



**HM Revenue
& Customs**

Mr S Kloot
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Tel

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Email

Date 18 December 2009
Our Ref FOI 2376/09
Your Ref

www.hmrc.gov.uk

Freedom of Information Act 2000

Dear Mr Kloot

Request for an internal review under the Freedom of Information Act 2000

Thank you for your email dated 20 November 2009 asking for an internal review of the response to your recent request under the Act.

Your request

On 2 November 2009 you wrote by email to HMRC asking:

Please can HMRC supply copies of the minutes of any meetings held during the month of February 2007, which discussed the scheme referred to in Budget Note 66 published on 12th March 2008.

HMRC's response

Our reply dated 20 November 2009 turned down your request explaining that in our view Section 12(4) of the Act applied. This section provides that a public authority may aggregate requests for the purposes of the cost of compliance where certain criteria apply. You asked for a review of the request on 20 November 2009.

Information is available in large print, audio tape and Braille formats.
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Internal review

I have been asked to review your FOI request and its handling. The purpose of the internal review is to provide a fair and thorough review of decisions made pursuant to the FOIA. I can see that the response letter was issued within the statutory deadline. The letter also explained your rights to a review and to complain to the Information Commissioner if not content with the outcome in accordance with Section 17(7) of the Act.

Section 1 FOIA provides that when an applicant describes the information they want a public authority is obliged, subject to other provisions of the act, to say whether or not it holds that information and, if it does, provide it.

However section 12(4) of the same Act states that a public authority is able to aggregate requests for the purposes of the cost of compliance where two or more requests are made by:-

- One person, *or*
- Different persons who appear to the public authority to be acting in concert or in pursuance of a campaign *and*
- Relate to the same or similar information *and*
- Have been received by the public authority within a space of 60 consecutive working days.

Taken in isolation your request would appear to fulfil the criterion of an ordinary request under the Act. However, it is my view, given the similarity of your request to those already listed in the appendix to our letter dated 20 November 2009, that HMRC acted correctly in aggregating your request with those requests and invoked section 12(4).

Conclusion

Having reviewed the papers in this case I find that HMRC dealt with your request in the correct manner under sections 1(2) and 12 of the Act.

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

Yours sincerely

Margaret Earing