

From: SUTTON Michelle (CAB-TIMMERMANS)
Sent: Sunday 23 October 2016 11:12
To: [REDACTED] (CAB-TIMMERMANS)
Cc: [REDACTED] (CAB-TIMMERMANS); COLOMBANI Antoine (CAB-TIMMERMANS)
Subject: FW: Transparency proposal

[REDACTED]

Michelle Sutton
Deputy Head of Cabinet of First Vice-President Timmermans
European Commission

Tel: +32 2 296 0239
Email: michelle.sutton@ec.europa.eu

From: SUTTON Michelle (CAB-TIMMERMANS)
Sent: Sunday, October 23, 2016 11:11 AM
To: 'Feustel Christian'
Cc: KROEGER Martin (SG); [REDACTED] (CAB-TIMMERMANS)
Subject: RE: Transparency proposal

Dear Mr Feustel,
Thank you for your renewed invitation.
I am afraid that I am not able to join you on the dates suggested but my colleagues Sarah Nelen will come back to you with the aim of providing a suitable representative from the Commission.
Yours sincerely,
Michelle Sutton

Michelle Sutton
Deputy Head of Cabinet of First Vice-President Timmermans
European Commission

Tel: +32 2 296 0239
Email: michelle.sutton@ec.europa.eu

From: Feustel Christian [<mailto:c.feustel@businessseurope.eu>]
Sent: Monday, October 17, 2016 9:12 AM
To: SUTTON Michelle (CAB-TIMMERMANS)
Cc: KROEGER Martin (SG); NELEN Sarah (CAB-TIMMERMANS)
Subject: RE: Transparency proposal

Good morning Mrs Sutton

Following up on our email, we would like to plan our meeting with members on this issue and would need to know whether you, or alternatively someone from your team in charge of the dossier, would be available on the proposed dates?

Thank you very much in advance and kind regards

Christian Feustel

From: Feustel Christian
Sent: 04 October 2016 14:22
To: 'michelle.sutton@ec.europa.eu' <michelle.sutton@ec.europa.eu>
Cc: 'martin.kroeger@ec.europa.eu' <martin.kroeger@ec.europa.eu>; Cabinet
<Cabinet@businessseurope.eu>
Subject: Transparency proposal

Dear Mrs Sutton

We hope you are well. We have read last week's Commission proposal for an IIA on a mandatory register with great interest, and would like to seek clarification on what might seem a mere technicality, but could have a potential negative and confusing impact.

In annex II to the proposal (see below), it is stated that "*registrants that are legally registered as not for profit entities shall provide...*". As BusinessEurope has a status as *aisbl* under Belgian law (*association internationale sans but lucratif*), would that mean that we would in the future have to register under category III (NGOs) or would the above-mentioned requirement (for not-for-profit entities) be applicable for category II (trade associations) as well?

For our members, the situation is very diverse. For some, the legal terminology 'not for profit' as such does not exist and they are not sure what this could mean for their legal status in their national law.

A complicating factor is the low threshold of 10% which is now being introduced. In most legal cultures, the concept of control over an entity is way above that level. We had therefore proposed to apply the more usual 30% threshold (see our letter from last year attached).

We would be delighted to discuss this and other questions that BusinessEurope or its members may have in person with you.

Would you be available to come and speak at our *Permanent Delegates* meeting (our "Coreper" composed of the heads of the Brussels offices of our member federations) on either

Tuesday 15 November, or

Tuesday 6 December (both in the morning).

Would that be convenient for you? Thank you very much in advance for your answers and

Kind regards


Christian Feustel
SENIOR POLICY ADVISOR | ADVOCACY MANAGEMENT

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EU Transparency Register 3978240953-79

 **@CFeustel_BE**

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Specific information obligations

Registrants that are legally registered as 'not-for-profit' entities shall provide:

- a) the total budget of the registrant for the most recent financial year closed;
- b) the main sources of funding by category (for example, public financing, members' contributions, grants, donations, etc.);
- c) amount of each contribution exceeding 10 % of the total budget, if the contributions are above 10 000 euros, and the name of the contributor.

