

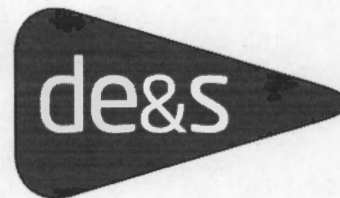


Ministry
of Defence

██████████
Policy Secretariat

Defence Equipment and Support
Ministry of Defence
#2043 Maple 0a
Ministry of Defence
Abbey Wood
Bristol BS34 8JH

Email: DESSEC-PolSecLE-JSC-
WPNS@mod.uk



Your Reference:

Our Reference:
2015/10286

Date:
8 January 2016

Dear ██████████,

In your email dated 18 November 2015. You asked:

I would be grateful if, under FOI legislation, you provide me with a particular section of the Defence Clothing Catalogue - Specifically, the 'Acquisition Team 1: Combat Clothing' section, preferably in .pdf format.

On 27 November 2015 I wrote to you to acknowledge your email as a request for information in accordance with the Freedom of Information Act; to inform you that the MOD held information relating to your request and to explain that we believed the information fell within the scope of qualified exemption: Section 43 (*Commercial Interests*). As such it was necessary for us to decide whether, in all the circumstances of the case, the public interest in maintaining the exemptions outweighed the public interest in disclosure.

We have now completed this work and I can tell you that we have concluded that some of the information contained within the requested document, namely the '*Cost Guide*' for listed clothing items, falls entirely within the scope of the qualified exemptions provided for at Section 43(2) (*Commercial Interests*) of the FOIA and has been withheld.

Section 43(2) provides that information is exempt if its disclosure would, or would be likely to prejudice the commercial interests of any organisation or person holding it, including the MOD and its contractors.

The FOI Act contains a presumption in favour of disclosure and there is a public interest in the release of information which supports the accountability of the MOD for its use of public money; for example, to demonstrate that value for money is being obtained for taxpayers and that effective contractual processes are in place. Greater transparency of decision making processes makes government more accountable and the release of

Defence Equipment & Support

information would allow an increased public understanding of how the procurement processes are undertaken in an open and honest way.

However, the Public Interest Test also recognised that releasing the cost guide price for clothing items could weaken the MOD's position in a competitive environment by revealing market sensitive information which would be of use to potential contract bidders. 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.

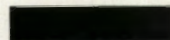
Accordingly, the Public Interest Test concluded that the release of the cost guide information would prejudice the commercial interests of the MOD and that the balance of the arguments lay in favour of withholding the information to protect the commercial interests of the MOD and its customers.

Please find attached a pdf copy of the Defence clothing Catalogue: *Section AT1-6 DMC CG Combat Clothing* in which cost information has been redacted.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. 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, 1st 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 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



Secretariat
Defence Equipment and Support