



**CONSELHO DA
UNIÃO EUROPEIA**

**Bruxelas, 22 de novembro de 2013 (26.11)
(OR.en)**

15831/13

LIMITE

INF 196

API 103

NOTA PONTO "I/A"

de:	Grupo da Informação
para:	Coreper (2.ª parte)/Conselho
n.º doc. ant.:	15830/13
Assunto:	Acesso do público aos documentos – Pedido confirmativo n.º 22/c/02/13

Junto se envia, à atenção das delegações, o projeto de resposta do Conselho ao pedido confirmativo n.º 22/c/01/13, aprovado por unanimidade pelo Grupo da Informação em 22 de novembro de 2013.

A maioria das delegações concordou com a publicação do resultado da votação.

Solicita-se, pois, ao Comité de Representantes Permanentes que sugira ao Conselho que, na sua próxima reunião:

- dê o seu acordo ao projeto de resposta anexo ao presente documento, como ponto "A",
- decida publicar o resultado da votação.

O anexo encontra-se disponível apenas em inglês.

DRAFT
REPLY ADOPTED BY THE COUNCIL ON
TO CONFIRMATORY APPLICATION 22/c/02/13,
made by e-mail on 5 November 2013,
pursuant to Article 7(2) of Regulation (EC) No 1049/2001,
for public access to document 13646/13

The Council has considered this confirmatory application under Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145 of 31.5.2001, p. 43) and Annex II to the Council's Rules of Procedure (Council Decision 2009/937/EU, Official Journal L 325, 11.12.2009, p. 35) and has come to the following conclusion:

1. The applicant refers to document 13646/13. This document is a working document from General Secretariat to Delegations on a proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights and Regulation (EC) No 2027/97 on air carrier liability in respect of the carriage of passengers and their baggage by air.
2. In its reply dated 5 November 2013, the General Secretariat refused public access to this document pursuant to Article 4(3), first subparagraph of the Regulation (protection of the institution's decision-making process).
3. Following the applicant's confirmatory application dated 5 November 2013, the Council has assessed the request for access in full consideration of the principle of transparency underlying Regulation No 1049/2001 and the aim of ensuring the widest possible public access to documents. In so doing it has carefully scrutinized the content of the document, having due regard to the obligation to grant wider access to documents in cases where it acts in its legislative capacity.

4. After having thoroughly examined the document concerned, the Council has come to the conclusion that full public access may be granted to the requested document.
