



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

Our Ref: FoI/Req/17/063

Mark O'Regan
Sunday Independent,
Independent House,
27-32 Talbot Street,
Dublin 1,
D01 X2E1

Dear Mr. O' Regan,

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 correspondence concerning the establishment of a network of independent agents in Ireland and abroad who will be paid to handle passport applications. I would like to receive all correspondence in electronic format'

I refer also to the acknowledgement of your request which was sent to you on 11 April 2017.

I have identified 39 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 5 of the records and refuse access to 34 of the records.

Where access has been refused, the following exemptions have been applied:

Section 36 (1)(a) Freedom of Information Act 2014: if the record concerned contains trade secrets of a person other than the requester concerned.

Section 36 (1)(b) Freedom of Information Act 2014: if the record concerned contains financial, commercial, scientific or technical information whose disclosure could reasonably be expected to result in material loss or gain to the person to whom the information is related and could prejudice their competitive position of that person in the conduct of his or her profession or business or otherwise in his or her occupation.

Section 36 (1)(c) Freedom of Information Act 2014: if the record concerned contains information whose disclosure could prejudice the conduct or outcome of contractual or other negotiations of the person to whom the information relates.

I have considered **Section 36** of the Act in making my decision not to release certain information. Access to certain confidential information is essential in order to allow the Department of Foreign Affairs & Trade to execute its functions. In certain instances, such information may also be of a commercially sensitive nature. In this case, I am satisfied that these documents contain commercially sensitive information, the release of which could reasonably be expected to have adverse business consequences for the organisation.

In weighing these adverse consequences against the public interest, I have again considered the right of the public to have access to information; the need for an open, transparent and accountable civil service and the need for decision-making processes to be adequately scrutinised. I am satisfied that the balance favours refusal rather than release on this occasion.

Background to the Market Sounding Exercise

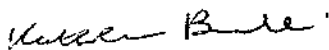
The exercise was part of a process to assist the Department in accessing market knowledge. The main objective was to deepen the Department's understanding of how in-person enrolment of applications can be most efficiently undertaken in future; the capability of companies and organisations who have experience in this area and potential service models including cost and technology aspects. The exercise is assisting the Passport Service in ensuring full value for money in the roll-out of any new systems and business processes. No decisions have been taken in relation to the structure of the future enrolment of passport applications in Ireland and abroad. Any potential use of external agents to enrol passport applications in future years would be subject to a full publicly advertised procurement process.

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



Kathleen Burke
Passport Service