



Ministry
of Defence



Defence Equipment and Support
Maple 0a, #2043
MOD Abbey Wood
Bristol BS34 8JH



Your Reference:

Our Reference:
FOI2015/06827
Date:
24 August 2015

Dear

Your email dated 24th July 2015 is considered to be a request for information under the Freedom of Information Act (FOIA) 2000. You requested the following information:

1 – a copy of the formal undertakings given by the then British Aerospace plc (now BAE SYSTEMS plc) and accepted by the Secretary of State on 28 March 2000 under section 75(G(1) of the Fair Trading Act 1973 arising out of the acquisition by BAE SYSTEMS of the General Electric Company plc's defence electronics business Marconi Electronic Systems. It should be noted that such undertakings have generally been placed into the public domain and most can be found on the Office of Fair Trading's archived website. It may simply be that these were just slightly too early to have gone into that database as it appears to start at around 2000 but the principle of publication has clearly been established;

2 – a copy of the agreement entered into containing the Principles of Agreement specified in Undertaking 11 of the above Undertakings entered into on 25 May 2000 and referred to in paragraph 44 of the advice given to Secretary of State on 18 December 2006 by the Office of Fair Trading with respect to the release and modification of the 2000 undertakings that led to the current set of undertakings.

I can confirm that the Ministry of Defence (MOD) holds information relevant to your request. A copy of the documents requested is attached.

In providing these documents, I understand that you are aware from dialogue with Ian Macklin that they are not relevant to the Warrior programme. You should also be aware that these original undertakings have been superseded, and that revised and current undertakings are available on the BAE Systems website.

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.

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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,

A solid black rectangular box used to redact the signature of the sender.