Thor

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N° 1074

EUROPEAN ANTI-FRAUD OFFICE

Directorate C: Investigation Support
Unit C.4 - Legal Advice
Head of Unit

Mr James Panichi

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Brussels
THOR/CK/im
OLAF.C.4(S)(2016)1071

Subject: **Your application for public access to documents**

Dear Mr Panichi,

We refer to your request dated 28 December 2015, registered on 4 January 2016 under THOR(2016)65, in which you made an application for access to all correspondence between OLAF and the CONT committee of Parliament and between OLAF and the Committee of the Regions (CoR) *"relating specifically to the case of the former Committee of the Regions financial controller Robert McCoy".*

The reference given in your application to *"the case of (...) Robert McCoy"* does not enable us to identify with certainty the documents which would correspond to your request. We therefore invite you, pursuant to Article 6(2) of Regulation (EC) No 1049/2001 regarding public access to documents, to clarify what you refer to by "the case of (...) Robert McCoy", for instance by specifying the time-frame or context referred to.

In this respect, we would like to bring to your attention the following points. First, OLAF has never opened an investigation against Mr McCoy. As you are aware of, from information that is already in the public domain, Mr McCoy was involved in an OLAF investigation concerning the Committee of the Regions (OF/2003/0179). That investigation was closed in 2003. The monitoring of the case by OLAF was completed in 2012. Furthermore, it appears that there are pending issues between Mr McCoy and the Committee of the Regions, including proceedings before the Court of Justice in which the European Parliament has also taken interest. OLAF has not up till now been involved in any way in the outstanding issues between Mr McCoy and the CoR.

If you need assistance in clarifying or specifying your application, you can contact us at olaf-fmb-C4@ec.europa.eu.

The time limit for handling your application will start running from the day when we receive the requested clarifications.

Thank you in advance for your understanding.

Your attention is drawn to the privacy statement below.

Yours sincerely,

O. Dalheimer

Dorothe DALHEIMER

Privacy statement

Pursuant to Article 11 of Regulation (EC) 45/2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, please be informed that your personal data are stored in OLAF's electronic and paper files concerning this matter for the purposes of ensuring conformity with the requirements of Regulation 1049/2001.

The categories of your personal data being processed are identification and contact data (name, address, e-mail, telephone, fax) and any other personal data provided by or to you in relation to your request. Officials within OLAF and other Commission services responsible for dealing with requests for access to documents have access to your personal data.

All documentation and communications concerning OLAF investigations are stored in the relevant OLAF investigation files and are retained for a maximum of 15 years. Thus personal data contained in requests for public access to documents concerning OLAF investigations are retained for a maximum of 15 years.

You have the right to access those data and to correct and complete them. On request and within three months from its receipt, you may obtain information concerning your personal data which we have processed. Any such request should be addressed to the Controller (OLAF-FMB-Data-Protection@ec.europa.eu).

You may lodge a complaint concerning the processing of your personal data with the European Data Protection Supervisor (edps@edps.europa.eu) at any time.

The complete privacy statements for this and all other OLAF personal data processing operations are available at http://ec.europa.eu/anti_fraud.