



EUROPEAN COMMISSION
REGULATORY SCRUTINY BOARD

Chair

Brussels, 11 October 2023

Dear Ms Verheecke,

Subject: Your application for access to documents EASE 2023/5453

We refer to your request registered on 21 September 2023 under the above-mentioned reference number.

You requested access to all documentation (including, but not limited to, all email correspondence, attendance lists, agendas, background papers, transcripts and recordings) and the meeting minutes/notes relating to the meeting between the European Regulation and Innovation Forum and the Regulatory Scrutiny Board (RSB) on 4th October 2022.

The documents listed below have been identified as falling within the scope of your application, representing email exchanges between ERIF and the RSB between 21 June 2022 and 9 February 2023. The topic of the meeting of the 4th of October is publicly available in the European Commission's Transparency Register:
<http://ec.europa.eu/transparencyinitiative/meetings/meeting.do?host=242a8924-48a5-4983-b75f-fab577a950b7>

Having examined the identified documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that they may be partially disclosed.

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 and initials and contact information of Commission staff members not pertaining to the senior management.

Article 9(1)(b) of the Data Protection Regulation 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 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.

In case you would disagree with this position, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit a confirmatory application requesting the Commission to review this position.

Such application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

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

We enclose a copy of the documents requested.

Yours sincerely,

Rytis Martikonis

Annexes:

1. Invitation to RSB chair to participate at ERIF Webinar in September 2022 – Ares(2022)4556441
2. Holding reply to invitation – Ares(2022)4721297
3. Follow-up email from ERIF with proposal for lunchtime meeting – Ares(2022)5226398
4. 4. Negative reply from RSB to 2nd Email re Invitation to speak at ERIF Webinar Event September 2022 – Ares(2022)5229435
5. Request from ERIF for a telephone call to find suitable date for meeting – Ares(2022)5264825
6. RSB reply declining webinar attendance and lunchtime meeting – Ares(2022)5264994
7. Renewed Invitation to address ERIF Webinar Q3 2022 and 2 annexes – Ares(2022)6195416
8. Negative reply to Invitation to address ERIF Webinar Q3 2022 and proposal to meet at BERL – Ares(2022)6467882
9. Thank you and follow-up email from ERIF after meeting – Ares(2022)6880529
10. Email from ERIF sharing article: Innovation, Essentiality and Better Regulation – Ares(2022)8246907
11. Invitation to lunchtime discussion on Better Regulation – Ares(2023)765808
12. Reply declining invitation – Ares(2023)884009
13. ERIF mail Renewing invitation with further details on the lunch event – Ares(2023)884360
14. Acknowledgement of receipt – Ares(2023)990154