



Mr. Nik Völker
Email: ask+request-8931-3c0eb730@asktheeu.org
Sent by email only

Ref: 06/2021

Subject: Access to documents request – Grant Agreement of LiRef: Multi-feed Lithium Technology

Dear Mr. Nik Völker,

We refer to your email dated 13 January 2021, our acknowledgement of receipt dated 22 January 2021 and our email dated 2 February 2021 concerning the extension of the deadline.

In your application Ref. 06/2021, you request access to the following documents:

- Grant Agreement of the EIT funded project "LiRef" or similar contractual information, including any existing addenda, annexes, or subcontracts
- documents that hold information on the projects' relevant administrative committees (e.g. Advisory Board, Steering Group), as long as they are not documented in the aforementioned Grant Agreement
- a list of the projects' deliverables or equivalent objectives per funding agreement, including their classification (e.g. public, confidential for partners only, etc.)
- reports or already available deliverables from the project branches or Work Packages on "social viability"

The EIT has carefully examined your request in line with Regulation (EC) 1049/2001 regarding public access to European Parliament, Council and Commission documents ('the Regulation'), as applicable to the EIT pursuant to Article 13 of Regulation 294/2008 of the European Parliament and of the Council establishing the European Institute of Innovation and Technology, as amended by Regulation 1292/2013 of the European Parliament and of the Council ('EIT Regulation').

Based on your description, the EIT identified the following documents related to your request:

- **Specific Grant Agreement with EIT Raw Materials 2019 and its annexes.**

The EIT already provided access to the main text of the 2019 Specific Grant Agreement and its Annexes 3,4,5 on 17 February in response to your request Ref. 2/2021.

As explained in that context, the EIT is not in a position to grant access to Annex 1 (Business Plan including deliverables) and to Annex 2 (Estimated Budget) of the Specific Grant Agreement as it would undermine the protection of commercial interests of EIT Raw Materials and its KIC Partners. Indeed, the Business Plan and the Estimated Budget are commercially sensitive documents, as they contain information regarding projects and activities resulting in commercial products and services, including information on methodologies, IP rights, investments and pricing strategies, which are part of the business strategy of the KIC. Disclosure of such confidential information would result in serious negative consequences to the KIC's business interests, including its KIC Partners' business interests. Therefore, these documents fall under the exception established in Article 4(2), first indent of Regulation No 1049/2001.



In your request, you are also referring to documents concerning the projects' relevant administrative committees. In this regard, please note that the KICs are not required to provide such documents to the EIT. Indeed, in the case of LiRef, we could not identify any such document held by the EIT.

Finally, as regards reports or deliverables on "social viability", we are herewith informing you that the EIT does not hold a document that would correspond to this part of your request.

In the spirit of Regulation No 1049/2001, and in particular, Article 6 (4) thereof, with the aim to assist you as much as possible with your request, we are kindly advising you to consult the publicly available information concerning LiRef: <https://eitrawmaterials.eu/project/liref/>

Please note that in line with Article 7(2) of the Regulation, you may, within 15 working days of receiving this reply, make a confirmatory application asking the EIT to reconsider its position. Such a confirmatory application should be addressed by post or electronically to the Head of Innovation Communities Unit at the following address:

Electronically: accessdocument@eit.europa.eu

By post: Head of Innovation Communities Unit
European Institute of Innovation and Technologies
Infopark
1/E Neumann Janos utca
1117 Budapest, Hungary

Yours sincerely,

David Tas
Acting Head of Innovation Communities Unit