



An Roinn Gnóthaí Eachtracha agus Trádála
Oifig na bPasanna, Sráid Theach Laighean, Baile Átha Cliath 2.

Department of Foreign Affairs and Trade
Passport Office, Molesworth Street, Dublin 2.

Our Ref: FOI/Req/2014/014

Nahoi & Co. Law Firm
8 New Cabra road
Phibsboro
Dublin 7.

3rd March, 2014.

Dear Sir/Madam,

I refer to the request which you made under the Freedom of Information Acts 1997 and 2003 for access to all records held by this Department, in which you request:

1. All records, memorandums, books, plans, maps drawings, diagrams, pictorial or graphic works or other documents, photographs, films or recordings (whether of sound or images or both), any form of data (within the meaning of the Data Protection Act, 1988) held, any other form (including machine-readable form) or thing in which information is held or stored manually, mechanically or electronically pertaining to the guidelines used from 2007 – present by the Department’s Passport Service for passport applications where the minor applicant’s parents are Bulgarian or Romanian nationals.
2. All records, memorandums, books, plans, maps, drawings, diagrams, pictorial or graphic works or other documents, photographs, films or recordings (whether of sound or images or both), any form of data (within the meaning of the Data Protection Act, 1988) held, any other form (including machine-readable form) or thing in which information is held or stored manually, mechanically or electronically pertaining to the review carried out by the Department of Foreign Affairs in conjunction with the Department of Justice and Equality in respect of the guidelines used by the Department’s Passport Service for passport applications where the minor applicant’s parents are Bulgarian or Romanian nationals.
3. Details of the number of passports issued from 1st July 2012 to 1st December 2012 to minor applicants where both parents were Romanian or Bulgarian nationals.

I have made a final decision to part grant your request. Some records have been part granted or refused under Sections 10 and 22 of the Act.

The purpose of this letter is to explain that decision. This explanation has the following parts:

1. A schedule of all of the records covered by your request;
2. Concerning records to which access is granted, an explanation and a statement of the arrangements for this access;
3. Concerning records to which access is denied, an explanation of the relevant findings.
4. A statement of how you can appeal this decision should you wish to do so.

This letter addresses each of these four parts in turn.

1. **Schedule of records**

A schedule is attached at the end of this letter. It shows the documents that this Department considers relevant to your request. It also gives you a summary and overview of the decision as a whole. The schedule describes each document, and indicates whether the document is released in full, released with deletions or not released. The schedule refers to the sections of the FOI Act which apply to prevent release.

2. **Access Arrangements**

You have sought access to the records by means of photocopies, and I consider this an appropriate form of access in this case. Accordingly, the records described as released in full or released with deletion are now enclosed.

3. **Records part granted or refused**

The relevant records are part granted or refused under Sections 22 (1) and Section 10 of the Act,

22(1) A head shall refuse to grant a request under section 7 if the record concerned

(a) would be exempt from production in proceedings in a court on the ground of legal professional privilege,

(b) is such that the head knows or ought reasonably to have known that its disclosure would constitute contempt of court.

With regards to your request for the details of the number of passports issued from 1st July 2012 to 1st December 2012 to minor applicants where both parents were Romanian or Bulgarian nationals, under Section 10 of the Act, I am obliged to refuse this element of your request as the Passport Service does not keep this information.

4. Right of Appeal

Should you wish to appeal this decision, you can do so in writing to the Freedom of Information Unit, Department of Foreign Affairs, 80 St Stephen's Green, Dublin 2. A fee applies for an appeal, with the exception of an appeal against the imposition of a fee, the level of this fee has been set at €75. Payment should be made by way of bank draft, money order, postal order or personal cheque made payable to the Secretary General, Department of Foreign Affairs.

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 consideration of the matter by a more senior member of the staff of this Department.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Teresa McHugh', written over a horizontal line.

Teresa McHugh
Passport Office
Molesworth Street.