

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-000166-2018 Request Part Granted

Dear

I refer to your request, dated and received on the 19th April, 2018 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:

I request a financial record (i.e. the total sum paid to Garda Síochána) for non-resident firearm certificates that were granted to applicants, for each of the past 10 years (2007 to 2017).

I wish to inform you that I have decided to part grant your request on the 14th May, 2018.

The purpose of this letter is to explain my decision.

1. Findings, particulars and reasons for decision to deny access

Upon receipt, details of your request were forwarded to the Finance Directorate of An Garda Síochána who conducted a search for the records you have requested. Upon review of the records provided to this Office I have decided to part-grant your request.

The Garda organisation has only 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 as contained in the previous FOI Act of 1997. As a result, the start date for the provision of

1

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 to provide non-resident firearm certificates receipts for 2007 as it refers to records created prior to 21st April 2008.

Furthermore, it has been established that records relating to non-resident firearm certificates receipts from 2008–2010 inclusive do not exist after all reasonable steps to ascertain its whereabouts have been taken.

In accordance with the requirements of Section 15(1)(a) of the FOI Act, I am satisfied that all reasonable actions have been taken to identify and locate these specific records.

I am therefore refusing records from 2008-2010 inclusive as they do not exist pursuant to Section 15(1)(a) of the FOI Act which states:

*15. (1) A head to whom an FOI request is made may refuse to grant the request where -
(a) the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken,*

I have decided to grant the records from 2011-2017. The table below outlines non-resident firearms receipts for same:

Non-Resident Firearm Certificate Receipts 2011-2017

	2011	2012	2013	2014	2015	2016	2017
Amount Received	€140,480	€121,760	€124,840	€122,720	€133,600	€144,240	€124,360

All monies received by An Garda Síochána from the payment of firearms fees are paid on a monthly basis to the Exchequer via the Financial Shared Services Centre, Department of Justice and Equality.

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 **FOI-000166-2018**.

Freedom of Information Office, An Garda Síochána, Athlumney House, IDA Business Park, 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: IE86BOFI90001710026896

BIC: BOFIE2D

You must ensure that your FOI reference number FOI-000166-2018 is included in the payment details.

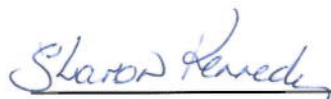
You should submit your request for an Internal Review within 4 weeks from the date of this notification. The review will involve a complete reconsideration of the matter by a more senior member of An Garda Síochána and the decision will be communicated to you within 3 weeks. The making of a late appeal 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**
SHARON KENNEDY
FREEDOM OF INFORMATION OFFICER

14 MAY, 2018