14.11.2016

(CAB-TIMMERMANS)

From: SUTTON Michelle (CAB-TIMMERMANS)
Sent: Thursday 28 September 2017 17:44
To: [REDACTED] (CAB-TIMMERMANS)
Subject: FW: Transparency proposal
Attachments: image003.jpg

Categories: Red Category

Michelle Sutton
Deputy Head of Cabinet of First Vice-President Timmermans
European Commission

Tel: +32 2 296 0239
Email: michelle.sutton@ec.europa.eu

From: COLOMBANI Antoine (CAB-TIMMERMANS)
Sent: Thursday, September 28, 2017 5:19 PM
To: [REDACTED] (CAB-TIMMERMANS); CAB TIMMERMANS ARCHIVES; SUTTON Michelle (CAB-TIMMERMANS); SMULDERS Ben (CAB-TIMMERMANS)
Subject: Fwd: Transparency proposal

Begin forwarded message:

From: "COLOMBANI Antoine (CAB-TIMMERMANS)" <Antoine.COLOMBANI@ec.europa.eu>
Date: 14 November 2016 at 17:10:39 GMT+1
To: 'Feustel Christian' <c.feustel@businessseurope.eu>
Cc: [REDACTED]
[REDACTED] "KROEGER Martin (SG)"
<Martin.Kroeger@ec.europa.eu>
Subject: RE: Transparency proposal

Dear Christian,

As discussed I will be at your meeting tomorrow morning to present the IIA proposal and its objectives.

Concerning the more specific questions you raised in your email sent to Mrs. Sutton on 4th October, I understand that the Secretariat General has been in contact with you on these matters in the meantime. As has I think already been communicated to you, we consider that BusinessEurope would under the proposal remain in section II.b (Trade and Business associations).

Under the proposal, the specific reporting requirement for non-profit entities foreseen on page 7 in annex II will be applicable to any entity from any category (classification of registrants in Annex I) which is legally registered as a "not-for-profit". Where the concept of "not-for-profit" does not exist under national law and unless there is a similar status, the specific information obligations foreseen on page 7 in annex II would not apply.

Finally, I'm happy to give you more explanations tomorrow on the 10% threshold, which we consider to be a reasonable threshold for the purposes of achieving transparency for not for

profit entities, also in the light of the fact that the obligation to provide amounts only applies to contributions above 10 000 euros.

Bes regards,

Antoine

From: COLOMBANI Antoine (CAB-TIMMERMANS)
Sent: Friday, October 21, 2016 11:59 AM
To: 'c.feustel@businessseurope.eu'
Cc: [REDACTED] (CAB-TIMMERMANS); KROEGER Martin (SG); [REDACTED] (CAB-TIMMERMANS)
Subject: RE: Transparency proposal [REDACTED]

Dear Mr. Feustel

I'm following up on your emails to Michelle Sutton and Sarah Nelen.

I am now also in charge of transparency along with Sarah.

I would be happy to meet your members to explain our proposal for an IIA on 15/11 in the morning. In the meantime, we will do our best to provide you with a clarification on the specific matter you mention.

Best regards,
Antoine

Antoine Colombani
Cabinet of First Vice President Frans Timmermans
European Commission
Office: Berlaymont 12/237
Tel: +32.2.297.45.13
GSM: +32.460.75.20.63

From: Feustel Christian
[mailto:c.feustel@businessseurope.eu]
Sent: Thursday, October 20, 2016 9:43 AM
To: NELEN Sarah (CAB-TIMMERMANS)
Subject: FW: Transparency proposal

Good morning Sarah

Since we do not get a reply, and since we heard that yesterday (from Martin Ohrtsky) that not Mrs Sutton, but you are now in charge of this file, would it be possible for you to come and speak to our group on one of the 2 proposed dates?

Thanks and all the best (also for your foot ☺)
Christian

From: Feustel Christian
Sent: 17 October 2016 09:12

To: 'michelle.sutton@ec.europa.eu'
<michelle.sutton@ec.europa.eu>
Cc: 'martin.kroeger@ec.europa.eu'
<martin.kroeger@ec.europa.eu>;
<[REDACTED]>
<[REDACTED]>
Subject: RE: Transparency proposal

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- **Tuesday 6 December (both in the morning).**

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Kind regards

Christian Feustel

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