



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR RESEARCH & INNOVATION

Directorate J - Common Support Centre
J.1 - Common Legal support service
Head of Unit

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*By registered letter with acknowledgment
of receipt*

Margarida Da Silva
Corporate Europe Observatory
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Brussels 1050
Belgium

Advance copy by e-mail:
ask+request-5185-6585c98e@asktheeu.org

Subject: Your application for access to documents – GestDem Ref No 2018/1180

Dear Ms Da Silva,

We refer to your letter dated 26/02/2018 in which you submitted, within the framework of Regulation (EC) 1049/2001¹, an application for access to documents.

You requested access to the following documents:

‘all exchanges since May 2016 between Commissioner Moedas, his office and his Cabinet, with the following organisations and their representatives:

*Lord Jonathan Hill
Freshfields Bruckhaus Deringer LLP
London Stock Exchange Group
QVC Inc
Lloyd’s of London
Futures Industry Association, Inc
Canada Pension Plan Investment Board
Kroll Bond Rating Agency Inc*

Specifically, I would like to request any emails, correspondence, meeting notes or telephone call notes’.

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

We have identified 3 documents falling under the scope of your request (hereinafter the 'requested documents'), namely:

- Letter from London Stock Exchange Group to Commissioner Moedas
- briefing of the '1000 Companies to Inspire Europe' Report, annexed to the above-mentioned letter
- cover page of the '1000 Companies to Inspire Europe' Report

We are pleased to inform you that partial access can be granted to all the requested documents. We have expunged information which disclosure is prevented by Article 4(1)(b) of Regulation (EC) No 1049/2001, namely the protection of privacy and the integrity of the individual.

The requested documents contain personal data such as handwritten signature, names, surnames, photographs. This information clearly constitutes personal data in the meaning of Article 2(a) of Regulation (EC) 45/2001².

According to Article 8(b) of Regulation (EC) 45/2001, personal data shall only be transferred to a recipient in the EU/EEA 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 have 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, personal data have been withheld from the requested documents, except the the name of individuals forming part of senior management staff of the Commission, names of MEPs, and the name of the main representative of the third party, in conformity with the Commission usual practice.

Please note that these documents were received by the Commission from the London Stock Exchange Group. They are disclosed for information only and cannot be re-used without the agreement of the originator, who holds a copyright on them. They do not reflect the position of the Commission and cannot be quoted as such.

In accordance with Article 7(2) of Regulation (EC) 1049/2001, you are entitled 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:

² 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 institutions and bodies of the Community and on the free movement of such data (OJ L 8, 12.01.2001, p.1), hereinafter referred to as 'Regulation (EC) 45/2001'.

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/282
B-1049 Brussels

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

Yours faithfully,

[Electronic signature]

Reinhard Schulte

Enclosure: requested documents