



An Roinn Gnóthaí Eachtracha agus Trádála Department of Foreign Affairs and Trade

Our Ref: Fol/Req/19/063

19 February 2019

Dear Mr McMahon

I refer to the request which you have made under the Freedom of Information Act 2014 (the “Act”) for access to records held by this Department, as follows:

1. *Memos, briefings prepared for and minutes arising out of the meeting between Minister Simon Coveney and Mars Ireland between 1 September and 31 December 2018 as referred to in the Register of Lobbying (see here).*

I have identified 11 documents that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to part grant access to 5 documents listed on the basis of sections 36 and 37 of the Act and to refuse access to 2 documents on the basis of section 36 of the Act.

In relation to records exempted under **Section 36** of the Act – *Commercially sensitive information*, in examining the records I have taken the public interest into account, inter alia, the need to achieve openness, transparency and accountability in decision-making. I have considered whether the public interest would be better served by releasing the record in question in terms of the right of the public to have access to information and the need for an open and accountable civil service. To ensure the companies concerned would not be unduly impeded in the effective pursuit of their business, I have decided the wider public interest is best served by refusing access to the commercially sensitive information contained within the scheduled records.

For records exempted under **Section 37** of the Act I have considered the public interest in the context of the public’s right to access personal information. However, I am satisfied that the right to privacy in this case outweighs any perceived broader community interest in releasing personal information. I have therefore refused access to certain such information.

Right of Appeal

Should you wish to appeal this decision, you may do so in writing to the Freedom of Information Unit, Department of Foreign Affairs and Trade, 76-78 Harcourt Street, Dublin 2 or by email to foi@dfa.ie. A fee applies for an appeal for access to non-personal information;

the level of this fee has been set at €30. For methods of payment, please contact FOI Unit at foi@dfa.ie, or 01-4082857.

You should make your appeal within 4 weeks (20 working days) from the date of this notification. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this Department.

Yours sincerely


Ciarán Delargy