Public access to European Parliament, Council and Commission documents

2000/0032(COD) - 01/07/2003 - Implementing legislative act

COMMUNITY MEASURE : Decision 2003/603/EC of the European Economic and Social Committee on public access to European Economic and Social Committee (EESC) documents. CONTENT : According to Regulation 1049/2001/EC, the European Parliament, Council and Commission request the other institutions to adopt internal rules regarding public access to documents, taking into account the principles and limits set out in that Regulation. This Decision stipulates that any citizens 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 EESC, subject to the principles, conditions and limits set out in Regulation 1049/2001/EC and the specific provisions laid down in this Decision. In brief, these are as follows : - a public register of EESC documents will be established ; - the register thus created will contain opinions adopted by the EESC and draft opinions adopted by the sections, as well as the documents listed in the Annex. It may also contain references to documents drawn up or received by the institution as from the date from which Regulation 1049/2001/EC is applicable; - the full texts of documents shall be published on the Committee's Internet site subject to data protection provisions; - any document drawn up by the Committee shall be entered in the register as soon as possible. The General Affairs directorate will adopt the necessary internal implementing measures; - documents drawn up under the consultative procedure or for the purpose of other Committee business shall be entered in the register as soon as they have been submitted or made public, under the responsibility of the body or directorate which is responsible for the document; - any document received by the Committee from a third party may be entered on the register. There are special rules for sensitive documents; - all documents drawn up or received by the Committee under the consultative procedure must be accessible to citizens in electronic form, as far as possible; - documents drawn up or received by the Committee outside the consultative procedure shall, as far as possible, be directly accessible to citizens through the register; - where entry of a document in the register does not permit direct access to the full text, either because the document is not available in electronic form or because the exceptions provided for are applicable, the applicant may apply for access to the document in writing, or using the electronic form available on the website. The Committee may either grant access to the document or give the reasons for its total or partial refusal in writing. Technical conditions concerning the delivery of documents and the cost are also stipulated. Within a time limit of 15 working days from the registration of the application, the service responsible for the register shall grant access to the requested document and shall supply it within the same time limit. Where the Committee is unable to grant access to the requested document, it shallnotify the applicant in writing of the grounds for its total or partial refusal and inform the applicant of his or her right to make a confirmatory application. Lastly, concerning the issue of documents and cost of the reply, the Decision states that documents are to be supplied in the form of a copy, or in electronic format, with full regard to the applicant's preference. If a document has already been released by the Committee or by another institution and is easily accessible, the Committee may facilitate access to the document by informing the applicant how to obtain the requested document. The cost of producing and sending copies may be charged to the applicant. This charge may not exceed the real cost of the operation. Consultation on the spot, copies of less than 20 A4 pages and direct access in electronic form or through the register shall be free of charge. ENTRY INTO FORCE : This Decision repeals the ESCS Bureau Decision 27 September 1997 on public access to Committee documents. It enters into force on 14/08/03. The Decision on establishing the register of documents will take effect from 01/08/03.