



Ministry  
of Defence

[REDACTED]  
Policy Secretariat

Defence Equipment and Support  
Ministry of Defence  
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[REDACTED]

Email: [REDACTED]

Your Reference:

Our Reference:

Date:  
26 June 2014

Dear [REDACTED],

In your email dated 1 May 2014. You asked:

***I would like to know how many surplus Harrier aircraft/airframes have been put up for tender or disposed of through the Disposals Services Agency within the last 2 years. I would also like to know to whom these Harriers were sold to and for how much those people paid for each airframe or batch of airframes.***

On 30 May 2014 I wrote to you to acknowledge your email as a request for information in accordance with the Freedom of Information Act (FOIA); 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 exemption 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 you have requested falls within the scope of the qualified exemption 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 information would allow an increased public understanding of how the procurement processes are undertaken in an open and honest way.

The Public Interest Test (PIT) also recognised that releasing details about receipts from the sale of individual Harrier aircraft would prejudice the Department in obtaining a fair market price from the sale of further Harrier aircraft. However, this argument needed to take into account the dates of those previous sales and consider how much utility could be derived from financial information about these sales.

The PIT concluded that release of information relating to sale receipts obtained for the sale of Harrier aircraft since 2012 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.

With the exception of the sale receipts the information that you requested is as follows:

Tail Number	Aircraft Type	Buyer	Date of sale
XV741	Harrier GR3	Jet Art Aviation Ltd	06/08/2012
XV808	Harrier GR3	Jet Art Aviation Ltd	06/08/2012
XV744	Harrier GR3	Tangmere Military Aviation Museum	07/02/2013
XV783	Harrier GR3	Everett Aeronautical Engineers	14/02/2013
XZ996	Harrier GR3	Everett Aeronautical Engineers	14/02/2013
XV667	Harrier GR3	Everett Aeronautical Engineers	14/02/2013
XZ145	Harrier T4	Everett Aeronautical Engineers	14/02/2013
XW271	Harrier T4	Everett Aeronautical Engineers	14/02/2013
XV804	Harrier GR3	Everett Aeronautical Engineers	10/06/2013
XZ132	Harrier GR3	Jet Art Aviation Ltd	05/11/2013
XW267	Harrier T4	Everett Aeronautical Engineers	10/04/2014

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, 1<sup>st</sup> Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.uk](mailto: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.gov.uk>.

Yours sincerely



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