



Animal Health. Block C, Government Buildings, Whittington Road Worcs WR5 2LQ

Paul Doherty

Your Ref:
Our Ref: AH0655

Request-23364-40e3c1@whatdotheyknow.com

Date: 18 November 2009

Dear Mr Doherty

WITHHOLDING OF REQUESTED INFORMATION

Thank you for your request for information about a Golden Eagle which was held by Mr Roy Lupton which we received on 18 November 2009. Following careful consideration, I regret to inform you that we have decided not to disclose this information.

This is a request for details of another person and as such we cannot supply the data requested. The data you have requested is personal data and as such is covered by the Freedom of Information Act 2000. Exemption S40(2), relating to personal data, and cross-referring to the Data Protection Act 1998.

Data Principle one requires Animal Health to fairly and lawfully process the data it holds, and this includes not supplying them to third parties, unless a suitable DPA exemption exists. No such exemption is relevant to this request, and so we cannot release the personal data to you. FOIA Exemption S40(2) is an Absolute Exemption, (please see FOIA Part 1 para 2(3) for more information on Absolute Exemptions (http://www.opsi.gov.uk/acts/acts2000/ukpga_20000036_en_2#pt1), and as such is not subject to a Public Interest Test.

The DPA 1998 requires Animal Health to process fairly and lawfully the data it holds, including controlling unauthorised access. The data requested are classified as personal and as such we cannot release these to a third party unless there is a suitable Exemption under the Data Protection Act. No such exemption is applicable in this case and so we are withholding the data in accordance with the First Data Principle of the Act.

If you have any queries about this letter, please contact me. I also attach an Annex giving contact details should you be unhappy with the service you have received.

Yours sincerely

(by email)

Norrie Stewart
Animal Health Information Manager
Email norrie.stewart@animalhealth.gsi.gov.uk

Head Office: Animal Health Corporate Centre, Block C, Government Buildings, Whittington Road, Worcester WR5 2LQ

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Animal Health is an Executive Agency of the Department for Environment, Food and Rural Affairs and also works on behalf of the Scottish Government, Welsh Assembly Government and the Food Standards Agency

www.defra.gov.uk/animalhealth

Annex A

Complaints

If you are unhappy with the service you have received in relation to your request and wish to make a complaint, you should write to Mrs Rosie Olley, Customer & Stakeholder Services Manager, Animal Health Central Operations Services, Spur 9, Block C, Government Buildings, Whittington Road, Worcester WR5 2LQ, who will arrange for an internal review of your case.

If you are unhappy with the result of your request, your appeal must be received by Animal Health within 40 working days of the date of this letter. Appeals received after this deadline will not be accepted.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted the Animal Health complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

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