



Ministry  
of Defence

Defence Equipment and Support  
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Our Reference:  
FOI2022/06590  
Date:  
8 June 2022

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Dear [REDACTED],

I am writing about your email of 26 May 2022, further to my response to FOI2022/06398 requesting clarification. You originally requested:

**'I have recently purchased a Land Rover Defender 110 registration E269 KNO.**

**Could you please give us the vehicles history?'**

You refined your request as follows:

**'I have taken a photograph of the VIN plate and details are as follows:**

**SERIAL NO: SALLDHAC7BA314727  
REG NO: 48-KF-39  
CES NO: 31784  
CODE NO: VB 1720-3100'**

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

A search of Ministry of Defence (MOD) records has been completed and some of the information about your vehicle has previously been published; Section 21(1) of the FOI Act provides that information is exempt if it is reasonably available by other means. The Merlin archive was released as part of a previous FOI request and can be accessed at the Government publications website, at the following:

<https://www.gov.uk/government/publications/foi-responses-published-by-mod-week-commencing-09-july-2018>

Under Section 16 (Advice and Assistance) of the FOI Act, I can advise you that the database in the above link is split into seven spreadsheets. The first has a list of vehicles, while sheets two through seven include the service histories. To search for a vehicle, you must press Ctrl + F on your computer keyboard, then select 'Options' and then select 'Workbook' from the 'Within' drop down list. Information relevant to your request can be found by typing the vehicle registration number (**48KF39**) and pressing 'enter'. For ease of reference, details of your vehicle can be found in the first attachment "Merlin 2.0 attachment 1", at row 105099, and the fourth attachment, "Merlin 2.0 attachment 4" at rows 66057 to 66059.

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It is also confirmed that some additional information is held on your vehicle that can be released. This is enclosed, as follows:

Annex A – 48KF39 Fault History (Redacted)

Annex B – 48KF39 Inspection History

Annex C – 48KF39 Maintenance History

It has proved necessary to withhold some information related to your request. This is commercially sensitive information in the Fault History (Annex A) relating to contractor repair times, which has 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.

The Fault History (Annex A) provides details of the time taken by MOD contractors to rectify fault reports on 48KF39. This data, along with previously 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, Wycliffe 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