



**An Roinn Gnóthaí
Eachtracha agus Trádála**
Department of
Foreign Affairs and Trade

Our Ref: Fol/Req/2020/229

Date: 18 December 2020

Dear Mr. Mooney

I refer to the request which you have made under the Freedom of Information Act 2014 for access to records held by this Department, as follows:

'I wish to apply for the following records under the Freedom of Information Act. I wish to apply for copies of all correspondence sent to and received from Sean O Fearghail and the Ceann Comhairle's office concerning China and the Chinese Communist Party. The time frame should cover the period 2015 to 2020.'

I refer also to the acknowledgement of your request which was sent to you on 8 December 2020.

I have identified 6 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to part-grant 4 of the records and refuse 2 of the records.

Where access has been refused, the records are exempt from release under section Section 33(1)(d), which stipulates that a head may refuse to grant an FOI request in relation to a record if, in the opinion of the head, access to it could reasonably be expected to adversely affect international relations of the State. I have considered the possibility and likelihood that the release of these records could result in negative consequences, and prejudice the ability of this Department to effectively discharge its functions. Given the sensitivity of the topic included in these records I believe that this exemption is applicable in this instance.

I have also applied Section 37(1) Personal Information to these records. While this is a mandatory exemption I am still obliged to consider whether the public interest would be best served by releasing the records in full. I have taken into account the benefit to the public to be given access to correspondence in a manner which demonstrates transparency and accountability of the Department. The information redacted relates to personal contact information and does not affect the substance of the record. I have particularly considered whether releasing the personal information would provide any additional benefit in this regard. I have weighed this against the right of individuals to have their personal information

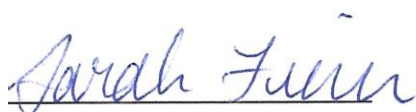
remain private and have found that there is a clear prerogative for this information to remain private.

Right of Appeal

Should you wish to appeal this decision, you may do so in writing to the Freedom of Information Unit, Department of Foreign Affairs and Trade, 76-78 Harcourt Street, Dublin 2 or by email to foi@dfa.ie. A fee applies for an appeal for access to non-personal information; the level of this fee has been set at €30, (€10 for medical card holders). A copy of the medical card should be provided to avail of the reduced fee. For methods of payment, please contact FOI Unit at foi@dfa.ie, or 01-4082618.

You should make your appeal within 4 weeks (20 working days) from the date of this notification. 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 Department.

Yours sincerely,

A handwritten signature in blue ink that reads "Sarah Finn". The signature is written in a cursive style and is positioned above a horizontal line.

Sarah Finn
Desk Officer, Asia Pacific Unit