



An Roinn Gnóthaí Eachtracha agus Trádála
Baile Átha Cliath 2

Department of Foreign Affairs and Trade
Dublin 2

20 June 2016

Our Ref: FoI/Req/2016/067

Niall Sargent

Dear Mr. Sargent,

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:

- *Any correspondence with both internal and external entities (such as the Irish embassy in Zambia or ESB International) concerning an ESB International study called: 'Feasibility Study for the Sustainable Electricity Supply to Zesco Southern Division' in relation to electricity supply in Zambia to which DFAT/Irish Aid may have provided input.*
- *Any reports, memos or other documents concerning the study.*
- *Minutes of any meetings concerning the study.*

I refer also to the acknowledgement of your request which was sent to you on 8 June 2016.

I have identified two 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 Record 1, with the exception of a private telephone number, redacted under Section 37 of the Freedom of Information Act 2014, relating to personal information, and part-grant access to Record 2. In the case of Record 1, the first part of the document is related to a matter outside the scope of your request and so for the purposes of your request the second part of that message is the Record.

In relation to Record 2, having carefully considered both the nature and source of this record I am satisfied that, on balance, the public interest is best served in part-granting access to this record. I have redacted certain information in paragraph two under Section 35 of the Freedom of Information Act 2014, as it was provided in confidence and also under Section 36 of the Freedom of Information Act 2014, relating to commercially sensitive information. Release of this information could reasonably be expected to prejudice the competitive position of ESB International or the

conduct/outcome of contractual negotiations. In addition, I have redacted personal information under Section 37 of the Freedom of Information Act 2014, as they are the private telephone numbers of ESB International staff.

The withheld parts of the records are exempt from release under the following sections of the Freedom of Information Act 2014:

Information obtained in confidence

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 (including such information as aforesaid that a person was required by law, or could have been required by the body pursuant to law, to give to the body) and, in the opinion of the head, its disclosure would be likely to prejudice the giving to the body of further similar information from the same person or other persons and it is of importance to the body that such further similar information as aforesaid should continue to be given to the body,

Commercially sensitive information

36. (1) Subject to *subsection (2)*, a head shall refuse to grant an FOI request if the record concerned contains-

(b) financial, commercial, scientific or technical or other information whose disclosure could reasonably be expected to result in a material financial loss or gain to the person to whom the information relates, or could prejudice the competitive position of that person in the conduct of his or her profession or business or otherwise in his or her occupation, or

(c) information whose disclosure could prejudice the conduct or outcome of contractual or other negotiations of the person to whom the information relates.

Personal Information

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 (including personal information relating to a deceased individual).

Further Information

Ireland's development programme in Zambia supports programmes in the the areas of education, social protection, livelihoods, and food security and nutrition, both at the national level and in the Northern Province, one of the poorest regions in the country. Our programme is delivered in partnership with the Government of Zambia and other donors and our priorities are aligned closely with those set out in the Zambian Government's Sixth National Development Plan. We are not providing funding through our development programme to projects in the area of rural electrification or to ESB International for projects in Zambia.

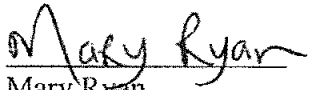
In addition to the development programme, a key element of Ireland's work in Zambia is promoting economic and business development between our two countries. As part of this work, Ireland's Embassy in Lusaka provides assistance, such as networking opportunities, to those wishing to explore trade promotion opportunities with Ireland or in Zambia, including organisations such as ESB International.

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



Mary Ryan

Bilateral Cooperation Unit
Development Cooperation Division
Department of Foreign Affairs and Trade