

FOI 03 06

Dear Jacqui Dixon,

I wish to make an application to the electoral Commission under the Freedom of Information Act 2000.

Under the Political Parties, Elections and Referendums Act 2000- particularly Schedule 6, paragraph 2 (2) (a) and (b) – the addresses of donors are required to be submitted in returns to the Commission.

On the public registers maintained by the Commission there is a provision for such addresses to be published in those registers. The registered office address of company donors is published, but the addresses of individual donors are not currently published.

Accordingly, under the Freedom of Information Act 2000, I request the addresses submitted in relation to the individual donors to David Cameron MP:

1. James Lyle
2. Lewis Chester
3. Robin Fleming
4. Trevor Pears
5. John Aspinal (donation to David Davis MP)

Thank you for your attention.

Jacqui Dixon

From: Jacqui Dixon
Sent: 06 March 2006 11:43
To: [REDACTED]
Subject: [REDACTED] ation under Freedom of Information Act 2000

Dear [REDACTED]

I refer to your request dated 25 January 2006, for information under the Freedom of Information Act 2000, concerning the addresses of individual donors to David Cameron MP and David Davies MP. As I mentioned in my previous e-mail, I have considered it necessary to take legal advice on this matter.

The addresses of individual donors are exempt information under sections 40 and 44 of the FOIA, and the Commission declines to release this information for the following reasons:

i) Part IV, Chapter III, of the Political Parties, Elections and Referendums Act 2000 sets out an exhaustive list of the information to be included on the register, which specifically excludes the address of an individual donor by virtue of section 69(4) of that Act. Disclosure of addresses on the full electoral register is also prohibited by virtue of Paragraph 100 of the Representation of the People (England and Wales) Regulations 2001. Section 44 of FOIA states that information is exempt if its disclosure is prohibited by or under any enactment. The disclosure of the addresses of the donors named in your e-mail of 25 January 2006 is prohibited by this legislation and therefore section 44 of the FOIA applies. This is an absolute exemption; the public interest test does not apply by virtue of section 2(3)(h) of the FOIA.

ii) the information requested is personal data, the disclosure of which would contravene the data protection principles. The information is therefore exempt under sections 40(2) and 40(3)(a)(i) of the FOIA. This is an absolute exemption; the public interest test does not apply by virtue of section 2(3)(f) of the FOIA.

If you are dissatisfied with this response, the Commission operates a Complaints Procedure, details of which are available on the Commission's website.

Yours sincerely,

Jacqui Dixon
Secretary to the Commission
0207 271 0616