

IN THE MATTER OF AN APPEAL TO THE FIRST TIER TRIBUNAL
(INFORMATION RIGHTS)
UNDER SECTION 57 OF THE FREEDOM OF INFORMATION ACT 2000

EA/2015/0251

B E T W E E N:-

THE ROYAL MINT

Appellant

-and-

THE INFORMATION COMMISSIONER

Respondent

CONSENT ORDER

BY CONSENT, IT IS HEREBY ORDERED:

1. The appeal is part-allowed on the basis that decision notice FS50570885 be substituted in the terms set out in Annex A.
2. There be no order as to costs.

Signed:

Signed:

Capital Law LLP

Information Commissioner's Office

Date: *8/2/16*

Date: *08.02.16*

Capital Law LLP

Information Commissioner

Capital Building, Tyndall Street, Cardiff,
South Glamorgan, CF10 4AZ

Wycliffe Avenue, Water Lane, Wilmslow,
Cheshire, SK9 5AF

(Solicitors for the Appellant)

**(Respondent's in-house
representation)**

Annex A

In decision notice FS50570885 the Commissioner ordered The Royal Mint to disclose the disputed information in its entirety.

The Royal Mint disclosed the majority of the disputed information but, on appeal, argued that it was entitled to withhold the following information in reliance on new exemptions, namely, sections 37(1)(a); 40 and 41:

- (a) the first bullet point of paragraph 2.0 and the entirety of paragraph 6.0 of the Ministerial Submission dated 24 February 2011 ("the February information") and;
- (b) the first bullet point of paragraph 2.0 and the entirety of paragraph 5.0 of the Ministerial Submission dated 24 May 2011 ("the May information").

At the Commissioner's request, the Royal Mint provided further evidence and submissions in support of its position.

The Commissioner found that section 37(1)(a) was engaged in respect of the February information and that the public interest test favoured non-disclosure. The Royal Mint does not seek to challenge the Commissioner's findings in relation to the February information.

In respect of the May information, the Commissioner accepted that section 37(1)(a) was engaged. As this exemption is absolute, the Commissioner was not required to go onto consider the public interest test.

The requester has also been contacted and does not seek to challenge the position which has now been agreed between the parties.