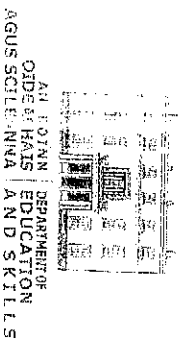


An Roimh Oideachais agus Scileanna  
Bóthar Phort Laoise  
An Tulach Mhór  
Co. Uíbh Fhailí  
R35 Y2N5

26<sup>th</sup> May 2016



Department of Education and Skills  
Portlaoise Road  
Tullamore  
Co. Offaly  
R35 Y2N5



Re: FOI request 2016/161

I refer to the request which you made under the Freedom of Information Act 2014 for records held by this body:

*I wish to make an FOI request of the relevant Government Departments regarding a proposed merger between the Irish Management Institute Dublin and University College Cork.*

*I wish you to supply me with copies of all memoranda, papers, proposals, briefings, correspondence, records of meetings, notes and written records received by or made by or on behalf of the relevant Department in relation to the proposed merger. The period in question being 2007 to date.*

I, Carmel Coyle, Higher Executive Officer have now made a final decision to part grant your request on 26/05/2016

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. an explanation of the relevant findings concerning the records to which access is denied, and
3. a statement of how you can appeal this decision should you wish to do so.

This letter addresses each of these three parts in turn.

### 1. Schedule of records

A schedule is enclosed with this letter. It shows the documents that this body considers relevant to your request. It describes each document and refers to the sections of the FOI Act which apply to prevent release. The schedule also refers you to sections of the detailed explanation given under heading 2 below, which are relevant to the document in question. It also gives you a summary and overview of the decision as a whole.

### 2. Findings, particulars and reasons for decisions to deny access

The sections of the Act which can apply to deny access to documents are known as its exemption provisions.

A number of documents have been withheld as set out in the attached schedule. All material not released has been withheld under Section 36(1)(b) and 36(1)(c) of the Act as they relate to information whose disclosure could prejudice the conduct of

outcome of contractual or other negotiations of the person to whom the information relates as the discussions in relation to the proposed merger between the Irish Management Institute Dublin and University College Cork are still continuing.

**Commercially sensitive information**

36. (1) Subject to subsection (2), a head shall refuse to grant an FOI request if the record concerned contains—
- (a) trade secrets of a person other than the requester concerned,
  - (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.

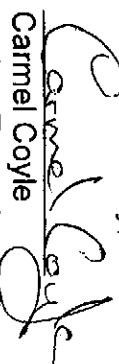
**3. Right of appeal**

You may appeal this decision. In the event that you need to make such an appeal, you can do so by writing to the Freedom of Information Unit, Department of Education and Skills, Marlborough Street, Dublin 1. Your correspondence should include a fee of €30 (€10 for medical card holders) for processing the appeal. Payment should be made by way of personal cheque or postal money order made payable to the accountant in the Department of Education and Skills. Please note the Department of Education and Skills no longer accept cheque payments from business users. For further information regarding payment methods for business users, please email [foi@education.gov.ie](mailto:foi@education.gov.ie)

You should make your appeal within 4 weeks from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays. 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 body.

Should you have any questions or concerns regarding the above, please contact me by telephone on 057 9324322.

Yours sincerely,

  
Carmel Coyle  
Higher Executive Officer

Higher Education – Research & Financial  
Department of Education and Skills  
Portlaoise Road  
Tullamore  
Co Offaly  
R35 Y2N5