



Ministry  
of Defence

Defence Equipment and Support  
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Ministry of Defence  
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Our Reference:  
FOI2022/00892  
Date:  
27 January 2022

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Dear XXX

I am writing about your email of 20 January 2022, requesting the following information:

**'I have recently purchased an ex-military Land rover defender 110 I have checked the released MERLIN database and the vehicle service history is not contained in the available published MERLIN extract (the vehicle as having only recently come out of service). Therefore I submit a FOI request for the following information: 1) Vehicle military service history (Units served etc, as contained in MERLIN/james) 2) Any Maintenance Records / Work objects related to this vehicle. Vehicle Registration: Mu22aa VIN number: SALLDBA67WA150527.'**

Your request has been handled in accordance with the Freedom of Information (FOI) Act 2000.

A search has been carried out of Ministry of Defence (MOD) records and it is confirmed that some information is held on your vehicle that can be released. This is enclosed, as follows:

Annex A - Transfer History  
Annex B - Inspection History  
Annex C - Service History  
Annex D - Modification History (redacted)  
Annex E - Fault History (redacted)

It has proved necessary to withhold some information in accordance with qualified exemptions of the FOI Act. Commercially sensitive information in the Modification History (Annex D), and Fault History, (Annex E) relate to contractor repair times, which have been withheld under qualified exemption Section 43(2) (Commercial Interests). Section 43 concerns information which if disclosed would or would likely prejudice the commercial interests of any person (including defence contractors and the public authority holding it).

As this exemption is qualified, it was necessary to undertake a Public Interest Test to determine whether the balance for withholding the information outweighs that for disclosure. General arguments in favour of release were that full disclosure would demonstrate the MOD's commitment to openness and transparency; and make the UK Government more accountable to the electorate. The FOI Act also contains a presumption for release.

However, the Modification History and Fault History provide details of the time taken by MOD contractors to rectify fault reports for the vehicle concerned. This data, along with previously

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published information, could be used to make reasonable assumptions about hourly labour rates. As market sensitive information, this could then be exploited by commercial competitors to undercut the contractor when bidding for similar work.

Given the arguments described above, on balance, it was determined that the information should be withheld. The level of prejudice against release of this exempted information has been set at the higher level of “would” rather than “would be likely to”.

If you have any queries regarding the content of this letter, please contact this office in the first instance. If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.gov.uk](mailto:CIO-FOI-IR@mod.gov.uk)). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner’s Office, Wycliff House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

DE&S Secretariat