From: FOI
To: [redacted]
Subject: FOI 043/18 DUP Donations - Response
Date: 24 July 2018 13:16:04

Dear [redacted],

Our Ref: FOI 043/18

Thank you for your email to the Electoral Commission dated **07 March 2018.**

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

Your request is in bold below followed by our response.
I am requesting the following information under the Freedom of Information Act:

- **Any correspondence since September 2017 between the Commission and the Democratic Unionist Party regarding a donation to the DUP during the EU Referendum campaign**
- **Any correspondence since September 2017 between the Commission and the Cabinet Office regarding a donation to the DUP during the EU Referendum campaign.**

Your request appears to relate to a particular donation you consider was received by the DUP, but you have not explained this further. Nonetheless, I can provide the following response which applies to any donation the DUP may or may not have received during the EU Referendum campaign (15 April to 23 June 2016):

We cannot confirm or deny that we hold any information related to this request. The Commission is prohibited by legislation from releasing this information. 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 donation from Northern Ireland recipients or information relating to our function in this area. 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 ICO recently upheld the Commissions use of Section 71E of PPERA within the last 12 months. For further information on this case, please find the link below.

https://ico.org.uk/media/action-weve-taken/decision-notices/2017/2172946/fs50703027.pdf

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,

[redacted]
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