



Brussels , 16/03/2020

TRANSPARENCY AND ACCESS TO DOCUMENTS

Article 15(3) of the [Treaty on the Functioning of the European Union](#) states that ‘*Any citizen of the Union, and any natural or legal person residing or having its registered office in a Member State, shall have a right of access to documents of the Union institutions, bodies, offices and agencies, whatever their medium, subject to the principles and the conditions to be defined in accordance with this paragraph.*’

In accordance with [Regulation \(EC\) No 1049/2001](#) of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (‘the Regulation’) and in line with Article 23 of [Council Regulation \(EC\) 58/2003](#) of 19 December 2002 laying down the statute for executive agencies to be entrusted with certain tasks in the management of Community programmes, the [Agency’s Steering Committee decision](#) of 13 June 2005 adopted implementing rules for the application of the Regulation by the Education, Audiovisual and Culture Executive Agency.

All applications for information or documents must be made in writing and sent:

- by post to: EACEA, People Workplace Communication Unit, 1049 Brussels, or
- by email to: eacea-info@ec.europa.eu

An acknowledgement of receipt will be sent to you. Within 15 working days from registration of your application the Agency will either provide you with the document requested or state the reasons for the total or partial refusal.

The Agency may refuse you access to certain documents to safeguard public or private interests or to safeguard the confidentiality of internal consultations. Such refusal of access will be based on one of the exceptions provided for in Article 4 of the Regulation.

The exceptions to the right of access are grouped as follows:

1) Refusal is justified if disclosure of the document would undermine the protection of:

a) the public interest as regards:

- public security,
- defence and military matters,
- international relations, or
- the financial, monetary or economic policy of the Community or a Member State;

b) privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data;

2) Refusal is justified if disclosure would undermine the protection of:

- commercial interests of a specific natural or legal person, including intellectual property;
- court proceedings and legal advice;
- the purpose of inspections, investigations and audits;

unless there is an overriding public interest in disclosure of the document requested.

3) Refusal is justified if disclosure would seriously undermine the decision-making process of the EACEA in respect of any document:

- drawn up by the Agency for internal use or received by the Agency, which relates to a matter where the decision has not yet been taken;
- containing opinions for internal use as part of deliberations and preliminary consultations within the Agency, even after the decision has been taken.

unless there is an overriding public interest in disclosure of the document requested.

If only parts of the document are covered by any of these exceptions, the remaining parts of the document may be released.

If the document requested originated with a third party, the EACEA may consult the third party before deciding whether to release the document.

A Member State may request the Agency not to disclose a document originating from that Member State without its prior agreement (Article 4 of the Regulation).

You will receive the document in an existing format (paper copy or electronic format) and in an existing language version.

If the document is no longer than 20 pages (A4 sheets) it will be provided free of charge. There is also no charge for consulting documents on the spot and in the case of direct access in electronic form.

You may be charged for voluminous documents but you will never have to pay more than the real cost of producing and sending the copies.

If your request for documents is turned down or if the Agency had not replied within the time allowed, you may ask the Agency to reconsider its decision, by sending a written request (confirmatory application) to the Director of the Agency within 15 working days following receipt of the Agency's reply or expiry of the time limit if the Agency fails to reply.

Mr Roberto Carlini, Director

Education, Audiovisual and Culture Executive Agency

1049 Brussels, Belgium

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The Agency then has 15 working days within which to change or confirm its decision. If the refusal is confirmed you will be given details of how to pursue the appeal further - that is, by submitting a complaint to the European Ombudsman or bringing an appeal before the Court of First Instance (Articles 7 and 8 of the Regulation)