Bridgette Smith

From:          
Sent:         25 March 2015 12:34
To:            FOI UNIT
Subject:      FOI Request

Dear Sir/Madam,

Under the Freedom of Information Act I would like copies of the following records.

1. Copies of all memos and correspondence relating to the government / minister's decision to defer introducing the broadcasting charge this year.

Please contact if you require any clarification on my request.

Regards,

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News Corp UK & Ireland Limited and its titles are committed to abiding by IPSO's regulations and the Editors' Code of Practice that IPSO enforces.
I refer to your request which was received by this office on 25/03/2015 which you have made under the Freedom of Information Act 2014 for records held by this FOI body. Your request sought:

Copies of all memos and correspondence relating to the Government/Minister’s decision to defer introducing the broadcasting charge this year.

The decision maker handling your request is Ms Maria Owens, Broadcasting Policy Division, Department of Communications, Energy and Natural Resources, 29-31 Adelaide Road, Dublin 2 and they can be contacted at 01 6783097. A final decision on your request would normally be sent to you within 4 weeks, where a week is defined as 5 working days excluding the weekend and public holidays. This means that you can expect a decision letter to issue not later than 24/04/2015.

There are some limited situations under the FOI Act which could mean that the period for a final decision may be longer than this 4 week period. If this occurs in the case of your request, you will be advised promptly in writing setting out the reason and the new decision date.

Should our final decision not reach you on time, please feel free to contact the decision maker named above to discuss any problems that may have arisen. If you have not heard from us once the allotted time has expired, you are automatically entitled to appeal for a review of the matter. This review proceeds on the legal basis that the initial request is considered to be refused once the specified time for responding to it has expired. The review is a full and new examination of the matter carried out by a more senior member of staff.

In the event that you need to request such a review, you can do so by writing to FOI Unit, Department of Communications, Energy and Natural Resources, Elm House, Earlsvale Rd, Cavan, Co Cavan or alternatively by sending an e-mail to FOI.UNIT@dcern.gov.ie. You should state that you are seeking this review because an initial decision was not sent to you within the time allowed for a response. In that event, you would normally have 4 weeks (after the initial decision should have been sent to you) in which to make the appeal. Consideration will be given to late applications in appropriate circumstances.

Please note the Department of Communications, Energy and Natural Resources has a policy of posting a summary of non-personal requests and decisions on the Departments website.

Yours sincerely,

Carmel Conaty
FOI Unit
Tel: 01 6782902

Fáiltítear roimh comhfhreagra in Gaeilge

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Bóthar Gileann an Earra.
An Cabhán

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LoCall
Fax

Elm House.
Earlsvale Road.
Cavan
Re: FOI request FOI/2015/26

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

Copies of all memos and correspondence relating to the Government/Minister's decision to defer introducing the broadcasting charge this year.

I have discussed with you the records you are seeking and our difficulties in finding them. I am sorry to inform you that we cannot locate the records and that I must therefore refuse your request. As is explained below, this decision is made under section 15(1)(a) of the Act.

Section 15(1)(a) of the Act states that an FOI request may be refused if:

'the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken,'

As discussed earlier this afternoon, I carried out a full discovery of all of the paper and electronic files held in the Department on this matter and in accordance with the requirements of section 15(1)(a) I am satisfied that all reasonable steps have been taken to identify any records in relation to your request. I am unable to locate the records concerned and must therefore refuse your request on this basis.

In the event that you are not happy with this decision you may seek a review of this decision by writing to the Freedom of Information Unit, [Insert address] seeking an internal review of the matter and referring to or enclosing a copy of this letter.[Insert for non-personal records - Please note, that a fee applies for such a review. The level of this has been set at €30 (€10) and payment should be made by way of bank draft, money order, postal order or personal cheque, and made payable to [Insert details]. Should you wish to make payment by electronic means please contact [Insert name and contact details]. You should submit this within 4 weeks from the date of this notification, where a day is defined as a working day excluding the weekend and public holidays. The making of a late appeal may be permitted in appropriate circumstances. The review will involve a complete reconsideration of the matter by a more senior member of the staff of this body and the decision will be communicated to you within 3 weeks.

Yours sincerely,

Maria Owens
Broadcasting Policy Division
01-6783097