



Ministry
of Defence



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Ref: FOI2017/09062

Chris Revell
request-427117-c117a3b5@whatdotheyknow.com

20 Oct 2017

Dear Mr Chris Revell,

Thank you for your email, dated 19 September 2017, requesting the following information:

1. If it is true that AirTanker do have a clause in the contract with the MoD that fines / prohibits them from tanking from non AirTanker platforms.
2. If there are fines, how much has the MoD paid to AirTanker to date as a result of the contract.
3. Did / does the AirTanker contract play a role in the decision not to adopt the in-flight refuelling capability on the A400M Atlas in RAF service.

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence (MOD), and I can confirm information in scope of your request is held. Please note the following:

- In answer to your first two questions, the Strategic Air to Air Refuelling (AAR) capability is provided through a fleet of Voyager aircraft via the AirTanker contract. From May 2014, the In Service Date for Voyager, the MOD must purchase AAR for UK fixed wing aircraft exclusively from Air Tanker or be liable to pay compensation, as outlined in the contract. However, to date, no compensation has been paid by the MOD. It should be noted that there are exclusions which allow the MOD flexibility to receive AAR from other parties when those aircraft are supporting current operations or joint exercises.
- Regarding your other question, the A400M Atlas aircraft was procured to provide the RAF with a Tactical Air Transport capability as a core part of its mixed Air Transport fleet and the MOD is currently working with Airbus to ensure the A400M Atlas will be equipped and able to fulfil this role. After assessing all factors, including the AirTanker Contract and the AAR capability provided by the Voyager aircraft, it was determined that there is no current RAF requirement for the A400M Atlas to be used in the AAR role.

If you have any queries regarding the content of this letter, please contact this office in the first instance

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

DE&S Secretariat