



An Roinn Gnóthaí Eachtracha agus Trádála  
Baile Átha Cliath 2

Department of Foreign Affairs and Trade  
Dublin 2

18 September 2014

Mr Paul Colgan  
RTE News  
Donnybrook  
Dublin 4

Our Ref: FOI/Req/2014/066

Dear Mr Colgan

I refer to your recent application under the Freedom of Information Acts 1997 and 2003 for access to records, as follows:

*Copies of documentation held by the Department of Foreign Affairs relating to the topic of Scottish Independence or which make reference to the Scottish referendum on independence from March 2013 to the present. This would include internal correspondence, such as ministerial briefing notes, discussion documents, memos, media monitoring, correspondence between the Department and political parties, correspondence with the Oireachtas, correspondence with organisations/members of the public and correspondence with other Government departments and state agencies.*

I am the deciding officer in this case. I have identified 150 records (some grouped) which fall under the scope of your request. I have decided to grant access to 5 records, part-access to 2 records and refuse access to 143 records.

The records are detailed in the attached schedule. Where access has been refused or part granted, this has been done under the following sections of the FOI Act:

- S 20 (1) A head may refuse to grant a request under section 7 if the record concerned contains matter relating to the deliberative processes of a public body (including opinions, advice, recommendations and the results of consultations...)
- S 24 (1) A head may refuse to grant a request under section 7 in relation to a record if, in the opinion of the head, access to it could reasonably be expected to affect adversely

(c) the international relations of the State

- S 24 (2) A head shall refused to grant a request under section 7 if the record concerned

(b) contains a communication between a Minister of the Government and a diplomatic mission or consular post in the State or a communication between the Government or a person acting on behalf of the Government and another government or a person acting on behalf of another government,

(c) contains a communication between a Minister of the Government and a diplomatic mission or consular post of the State

(d) contains information communicated in confidence to any person in or outside the State from any person in or outside the State and relating to a matter referred to in subsection (1) or to the protection of human rights and expressed by the latter person to be confidential or to be communicated in confidence.

- S 46 (1) A record relating to the President.

#### **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. 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 and Trade. 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.

Regards



Kate Tyrrell  
Deciding Officer