



Department  
for Environment  
Food & Rural Affairs

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**Your ref:**

**Our ref:** RFI 7013

**Date:** 10 December 2014

Dear

**REQUEST FOR INFORMATION: Fishing Quota Distribution**

Thank you for your email, which we received on 11 November 2014, requesting:

- all relevant correspondence or documents relating to meetings between Richard Benyon, George Eustice, Defra officials and representatives from the National Federation of Fishermen's Organisations on the issue of fishing quota distribution in the past 6 months.

We initially acknowledged your request under the Environmental Information Regulations 2004 (EIRs) on 14 November 2014. However following further consideration we feel the correct legislation to be the Freedom of Information Act 2000.

I confirm that Defra does hold the information that you have requested and I enclose a copy of that information:

- NFFO comments on the consultation on the pelagic landing obligation, 13/05/2014.
- Barrie Deas, NFFO, email correspondence discussing the pelagic landing obligation consultation, 15/5/2014 email attachment included: summary of consultation questions.
- Barrie Deas, NFFO, response to consultation on voluntary FQAs to under 10s, 1/9/2014. Note this letter was also published in Fishing News.

We have decided that some information should be withheld under section 40(2) (third party personal data) of the FOIA, as the information constitutes personal data relating to third parties. The names and contact details of Defra junior officials have been removed.

Section 40(2) of the FOIA provides that personal data relating to third parties is exempt information if disclosure would breach the Data Protection Act 1998 (DPA).

We consider that disclosure of this information is likely to breach the first data protection principle in Schedule 1 to the DPA, which relates to the fair and lawful processing of personal data, in two ways. First, disclosure would not constitute 'fair' processing of the personal data, second, disclosure would not satisfy any of the conditions for data processing set out in Schedule 2 to the DPA. Therefore, we have concluded that this information is exempt from disclosure under section 40(2) of the FOIA.



As you state within your letter I can confirm that the Marine and Fisheries directorate has policy responsibility for fishing quota distribution.

In keeping with the spirit and effect of the FOIA and in keeping with the government's Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you will now be published on [www.gov.uk](http://www.gov.uk) together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

I attach Annex A, which explains the copyright that applies to the information being released to you.

I also attach Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter please contact the address below.

Yours sincerely,

**Defra FOIA and EIRs Team**  
[InformationRequests@defra.gsi.gov.uk](mailto:InformationRequests@defra.gsi.gov.uk)

## Annex A

### Copyright

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## Annex B

### Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Mike Kaye, Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: [requestforinfo@defra.gsi.gov.uk](mailto:requestforinfo@defra.gsi.gov.uk)) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you 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 Defra's own complaints procedure. The Information Commissioner can be contacted at:

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