

From: FOI
To: [REDACTED]
Subject: FOI 091/18 - Response
Date: 19 July 2018 11:40:55

Dear [REDACTED],

Our Ref: FOI 091/18

Thank you for your email to the Electoral Commission dated **7 June 2018**.

The Commission aims to respond to requests for information promptly and regrets that on this occasion we have not done so on this occasion.

Your request is in bold below followed by our response.

1. Please could you provide me with copies of all correspondence that the Electoral Commission had with the DUP concerning financial donations in the EU Referendum campaign. (NB: I am aware that there are legal restrictions on what information the Commission can disclose with regard to political donations in Northern Ireland. However, please could any such information be blacked out, so that any remaining text can still be released?)

2. All correspondence that the Commission has had with the Constitutional Research Council since 01 Jan 2016.

Our response is as follows:

We are unable to confirm or deny as to whether or not we hold any information in relation to your request. The Commission is prohibited by legislation from releasing information in relation to donations that may or may not have been given to a registered Northern Ireland party. Section 71E of the Political Parties Elections and Referendum Act 2000 (PPERA) places a duty of confidentiality on the Commission in relation to information that relates to donations from Northern Ireland recipients or information relating to our function in this area. This restriction applies to donations made to Northern Ireland parties during the EU Referendum campaign. We consider this information exempt under section 44(1)(a) of the Freedom of Information Act 2000.

Section 44 exempts from disclosure any information if its disclosure is prohibited by any enactment. As stated, the information requested is specifically prohibited from being released by section 71E of PPERA.

The Commission has previously had a similar request which the requestor escalated to the Information Commissioner Office. You can see the ICO's decision on their website here: <https://ico.org.uk/media/action-weve-taken/decision-notice/2017/2172946/fs50703027.pdf>

As you will see, the ICO upheld the Commission's response, which was to apply the Section 44 exemption.

I trust that this information satisfies your request. The Commission strives to be an open, transparent authority, **but in some circumstances we cannot responsibly**

release requested information, and we ask for your understanding in this regard.

If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at: <http://www.electoralcommission.org.uk/about-us/freedom-of-information-requests/how-do-i-make-an-foi-request>

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: <https://ico.org.uk/>

Yours sincerely,



Access to Information Officer (FOI & DPA)

The Electoral Commission

3 Bunhill Row

London EC1Y 8YZ

FOI@electoralcommission.org.uk

electoralcommission.org.uk

yourvotematters.co.uk

[Twitter](#) | [Facebook](#) | [Blog](#)