



Foreign &
Commonwealth
Office

[Your Department]
Foreign and Commonwealth Office
King Charles Street
London SW1A 2AH

Website: <https://www.gov.uk>

12th July 2016

FREEDOM OF INFORMATION ACT 2000 REQUEST REF: 0609-16

Thank you for your email of 22nd June 2016 asking for information under the Freedom of Information Act (FOIA) 2000. You asked:

“Please could you provide me with the following:

- 1. Please could you provide me with a list of all diplomatic gifts which have been sold at auction over the past three calendar years. Please could you break this information down year by year.*
- 2. For each gift, please could you provide a description of what it is, which individual or country donated to gift, who the gift was donated to (embassy/consulate or individual), and what sale price was achieved at auction (in pounds sterling).*
- 3. For each gift, please could you provide a date for when it was donated, and for when it was sold at auction and at which auction house the sale took place.*

If FOI requests of a similar nature have already been asked could you also please include your responses to those requests.”

I am writing to confirm that we have now completed the search for the information which you requested.

I can confirm that the Foreign and Commonwealth Office (FCO) does hold information relevant to your request. I can also confirm that we have not received any similar requests other than your previous FOI requests Ref 0395-13 and 1125-13

As you may be aware, the FCO has clear and strict rules in place around the acceptance by its staff of gifts, advantages or hospitality in line with Cabinet Office guidance. It includes ensuring that gifts, advantages and hospitality are properly recorded, and that our staff at all times uphold the highest possible standards of probity as befits their roles as official representatives of their country. Gift giving is very important in many cultures abroad and refusing gifts in some circumstances could cause offence. Like other Government employees, FCO staff may in certain circumstances accept gifts where refusal to do so

would cause offence. If these are items worth less than £140 for staff overseas (for staff in the UK - £25 if received from a UK company; £75 if received from a foreign embassy in London), they may be retained by staff if there is no question of impropriety, as in line with Cabinet Office guidance. If staff accept a gift or advantage of a value above these thresholds it cannot automatically be retained. In this instance, staff can either choose to pay the difference (i.e. above the relevant threshold– e.g. either £25, £75, £140) for the item; retain it for representational purposes during the length of their time in that position/country; or the item should be sent for auction in the UK. The FCO uses the auction house 'Fellows' to sell on the items; and the proceeds are returned to Her Majesty's Treasury.

As set out below, some of the information within the scope of your request is exempt under Section 27(1)(c) – interests of the United Kingdom abroad and Section 40 (2) and (3) – personal information. Information prior to 2012, the commencement date of your previous requests and donation dates falls under Section 12 – exceeding the appropriate limit.

Information that the FCO can release, which is in a readily available format from 2014, is in the attached digest. The items were auctioned in various locations in the UK through 'Fellows'.

Section 12 of the Freedom of Information Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit. The limit has been specified in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004. For central government the appropriate limit is set at £600. This represents the estimated cost of one or more persons spending 3 ½ working days in determining whether the Department holds the information, and locating, retrieving and extracting it. In these circumstances we are not obliged under the Act to comply with your request. I have estimated that information prior to 2012 and donation dates in the specified timeframe you have requested will take more than 3 ½ working days to locate, retrieve and extract due to that information being held across a range of separate documents in data storage systems.

Donor and receiving Diplomatic Mission/FCO Department information has been withheld under section 27(1)(c). This is a qualified exemption and as such we have considered where the greater public interest lies. Disclosure could meet the public interest in transparency and accountability. However, the effective conduct of international relations depends upon maintaining trust and confidence between Governments. If the United Kingdom does not maintain this trust and confidence, its ability to protect and promote UK interests through international relations will be hampered, which will not be in the public interest. The disclosure of information identifying from whom auctioned gifts were received could potentially cause offence and damage the relationship between the UK and those states. This could reduce the UK government's ability to protect and promote UK interests which would not be in the public interest. For these reasons we consider that the public interest in maintaining this exemption outweighs the public interest in disclosing it.

Personal data has been withheld as it is exempt information under section 40(2) and (3) of the Act. This is an absolute exemption and does not require the FCO to consider the public interest test. The names of FCO officials who received the gifts have been deleted from the

data as this may identify the provenance of the gifts and hamper the individuals in the course of their duties and maintaining their official relationship with the donor.

Although some gift information has been released in our previous FOI request to you, items which have been sold at auction are of a unique, distinctive and possibly identifying nature. Such identification, coupled with the knowledge that these items have been passed for auction, increases the potential to cause offence and damage relations with the donor.



We keep and use information in line with the Data Protection Act 1998. We may release this personal information to other UK government departments and public authorities.