



EUROPEAN COMMISSION

Cabinet of Commissioner Cecilia Malmström  
Head of Cabinet

Brussels, 31 January 2012

Ares save 119177

**NOTE TO MR STEFANO MANSERVISI,  
DIRECTOR GENERAL OF DG HOME**

**Subject: Financial sanctions on Germany**

The Commissioner agrees with the proposal to seek to impose financial sanctions on Germany by referring its failure to (re)transpose the Data Retention Directive under Art. 260(3) TFEU, if necessary after sending Germany an additional reasoned opinion.

I would ask you to seek the agreement of the Legal Service to this way of proceeding, as a matter of priority, and report back to the Cabinet. Depending on the position of the Legal Service, the Cabinet will discuss the issue with the President's Cabinet. We must be in a position to take the next step in the case no later than in the March infringement round.



Maria ÅSENIUS

