



Ministry of Defence

Air Command Secretariat
Spitfire Block
Headquarters Air Command
Royal Air Force
High Wycombe
Buckinghamshire
HP14 4UE

Our Ref: [REDACTED]

[REDACTED]
Email: [REDACTED]

18 December 2015

Dear [REDACTED]

Thank you for your email of 18 November 2015 requesting the following information:

All ATC Squadron Committees and Schools with ATC Squadrons are accorded charitable status, most as Excepted Charities, but the Air Cadet Organisation itself is not a charity.

1. Therefore in line with the provisions of the Charities Act 2011, where specifically does the ACO get its authority over charities?

2. Where there is no requirement for Excepted Charities to make a financial submission to the Charity Commission (except under direct request of the Charity Commission), under what authority does the ACO demand information from charities?

Section 30(2)(b) and Section 161 of Charities Act 2011 refers.

3. For what specific purpose are details of charitable funds required and collated by the ACO?

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

A search for the information has now been completed within the Ministry of Defence, and I can confirm that information in scope of your request is not held.

Section 16 of the FOIA requires public authorities to provide advice and assistance to requesters. Therefore, you may find it useful to know that information contained within the attached Air Cadet Publication 11 sets out the policy for the interaction between the ACO and the Civilian Committee charities.

I will take this opportunity to remind you that Section 1 of the FOIA gives an applicant the right to recorded information held by public authorities at the time the request is made and

does not require public authorities to answer questions, provide explanations or give opinions, unless the recorded information is held.

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.gov.uk>.

Yours sincerely,

[Original signed]

Air Director Resources Secretariat
Air Command