

# An Garda Síochána

Oifig Saoráil Faisnéise  
An Garda Síochána  
Teach áth Luimnigh  
Lárionad Gnó Udáras Forbartha Tionscail  
Baile Sheáin  
An Uaimh  
Contae na Mí  
C15 DR90



Freedom of Information Office  
An Garda Síochána  
Athlumney House  
IDA Business Park  
Johnstown  
Navan  
Co Meath  
C15 DR90

Teileafón/Tel: (046) 9036350

Bí linn/Join us  

Láithreán Gréasain/Website: [www.garda.ie](http://www.garda.ie)

Ríomh-phoist:/Email: [foi@garda.ie](mailto:foi@garda.ie)

## Re: Freedom of Information Request FOI-000169-2016 Refused

Dear

I refer to the Freedom of Information Act 2014 (FOI Act) and your submission to this body dated and received on the 5<sup>th</sup> May 2016.

Part 1(n) of Schedule 1 of the FOI Act states that An Garda Síochána is listed as a partially included agency "insofar as it relates to administrative records relating to human resources, or finance or procurement matters". Therefore, only administrative records that relate to human resources, finance or procurement shall be considered.

I am aware that you were in contact with a member of my staff and the original request was amended to just 1 part which is shown below.

Your amended request sought the following:

*We understand the contract for the general duty Garda body armour was awarded in 2006. When did this contract expire and by what contracted methods have Garda procurement used to procure additional body armour since contract expiry?*

I wish to inform you that I have decided to refuse your request on 10<sup>th</sup> June 2016.

The purpose of this letter is to explain my decision.

### 1. Findings, particulars and reasons for decisions.

As part of the research for your request it was identified that the contracts for anti stab and ballistic vests were commenced prior to the 21<sup>st</sup> April 2008 which is the limit assigned to the retrospective scope of the FOI Act insofar as it concerns An Garda Síochána.

The Garda organisation is only recently subject to the provisions of the FOI Act 2014 and was not formerly subject to the requirements of freedom of information as contained in the previous FOI Act of 1997. As a result the start date for the provision of records, excluding personal records, as set out in section 2(1) of the FOI Act for An Garda Síochána is 21<sup>st</sup> April 2008. This date is known as the *effective date* which is shown below.

*“effective date” means:*

*(c) in the case of an entity that immediately prior to enactment of this Act, was not a public body within the meaning of the Act of 1997, but is a public body within the meaning of this Act, 21 April 2008, unless provision is made to the contrary by order under section 6;*

On that basis I am refusing to request as it refers to records created prior to 21<sup>st</sup> April 2008.

However I can inform you that the contracts were for a three year period and as the equipment provided had a longer life cycle then 3 years there have been no further contracts sought to date. In addition the Defence and Security Category of the Office of Government Procurement (OGP) will be utilised when seeking any further contracts. More details about the OGP can be found at [www.procurement.ie](http://www.procurement.ie)

## **2. Right of appeal**

In the event that you are not happy with this decision you may seek an Internal Review of the matter by writing to the address below and quoting reference number **F01-000169-2016**.

Freedom of Information Office,  
An Garda Síochána,  
Athlumney House,  
IDA Business Park,  
Johnstown,  
Navan,  
Co. Meath  
C15 DR90

Please note that a fee applies. This fee has been set at €30 (€10 for a Medical Card holder). Payment should be made by way of bank draft, money order, postal order or personal cheque, and made payable to Accountant, Garda Finance Directorate, Garda Headquarters, Phoenix Park, Dublin 8. Payment can be made by electronic means, using the following details:

**Account Name:** Garda Síochána Finance Section Public Bank Account  
**Account Number:** 10026896  
**Sort Code:** 900017  
**IBAN:** IE86B0F190001710026896  
**BIC:** BOFIE2D

**You must ensure that your FOI reference number is included in the payment details.**

You should submit your request for an Internal Review within 4 weeks from the date of this notification. The review will involve a complete reconsideration of the matter by a more senior member of An Garda Síochána and the decision will be communicated to you within 3 weeks. The making of a late appeal may be permitted in appropriate circumstances.

Please be advised that An Garda Síochána replies under Freedom of Information may be released in to the public domain via our website at [www.garda.ie](http://www.garda.ie).

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

Should you have any questions or concerns regarding the above, please contact me by telephone at (046) 9036350.

Yours sincerely,

 **SUPERINTENDENT**  
**HELEN DEELY**  
**FREEDOM OF INFORMATION OFFICER.**

 **JUNE 2016**