



Foreign & Commonwealth Office

Consular Directorate
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Our reference: FOI 0720-10/CONS 66-10

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9 September 2010

Mr Ben Scanlon

By e-mail: request-45333-efa72755@whatdotheyknow.com

Dear Mr Scanlon,

REQUEST FOR INFORMATION UNDER THE FREEDOM OF ACT 2000: REF 0720-10

Thank you for your e-mail of 18 August in which you requested the following information under the Freedom of Information Act 2000 (FOIA or Act). Your request stated:

"I would like to request information on the number of Malaysian nationals issued with British Overseas Citizen (BOC) passports since 4 July 2002.

Also, I would like to request details of the location where those passports were issued."

I can confirm that the Foreign and Commonwealth Office (FCO) holds information relevant to your request.

Our High Commission in Kuala Lumpur has informed us that it issued 45 BOC passports between January 2002 and February 2010 to both Malaysian nationals and to individuals who were born in Malaysia. These consisted of both renewals and first time applications, but the majority (particularly those in 2006/2007) were first time applicants. All the first time applicants were Malaysian nationals at the time of application. In the case of renewals, we can only confirm that the applicants, or their father, were born in Malaysia (Penang or Malacca) prior to 1957. They may not necessarily, however, be Malaysian nationals.

I attach a table which gives a breakdown of the numbers by month/year.

Our High Commission understands that a number of BOC passports were also issued to Malaysians by the Identity and Passport Service (IPS) in the UK. You may therefore wish to contact them the IPS to request information about passports issued by them. See their website (http://www.ips.gov.uk/cps/rde/xchg/ips_live/hs.xsl/31.htm) for further guidance on making a request under the Act.

It is also possible that BOC passports have been issued to Malaysian nationals in other FCO passport issuing posts since 2002. But to undertake database checks in all our posts from this date, checking if we have details of an additional or previous nationality with the application, would exceed the cost limit under Section 12 of the Act.

As you may be aware, the FCO is not obliged to comply with requests for information where the cost of dealing with them would be likely to exceed 'an appropriate limit'. Section 12 of the FOIA allows public authorities to refuse requests for information where the cost of

dealing with them would exceed the appropriate limit. The limit has been specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. For central government, the appropriate limit is set at £600. This figure represents the estimated cost of one or more persons spending 3½ working days in determining whether the government department concerned holds the information, and to find, retrieve and extract the relevant material.

You could consider requesting the information for other selected passport issuing posts. We would like to be as helpful as possible and would be happy to process a refined request. There is, however, no guarantee that a search would yield any useful information or of disclosure, as any new request must be considered under the Act.

In keeping with the spirit and effect of the FOIA, all information is assumed to be releasable to the public unless it is exempt. The information we have supplied to you may now be published on our website together with any related information that will provide a key to its wider context.

I hope you are satisfied with this reply. If you have any queries about this letter, or are unhappy with the service you have received in relation to your request and you wish to make a complaint or if you would like a review of our decision, please write to the Information Rights Team at The Old Admiralty Building, Room SG 120, London, SW1A 2PA. E-mail: dp-foi.img@fco.gov.uk. Please remember to quote the reference number above in any future communications. You have 40 working days to do so from the date of this letter.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner's Office (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the FCO. The ICO can be contacted at The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

We continually strive to improve our service, so we would welcome your feedback and comments. If you would like to provide feedback, please email our Information Rights Team at: dp-foi.img@fco.gov.uk.

You can also find out more about the FCO and freedom of information issues at our Access to Information website: <http://foi.fco.gov.uk/en>

Yours sincerely,

[Signed]

Louise Edwards
Strategy, Communications and Training Group

