



An Roinn Gnóthaí Eachtracha agus Trádála  
Baile Átha Cliath 2

Department of Foreign Affairs and Trade  
Dublin 2

2 December, 2014

Our Ref: FoI/Req/2014.098

Mr. Seán McCárthaigh,

Dear Mr. McCárthaigh,

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:

*'...all records relating to submissions/communications/correspondence from various bodies and organisations including but not limited to other Government departments, the GAA and the Irish Aviation Authority about permission to allow US military aircraft conduct a flyover at the Croke Park Classic Opening Ceremony on August 30, 2014 including any e-mails and related attachments.'*

I refer also to the acknowledgement of your request which was sent to you on 17 November 2014.

The request for permission for the flyover of two US F-16 aircraft was made in the context of the opening ceremonies for the 2014 Croke Park Classic on 30 August. Approval was granted to enter Irish airspace for this special purpose, subject to a number of conditions including that the aircraft carry no arms, ammunition or explosives. This decision is consistent with past practice. Permission for this category of aircraft to enter Irish airspace has previously been granted on a few occasions with a view to facilitating their participation in public events such as airshows.

The Croke Park Classic provided a unique opportunity to showcase Ireland and a give significant boost to tourism; approximately 20,000 overseas visitors were expected to travel to Dublin for this game. The Department of Foreign Affairs and Trade and the state agencies sought to maximise this unique opportunity to encourage trade, investment and closer business collaboration between Ireland and Florida and Pennsylvania and, in turn, support jobs on both sides of the Atlantic.

Further to your request, I have identified 37 records that fall within the scope of your request; the records are listed in the schedule attached. I have made a decision to grant access to 4 records, part-grant access to 27 records and to refuse access to 6 records.

Where access to a record, or part of a record, has been refused, the records are exempt from release under the following sections of the FOI Act:

**Section 15** (1) A head to whom an FOI request is made may refuse to grant the request where— (d) the information is already in the public domain

**Section 29** (1) A head may refuse to grant an FOI request—(a) if the record concerned contains matter relating to the deliberative processes of an FOI body

**Section 30** (1) A head may refuse to grant an FOI request if access to the record concerned could, in the opinion of the head, reasonably be expected to— (b) have a significant, adverse effect on the performance by an FOI body of any of its functions relating to management

**Section 31** (1) A head shall refuse to grant an FOI request if the record concerned— (c) consists of— (ii) opinions, advice, recommendations, or the results of consultations, considered by— (I) either House of the Oireachtas or the Chairman or Deputy Chairman or any other member of either such House or a member of the staff of the Houses of the Oireachtas Service for the purposes of the proceedings at a sitting of either such House,

**Section 32** (1) A head may refuse to grant an FOI request if access to the record concerned could, in the opinion of the head, reasonably be expected to—(a) prejudice or impair:  
(iii) lawful methods, systems, plans or procedures for ensuring the safety of the public and the safety or security of persons and property,  
(ix) the security of a building or other structure or a vehicle, ship, boat or aircraft

**Section 33** (1) A head may refuse to grant an FOI request in relation to a record (and in particular but without prejudice to the generality otherwise of this subsection, to a record to which *subsection (2)* applies) if, in the opinion of the head, access to it could reasonably be expected to affect adversely— (d) the international relations of the State.

**Section 33** (2) This subsection applies to a record that— (b) contains a communication between a Minister of the Government or his or her Department or Office and a diplomatic mission or consular post in the State or of the State

**Section 35** (1) Subject to this section, a head shall refuse to grant an FOI request if—(a) the record concerned contains information given to an FOI body, in confidence and on the understanding that it would be treated by it as confidential

**Section 37** (1) Subject to this section, a head shall refuse to grant an FOI request if, in the opinion of the head, access to the record concerned would involve the disclosure of personal 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. 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@dfat.ie](mailto:foi@dfat.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,



Caroline Phelan,  
Responding Officer.