

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

**Re: Request for Information under the Freedom of Information Acts, 1997 & 2003 Ref: 2015/371**

Dear

A schedule of 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 documents 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 any access to documents are known as its exemption provisions.

Documents numbered: 18 – 22 from Major Projects. Under the Freedom of Information Act 2014 Section 36 Part 1, (b) & (c) (extracted below):

Commercially sensitive information

36.(1) Subject to subsection (2), a head shall refuse to grant an FOI request if the record concerned contains –

(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.

Documents numbered 1,2,3,4,5,6,7 & 8, from Site Acquisition & Property Management and documents numbered from 3 – 14 and 23 – 247 have been refused/part granted (as scheduled) from Major Projects have been refused/part granted (as scheduled) Under the Freedom of Information Act 2014 Section 29 and Section 30 Ongoing Negotiations (extracted below):

**Section 29: (1) A head may refuse to grant an FOI request\_**

- a) if the record concerned contains matter relating to the deliberative processes of an FOI body (including opinions, advice recommendations, and the results of consultations considered by the body, the head of the body, or a member of the body or of the staff of the body for the purpose of those processes) and**
- b) the granting of the request would, in the opinion of the head, be contrary to the public interest**

**Section 30 1 (a)**

**A head may refuse to grant an FOI request if access to the record concerned could, in the opinion of the head, reasonably be expected to prejudice the effectiveness of tests,**

examinations, investigations, inquiries or audits conducted by or on behalf of an FOI body or the procedures or methods employed for the conduct thereof

## 2. Rights of appeal

In the event that you are unhappy with this decision you may appeal this. 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

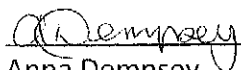
Dublin 1

Or by email to [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 9324467.

Yours sincerely



Anna Dempsey

Major Building Projects

Tel: 057 9324467

Email: [anna\\_dempsey@education.gov.ie](mailto:anna_dempsey@education.gov.ie)