



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

Our Ref: Fol/Req/2018/057

Date 9th April 2018

Dear Requester,

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

Copies of the invoices associated with the following transactions:

A6majormnt Rented Premises - Major Maintenance

26/10/2017 Property Management Unit	CLEARY CONTRACTING LTD	271156.61
05/10/2017 Property Management Unit	CLEARY CONTRACTING LTD	195979.23
04/12/2017 Property Management Unit		178433.17
30/11/2017 Property Management Unit	CLEARY CONTRACTING LTD	176874.1
21/07/2017 Property Management Unit		153525.98
26/06/2017 Property Management Unit		120185.43
28/12/2017 Property Management Unit		111520.73
18/12/2017 Property Management Unit		111520.73
19/05/2017 Property Management Unit		86312.55
14/12/2017 Property Management Unit		75387.71

I refer also to the acknowledgement of your request which was sent to you on 16th March 2018.

I have identified 10 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant 6 of the records.

Records 1, 2, 4, 5, 6 and 9 are included in the attached invoices. These records relate to the refurbishment costs of the Joint British Irish Secretariat offices, Belfast. The Good Friday Agreement provides for a British Irish Inter-Governmental Conference to be supported by officials of the Irish and British Governments, including by a standing joint Secretariat of officials. This is the function undertaken by the Joint Secretariat in Belfast.

Access to records 3, 7, 8 and 10 are refused at this time under section 36 (1) (b) of the 2014 Act – Commercially Sensitive Information. The records relate to commercial information where disclosure could reasonably be expected to result in financial loss or gain to the person to whom the information related or could prejudice the competitive position of that person in the conduct of her/his profession/business/occupation. This is a mandatory exemption and I am obliged to refuse access. The records which are not being released relate to ongoing capital and refurbishment works in missions overseas which are expected to conclude in the third quarter of 2018.

I have considered the public have an interest in how the Department spends tax payer's funds. However, on balance, I believe that the public interest is best served by not disclosing commercial information where it could prejudice the competitive position of the Department. The Department is open to considering granting access to these records on conclusion of each project.

As part of the Department's duty of care to staff, their families and visitors to our buildings for meetings and functions, the Department must ensure that security and health and safety standards are met, as well as universal access facilities. The Department maintains appropriate health, safety and security standards in its properties overseas while also implementing any additional international standards in the location in question, as necessary. All refurbishment and maintenance at missions are conducted in line with the Department's procurement obligations under Government public tendering and contracting rules, including both National and EU Public Procurement thresholds. Given the varied global locations, currency fluctuations, possible higher local costs, and the need for expert advice and specialist contractors, the expenditures associated with construction services will differ from location to location.

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



Kevin Cahill