[redacted]

From: FOI
Sent: 16 August 2023 10:56
To: [redacted]
Subject: FOI 124-23 - Response

Dear [redacted],

Our Ref: FOI-124-23

Thank you for your email to the Electoral Commission dated 14 August 2023.

The Commission aims to respond to requests for information promptly and has done so within the statutory timeframe of twenty working days.

Your request is shown below followed by our response.

Please can you make available a copy of The Scottish National Party 2022 accounts which still do not appear on your website !

Our response is as follows:

We hold the information you have requested.

However, we are not disclosing it at this time as the information is intended for future publication.

Section 22 – information intended for future publication
Section 22 of the Freedom of Information (FOI) Act provides an exemption for information that is intended to be published in the future.

Information is exempt if, at the time when the public authority receives a request for it:

- the public authority holds the requested information
- the public authority intends the information to be published at some future date, whether that date is determined or not
- in all the circumstances it is reasonable to withhold the information until its planned publication

We plan to make the accounts publicly available on 24 August on our webpage.

We consider it is reasonable to withhold the information prior to publication. The Commission has an established process for publishing Statements of Accounts. This includes preparing the information for publication as soon as reasonably practicable. We have also taken into account that there is a short period of time between your request and the intended publication date.

Section 22 is a qualified exemption and therefore public authorities must consider whether the public interest in maintaining the exemption is greater than the public interest in disclosing the requested information.

We have considered the public interest test, for and against release of the information you request.

The arguments considered in favour of disclosure:
There is a general public interest in authorities being transparent. The transparency of political finance plays an important role concerning confidence in the system of regulation.

The arguments considered against disclosure:
The information has an expected publication date which is imminent. The Commission has an established process for publishing information as soon as reasonably practicable. Generally, we publish the accounts of all parties whose income or expenditure exceeds £250,000 at the same time. Disclosing the requested information would mean that this party's accounts become public before others who fall into the same category.

Conclusion
After carefully considering the opposing public interest arguments in favour of engaging the exemption and in favour of releasing the information, there is, we believe, a strong and overriding public interest in maintaining the 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: https://www.electoralcommission.org.uk/freedom-information/make-a-freedom-information-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

Information Officer
FOI@electoralcommission.org.uk

The Electoral Commission
electoralcommission.org.uk