

From: Enquiries
Sent: 07/03/2023 15:37
To: [REDACTED]
Cc: Enquiries
Subject: RE: Freedom of Information request - Background Intellectual Property

Dear [REDACTED]

Thank you for your email of 6 March 2023 in which you have requested information about the application of the Defence Reform Act 2014 to the acquisition/licensing of intellectual property. We have dealt with your request under the Freedom of Information Act 2000 and have allocated it reference RFI 071.

I am writing to advise you that that the information you requested is not held by the SSRO. However, we are able to confirm the following which may assist you:

Section 14 of the Defence Reform Act 2014 contains the criteria by which contracts entered into by the Secretary of State will be “Qualifying Defence Contracts” and therefore subject to the pricing controls and transparency obligations under that Act and the Single Source Contract Regulations 2014. Those criteria include that the contract be for the procurement of goods, works or services for defence purposes, that the value of the contract is £5m or more and that the contract award is not the result of a competitive process. Regulation 7 refers to contracts which are excluded and section 14(7) of the Act enables the Secretary of State to exclude particular contracts from the regime.

The Ministry of Defence may hold the specific information you are seeking. If you have not already done so, you may wish to contact the Information Rights Compliance Team at: Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@MOD.gov.uk).

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original request and should be addressed to: Neil Swift, c/o Enquiries, enquiries@ssro.gov.uk. If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Kind regards,

Enquiries

Single Source Regulations Office

T: 0203 771 4771 | E: enquiries@ssro.gov.uk
Finlaison House | 15-17 Furnival Street | London | EC4A 1AB

From: [REDACTED]

Sent: 06 March 2023 10:14

To: Enquiries <enquiries@ssro.gov.uk>

Subject: Freedom of Information request - Background Intellectual Property

Dear Single Source Regulations Office,

Do the Single Source Regulations apply to the acquisition and/or the licencing of background Intellectual Property by the MOD?

If they do, how do they apply? And under which section of the regulations?

And, by which mechanism is the background Intellectual Property being assessed for cost purposes.

Yours faithfully,

[REDACTED]