



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

Our Ref: FOI/Req/2019/320

Date: 20 December 2019

Dear Mr McQuinn

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 direct correspondence to/from the Tánaiste, Minister of State Cannon and the Secretary General and the following politicians between June 14 2017 to the date of the request:**

- **Former Taoiseach Enda Kenny**
- **Former Finance Minister Michael Noonan**

**I am also seeking the number of representations made by both TDs in relation to passports for the same period.**

I have identified 4 records that fall within the scope of your request and these are listed in the schedule attached. I have made a decision to part-grant access to 3 of the records and refuse 1. These records are refused and part-granted as follows:

### **Records refused under Section 37 of the Act – Personal information**

While Section 37 (1) Personal Information is a mandatory exemption, I am still obliged to consider whether the public interest would be best served by releasing the records in full. I have taken into account the benefit to the public to be given access to correspondence in a manner which demonstrates transparency and accountability of the Department. In the main, the refusal of access or part-grant records is due to those records relating to personal identifiable information and much of it does not affect the substance of the record. I have particularly considered whether releasing the personal information would provide any additional benefit in this regard. I have weighed this against the right of individuals to have their personal information remain private and have found that there is a clear prerogative for this information to remain private.

### **Records refused under Section 35 of the Act – Information obtained in confidence**

I have considered Section 35 (1) (a) of the Act in making my decision not to release certain documents. Section 35 (1) (a) of the act concerning information obtained in confidence, states, 'Subject to this section, a head shall refuse to grant an FOI body request if 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,'. On the basis that the releasing of these records may prejudice adversely the sharing of information in the future, I have decided refuse access to the records.

**The number of representations made by both TDs in relation to passports for the same period:**

Former Taoiseach Enda Kenny – 13

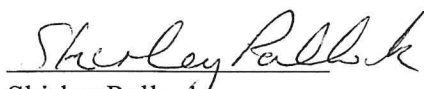
Former Finance Minister Michael Noonan - 5

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](mailto: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](mailto: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

  
Shirley Pollock

Office of the Tánaiste and  
Minister for Foreign Affairs and Trade