

An Garda Síochána

Oifig Saorála Fáisnéise,
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

Ríomh-phoist/Email: foi@garda.ie

Re: Freedom of Information Request FOI-000454-2017 Request Refused

Dear

I refer to your request, dated and received on 20th October, 2017 which you have made under the Freedom of Information Act 2014 (FOI Act) for records held by An Garda Síochána.

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.

Your request sought:

Information relating to credit card expenses for senior officers for the years 2007 and 2008.

I wish to inform you that I have decided to refuse your request on 1st November, 2017.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decisions

The Sections of the FOI Act which deny access to information are known as exemptions.

The Garda organisation has been subject to the provisions of the FOI Act 2014 since 15th October, 2015 and was not formerly subject to the requirements of freedom of information before that date nor to the requirements 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 21st 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 your request for ‘*Information relating to credit card expenses for senior officers for the years 2007*’ as it refers to records created prior to 21st April 2008.

Information relating to the senior management expenses of An Garda Síochána including credit card expenses, from 2008 to 2016, is available on the Finance FOI Publication Scheme of the Garda website (www.garda.ie) and can be accessed at the following URL:

<http://www.garda.ie/Controller.aspx?Page=18348&Lang=1>

The URL below provides access to the senior management expenses of An Garda Síochána for 2008 including credit card expenses which is specific to your request:

<http://www.garda.ie/Documents/User/Senior%20Management%20Expenses%202008.pdf>

I am therefore refusing your request for ‘*Information relating to credit card expenses for senior officers for the year 2008*’ in accordance under Section 15(1)(d) of the FOI Act which states:

- 15(1) *A head to whom an FOI request is made may refuse to grant the request where –*
- (d) *the information is already in the public domain.*

2. Right of Appeal

In the event that you are not happy with this decision you may seek an Internal Review by writing to the address below and quoting reference number **FOI-000454-2017**.

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 (FOI-000454-2017) 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

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

1st **NOVEMBER, 2017.**