



Ministry
of Defence

Defence Equipment & Support
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Mr Jason Lai

request-585791-
4d387ef7@whatdotheyknow.com

Our Reference:
FOI2019/07514

Date:
24 July 2019

Dear Mr Lai

Thank you for your email to the Ministry of Defence (MOD) of 30 June 2019, which has been handled in accordance with the Freedom of Information (FOI) Act 2000. You asked:

What is the cost of maintaining the Anti-Structures Munition between FY2011 and FY2018?

A search of MOD records has been undertaken and I can confirm that information falling within the scope of your request is held.

However, the MOD will shortly be awarding a new Anti-Structures Munition support contract and it is considered that the maintenance costs fall within the scope of exemption Section 43(2) (Commercial Interests) of the FOI Act. As a qualified exemption, it was necessary to undertake a Public Interest Test (PIT) to balance the arguments for releasing against those for withholding; to determine whether the requested data could be released.

The PIT recognised that there is public interest in enhancing the accountability of government, and that releasing information would demonstrate the MOD's commitment to openness and transparency and demonstrate that commercial activities are conducted in an open and honest way. However, it was ultimately concluded that releasing commercially sensitive cost/pricing information for maintaining Anti-Structure Munitions ahead of the award of a new contract, would prejudice the MOD's commercial interest and weaken its position as well as that of the contractor. More widely, it could result in companies generally being deterred from sharing commercially sensitive information with the MOD if they are unsure about whether their information would be protected.

It was concluded that the information you have requested should be withheld.

If you are not satisfied or you wish to complain about any aspect of the handling of your request, then you should contact us in the first instance at the address above. If informal resolution is not possible and you are still dissatisfied then you may apply for 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 must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint 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. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, <http://www.ico.org.uk>.

Yours sincerely

DE&S Secretariat