



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
REGIONAL AND URBAN POLICY

The Director-General

Brussels,
REGIO C.2/OJ/kd D(2012) 173186

Subject: Request for a copy of "most recent audit reports performed by the Commission on the spending of European Regional Development Funds in Hungary, Romania, Slovakia and Bulgaria" (Commission reference: 2012-5554, registered as Ares(2012)1421859)

Dear Ms Bartlett Quintanilla

Thank you for your e-mail dated 28 November 2012, requesting access to documents under Regulation No 1049/2001¹ regarding public access to European Parliament, Council and Commission documents.

I regret to inform you that the documents requested are covered by one of the exceptions provided for by the policy relating to access to documents and that they cannot be made available to you.

The exception which applies to the documents you requested is that disclosure of the documents requested would undermine the protection of the purpose of inspections, investigations and audits².

In line with the control strategy for the funds under shared management and based on Article 72 of the Council regulation 1083/2006, Commission officials or authorised Commission representatives may carry out on-the-spot audits to verify the effective functioning of the management and control systems.

According to the Commission audit strategy, a number of audit enquiries are carried out in respect to the ERDF operational programmes implemented in Hungary, Romania, Slovakia and Bulgaria and other countries. The most recent audits in this context, and for which (draft) reports were already sent to the audited authorities, took place in Hungary from 25/06/2012 to 29/06/2012, in Romania from 19/03/2012 to 23/03/2012, in Slovakia from 23/04/2012 to 27/04/2012, and in Bulgaria from 10-14 September 2012.

Ms

Pam Bartlett Quintanilla

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¹ OJ L145, 31.05.2001, page 43.

² Article 4(2) of Regulation 1049/2001

Taking into account that the audit reports are under contradictory procedure, the documents requested are covered by the exceptions provided for by Article 4(2) of the Regulation No 1049/2001, on the policy relating to access to documents, and the information cannot be disclosed at this stage.

However, if you want this position to be reviewed you should write to the Commission's Secretary-General at the address below, confirming your initial request. You have fifteen working days in which to do so from receipt of this letter, after which your initial request will be deemed to have been withdrawn.

The Secretary-General will inform you of the result of this review within 15 working days from the registration of your request, either granting you access to the documents or confirming the refusal. In the latter case, you will be informed of how you can take further action.

All correspondence should be sent to the following address:

The Secretary-General
European Commission
B-1049 BRUSSELS

Yours faithfully



Walter Deffaa

In absence of the Director General
Nicholas Martyn
Deputy Director General

Copy: Mr Grant, DG Regional Policy unit B.4

Ms de Buggenoms, DG Regional Policy unit C.2

Mr Pinto, DG Regional Policy unit C.4

Ms Martinez Sarasola, DG Regional Policy unit E.2

Mr Mandmets, DG Regional Policy unit E.3

Mr Todd, DG Regional Policy unit F.4

Mr Orani, DG Regional Policy unit F.5

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