



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
TAXATION AND CUSTOMS UNION

The Director-General

Brussels,
Taxud E2

Mr Maximilian Henning

ask+request-13460-4633134c@asktheeu.org

(by e-mail only)

Subject: Your application for access to documents – 2023/5477

Dear Sir,

We refer to your application dated 4 September 2023 in which you make a request for access to documents, registered under the above mentioned reference number.

You request access to: *“All minutes, agendas, summaries, notes or memos issued before or after; documents prepared for, issued in preparation for, or exchanged during; as well as all correspondence including attachments by either of the meeting parties related to - the 25.05.2023 meeting between Booking.com and Cabinet members of Commissioner Gentiloni as well as - the 03.07.2023 meeting between BPCE and Cabinet members of Commissioner Gentiloni.”*

Your request has been attributed to the Directorate-General for Economic and Financial Affairs (2023/5135). Please note that your request also covers areas falling under the responsibility of Directorate-General for Taxation and Customs Union. Hence, part of the request has been re-attributed to us. This reply relates only to the documents held by the Directorate-General for Taxation and Customs Union relating the meeting with Booking.com of 25/05/23 (2023/5477).

Your request has been dealt with in accordance with Regulation 1049/2001 and we have identified the following 2 documents:

1. *Meeting request from Booking.com to CAB Gentiloni (E-mail of 28/04/23)*
2. *Meeting report “EU VAT in the digital age” Conference of 27-28 April 2023*

The purpose of the meeting was to discuss the recently presented proposals on VAT in the digital age. As background information, the Cabinet members referred during the meeting to *Document 2* (this is an internal meeting report relating a Conference¹ on VAT in the digital age, where a representative of Booking.com was present).

Having examined the documents requested under Regulation (EC) No 1049/2001 regarding public access to documents, I am pleased to inform you that these documents can be disclosed.

¹ Organised by the International VAT Conference Club.

You will find herewith the requested documents.

Redactions of personal data

Documents 1 and 2 to which you have requested access contain personal data (names and initials officials, names third-party representatives, office data, phone numbers, e-mail addresses).

Pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its 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. The applicable legislation in this field is Regulation (EC) No 2018/1725. Pursuant to Article 9(1)(b) of Regulation 2018/1725, ‘personal data shall only be transmitted to recipients established in the Union other than Union institutions and bodies if the recipient establishes that it is necessary to have the data transmitted for a specific purpose in the public interest and the controller, where there is any reason to assume that the data subject’s legitimate interests might be prejudiced, establishes that it is proportionate to transmit the personal data for that specific purpose after having demonstrably weighed the various competing interests’.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data.

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 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 to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

by asking for a review via your portal² account

or by mail:

European Commission
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Bruxelles

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

Yours faithfully,

(e-Signed)

Gerassimos THOMAS

Annexes: as stated above

² <https://www.ec.europa.eu/transparency/documents-request>