



Foreign &  
Commonwealth  
Office

**Central FOI Unit**  
Foreign and Commonwealth Office  
King Charles Street  
London SW1A 2AH

Website: <https://www.gov.uk>

Mr Stephen Delahunty  
Email: [request-608092-3a2badcc@whatdotheyknow.com](mailto:request-608092-3a2badcc@whatdotheyknow.com)

October 2019

Dear Mr Delahunty,

**FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0941-19**

Thank you for your email of 30 September 2019 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

*On March 26 2019 Alan Duncan MP met with representatives of BP to discuss the minister's portfolio. Can you provide the minutes of this meeting.*

*If the request is going to be rejected under Section 43 can you provide a detailed explanation of your decision and how the department weighed the public interest against commercial sensitivity? For example:*

*For information to be withheld under Section 43 [commercial sensitivity], the following MUST be provided:*

- Details of the exact FOIA exemption.*
- Details of who would be prejudiced – see MoJ guidance above, page 4.*
- A “Public Interest Test” where the arguments for and against release of the information should be discussed .*
- If release of the information could prejudice a third party, they should be consulted with – see FOIA Section 45 Code of Practice Part IV*
- In addition much information from recent public sector contracts should be made available, especially if they are from after 2005, the start date of the FOIA – see ICO Awareness guidance 5 annexe – public sector contracts.*

*Further, can you identify any information that might not be commercially sensitive?*

I am writing to confirm that we have now completed the search for the information which you requested.

I can confirm that the Foreign and Commonwealth Office (FCO) does hold information relevant to your request. However, this information is exempt from release under Sections 27 and 43 of the FOIA.

Some of the information you have requested has been held under Section 27(1)(a) and (c) of the Freedom of Information Act as it relates to information that, if released, could harm the UK's international relations. Both (a) and (c) require us to consider the public interest test arguments in favour of releasing and withholding the information. We acknowledge that releasing information on this issue would increase public knowledge about our bilateral relations. However, (a) and (c) recognise that the effective conduct of international relations depends upon maintaining trust and confidence between governments. If the United Kingdom does not maintain this trust and confidence, its ability to protect and promote UK interests through international relations will be hampered, which will not be in the public interest. The disclosure of this information could potentially damage our bilateral relations which would not be in the public interest. For these reasons we consider that, the public interest in maintaining this exemption outweighs the public interest in disclosing it.

Some of the information is exempt under Section 43 (2) of the Act, which relates to commercial interests. The use of this exemption was carefully considered. The factors in favour of disclosure of this information, including the general public interest and greater transparency and accountability, were carefully weighed against the need to allow business-people and commercial organisations the space to conduct their lawful business competitively and without fear of disclosure of sensitive commercial information. We consider that this transparency also poses risks to the protection of commercially confidential information. Failure to protect such commercially sensitive information would limit the sources of information and interlocutors available to the FCO and limit the FCO's ability to promote the British economy and lobby for the interests of British businesses overseas. In this case after such consideration we believe that the public interest in withholding the redacted information outweighs the public interest in its release.

Once an FOI request is answered, it is considered to be in the public domain. To promote transparency, we may now publish the response and any material released on [gov.uk](http://gov.uk) in the [FOI releases](#) section. All personal information in the letter will be removed before publishing.

If you would like a review of our decision, or if you wish to make a complaint, please write to the Central FOI Unit, Foreign and Commonwealth Office, Room WH2.177, King Charles Street, London, SW1A 2AH. E-mail: [foi-dpa.pmcs@fco.gov.uk](mailto:foi-dpa.pmcs@fco.gov.uk). You have 40 working days to do so from the date of this letter.

You can apply directly to the Information Commissioner. However, the Information Commissioner will not normally make a decision unless you have first exhausted the complaints procedure provided by the FCO. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely,

Central FOI Unit



We keep and use information in line with the Data Protection Act 2018. We may release this personal information to other UK government departments and public authorities.