



EUROPEAN COMMISSION
Secretariat-General

The Secretary-General

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NOTE TO THE ATTENTION OF DIRECTORS-GENERAL

Subject: Level of signature for replies to access-to-documents requests in case only the names of natural persons are redacted

In accordance with Article 3 of the Detailed Rules of Application of Regulation 1049/2001¹, negative replies to initial access-to-documents requests are currently signed at the level of the Director-General.

Positive replies are generally signed by the Head of Unit responsible for the policy area concerned.

In order to simplify procedures, the Secretariat-General authorises services to henceforth extend the latter practice also to those cases where:

- the only parts of the documents to which access is refused are the names of the individuals contained therein; and²
- the applicant has not explicitly expressed an interest in obtaining access to those names.

In both cases, Directors-General are advised to issue a permanent instruction to that effect to the Heads of Unit.

If, on the other hand, the applicant expresses a specific interest in the names contained in the documents requested, the reply will continue to be signed at Director-General level.


Catherine Day

¹ That Article provides that provides that [t]he applicant shall be informed of the response to his application either by the Director-General or the head of department concerned, or by a Director designated for this purpose in the Secretariat-General or by a Director designated in the OLAF where the application concerns documents concerning OLAF activities referred to in Article 2(1) and (2) of Commission Decision 1999/352/EC, ECSC, Euratom (2) establishing OLAF, or by a member of staff they have designated for this purpose. Commission Decision 2001/937 of 5 December 2001, Official Journal L 345, of 29 December 2001.

² Both conditions must be fulfilled.