



Foreign &
Commonwealth
Office

**British Indian Ocean Territory
Administration**

Foreign and Commonwealth Office
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17 July 2015

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0347-15

Thank you for your email of 8 April asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

"I would like to receive from you:

- Any and all agreements and correspondence with Batelco / Sure regarding the continued operational responsibility for the .io domain.*
- Copies of the original agreement made between the Government and ICB regarding the administration of the .io domain.*
- Any and all correspondence with ICB regarding the ongoing administration of the .io domain.*
- An annual breakdown of the revenue received by the Government from ICB for the sale of .io domains, and details of where these monies are received, processed and administered."*

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.

"- Any and all agreements and correspondence with Batelco / Sure regarding the continued operational responsibility for the .io domain."

The information relevant to this element of your request is being withheld under Section 43 (2) of the Act, which relates to commercial interests.

- Copies of the original agreement made between the Government and ICB regarding the administration of the .io domain.*

There is no agreement between the UK Government and ICB regarding the administration of the .io domain. ICB independently registered the .io domain through the internet governing process – the Internet Assigned Numbers Authority (IANA) – in the late 1990s. This process is a functional responsibility of the Internet Corporation for Assigned Names and Numbers (ICANN). The BIOT Administration tasks its telecoms provider to ensure a reliable and

secure service. The telecoms provider has in turn asked ICB to ensure that rules are in place to ensure security and good governance of the domain.

- Any and all correspondence with ICB regarding the ongoing administration of the .io domain.

This information has been withheld under Section 43(2) of the Act. Information exempt under Section 43 (2) of the Act 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 the BIOT Administration. In this case after such consideration we believe that the public interest in withholding the redacted information outweighs the public interest in its release.

It is also being withheld under Section 41(1), as it is information which was provided in confidence by the ICB. It is our view that disclosure of this information would constitute an actionable breach of confidence, which would not be defensible on the basis of the public interest. In these circumstances, Section 41 of the Freedom of Information Act confers an absolute exemption on disclosure.

- An annual breakdown of the revenue received by the Government from ICB for the sale of .io domains, and details of where these monies are received, processed and administered."

Neither the UK Government nor the BIOT Administration receives revenue from the sale of .io domains, which are administered independently by ICB. This was stated in the Government's response to a Parliamentary Question on 10 July, a record of which can be found at:

http://www.publications.parliament.uk/pa/ld201415/ldhansrd/text/140710w0001.htm#w_a_st_9

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Yours sincerely,

British Indian Ocean Territory Administration

Overseas Territories Directorate



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