



An Roinn Gnóthaí Eachtracha agus Trádála
Baile Átha Cliath 2

Department of Foreign Affairs and Trade
Dublin 2

Our Ref: FoI/Req/15/005

Niall O'Connor
By email:

4 February 2015

Dear Mr. O'Connor

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 internal department documents prepared to deal with the prospect of a 'yes' vote in the Scottish referendum. This includes all documents prepared as a contingency measure in the event that the Scottish electorate voted 'yes' in the recent referendum on the issue of Scottish independence."

I have identified 50 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant/part-grant 15 of the 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 (including opinions, advice, recommendations, and the results of consultations, considered by the body, the head of the body, or a member of the body or of the staff of the body for the purpose of those processes), and

(b) the granting of the request would, in the opinion of the head, be contrary to the public interest

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—(c) disclose positions taken, or to be taken, or plans, procedures, criteria or instructions used or followed, or to be used or followed, for the purpose of any negotiations carried on or being, or to be, carried on by or on behalf of the Government or an FOI body.

Section 33 (1) A head may refuse to grant an FOI request in relation to a record if, in the opinion of the head, access to it could reasonably be expected to affect adversely—

(a) the security of the State,
(b) the defence of the State,

- (c) matters relating to Northern Ireland, or
- (d) the international relations 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

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@dfat.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@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



Kate Tyrrell
Responding Officer