



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR STRUCTURAL REFORM SUPPORT

The Director-General

Brussels, 16 September 2022
REFORM.A.2.002/OS/rp (2022)7009328

Peter Teffer
Overtoom 197
1054 HT Amsterdam
The Netherlands

By email: ask+request-11778-43c90610@asktheeu.org

Subject: Your application for access to documents – GESTDEM 2022/4825

Dear Mr Teffer,

We refer to your email of 26 August 2022 in which you make a request for access to documents, registered on 26 August 2022 under the above-mentioned reference number.

You request access to:

- all documents – including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, operational conclusions, lines to take, briefings, e-mails, letters, and presentations – related to the annual meeting by Mario Nava (Director-General) with the framework contractors Ernst & Young Core Business Services BV (EY CBS), KPMG (KPMG), Deloitte Tax & Consulting on 21 October 2020; and
- all documents – including but not limited to minutes, (hand-written) notes, audio recordings, verbatim reports, operational conclusions, lines to take, briefings, e-mails, letters, and presentations – related to any such similar meetings in 2021 and 2022.

The following documents fall within the scope of your application:

1. Minutes of the meeting with Framework Contractors under Framework Contract SRSS/2018/01/FWC/002, registered on 23 November 2020, reference Ares(2020)7026020 (hereafter ‘document 1’);
2. Presentation “F&T Info Session for EOs – DG REFORM”, registered on 23 November 2020, reference Ares(2020)7026020 (hereafter ‘document 2’).

With regard to the documents listed above, a complete disclosure of the identified documents is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- other information relating to an identified or identifiable natural person.

Article 9(1)(b) of the Data Protection Regulation¹ does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested documents, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

We enclose a redacted copy of the documents requested.

Document 1 was drawn up for internal use under the responsibility of the relevant officials of the Directorate-General for Structural Reform Support. It solely reflects the author's interpretation of the interventions made and does not set out any official position of the third parties to which the document refers, which was not consulted on its content. It does not reflect the position of the Commission and cannot be quoted as such.

In relation to document 2, please note that you may reuse public documents, which have been produced by the European Commission or by public and private entities on its behalf based on the [Commission Decision on the reuse of Commission documents](#). You may reuse document 2 free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

As regards your request to access documents related to any such similar meetings in 2021 and 2022, I regret to inform you that the Commission does not hold any documents that would correspond to the description given in the second part of your application.

As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution. Given that no such documents are held by the Commission, the Commission is not in a position to fulfil that part of your request.

In accordance with Article 7(2) of Regulation (EC) No 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:

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.

European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Brussels
or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

Mario NAVA

Enclosures: 1. Minutes of the meeting with Framework Contractors under Framework Contract SRSS/2018/01/FWC/002;
 2. Presentation “F&T Info Session for EOs – DG REFORM”.