relevant membership databases and linking them to the Transparency Register would require significant IT development and therefore take some time.

2. Financial disclosure and declaration of membership fees

It is the established policy that annual membership fees to trade associations or federations that conduct activities covered by the Transparency Register are to be disclosed. Membership fees represent a relevant cost to an entity promoting a particular interest via, or with the support of, a representative umbrella in its sector.

To be done accurately, however, membership should indeed be declared as a proportional calculation, i.e., the members of the association should only declare the estimated percentage of the membership fee spent on lobbying the EU institutions.

Regarding the issue of *double-counting*, the Transparency Register does not exclude double-counting. The financial declaration made by one organisation concerning the estimate of costs on relevant activities does not exclude another organisation declaring the same amount received by that organisation in terms of relevant turnover (for clients) or in terms of budget (for membership fees).

The potential problem you refer to with double-counting only arises with cumulative calculations on the spending of a particular section/industry on lobbying. The Commission neither endorses nor supports such arithmetic exercises, which have their limitations in terms of methodology and can lead to skewed results.

3. Turnover figures attributable to interest representation

I take note of your support for the fact that the Transparency Register does not actually ask Section II registrants to provide turnover attributable to activities covered by the Register. As you are aware, the Commission has committed in its Work Programme 2015 to propose a mandatory Transparency Register, and the deletion of the respective clause is certainly one issue that will be given due consideration in the context of the preparation of the revised Interinstitutional Agreement.

I hope that these clarifications are useful to you, in particular in view of the meeting you will have with BusinessEurope members on this issue tomorrow. I am afraid that neither I nor Michelle Sutton are able to join you tomorrow, but if in the light of this reply you would still feel a bilateral discussion in person would be useful, I would be pleased to welcome you to the Berlaymont. I would also stress that you are most welcome to address any additional practical questions on the registration requirements you may have to the Joint Transparency Register Secretariat (JTRS).

In conclusion, I would like to thank you again for your valuable input and support for the Transparency Register. I count on the engagement of BusinessEurope in the future consultations on the forthcoming mandatory register proposal.

Yours sincerely,


Ben SMULDERS
