

From: [FOI](#)
To: [REDACTED]
Subject: RE: Freedom of Information Request
Date: 08 May 2018 10:09:00
Attachments: [Schedule of records for 00618.docx](#)

08/05/2018

[REDACTED]

Re: FOI request part granting request 00618

Dear [REDACTED]

I refer to your request dated 5 April 2018 made under the Freedom of Information Act 2014, which was received on 5 April 2018 for records held by NMBI. Your request sought:

- "1) The amount each board member received in board related fees in the years 2015, 2016 and 2017 in tabular form
- 2) During the years 2015, 2016 and 2017 did any board member who was entitled to board fees waiver any of their fees; if so name of that person and why they waived any of the board related fees
- 3) The CEO remuneration package for 2016 and 2017 in tabular form."

I, Aoibhin de Búrca, have now made a final decision to part grant your request on 8 May 2018.

The purpose of this letter is to explain that decision. This explanation has the following parts:

1. a schedule of all of the records covered by your request;
2. an explanation of the relevant findings concerning the records to which access is denied,
3. a statement of how you can appeal this decision should you wish to do so, and
4. Publication.

This letter addresses each of these three parts in turn.

1. Schedule of records

A schedule is enclosed with this letter, it shows the documents that NMBI considers relevant to your request. It describes each document and refers to the sections of the FOI Act which apply to prevent release. The schedule also refers you to sections of the detailed explanation given under heading 2 below, which are relevant to the document in question. It also gives you a summary and overview of the decision as a whole.

2. Findings, particulars and reasons for decisions to deny access

The material you requested for 2015 and 2016 is already in the public domain, and we have also sent you a scan of these documents and an electronic link to the Annual Reports on 18 April 2018.

Regarding your second question no Board member who was entitled to fees, waived fees.

The sections of the Act which can apply to deny access to documents are known as its exemption provisions.

Our accounts for 2017 have not yet been approved by the C&AG and we are refusing access to you based on section 15 (1) e. They will be published once approved by the C & AG.

"15. (1) A head to whom an FOI request is made may refuse to grant the request where—
(e) publication of the record is required by law and is intended to be effected not later than 12 weeks after the receipt of the request by the head."

3. Rights of appeal

If you are unhappy with this decision you may appeal it. In the event that you need to make such an appeal, you can do so by writing to the Freedom of Information Unit, 18/20 Carysfort Avenue,

Blackrock, Co. Dublin or by e-mail to foi@nmbi.ie. Your correspondence should include a fee of €30 for processing the appeal. Payment should be made by way of bank draft, money order or postal order made payable to NMBI, 18/20 Carysfort Avenue, Blackrock, Co.Dublin if you wish to make payment by electronic means please contact foi@nmbi.ie for further details. You should make your appeal within 4 weeks from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this body.

4. Publication

All non-personal FOI requests will be recorded on an FOI disclosure log which will be published on the NMBI website in due course.

Should you wish to discuss the above, please contact me at foi@nmbi.ie.

Yours sincerely,
Aoibhín de Búrca, FOI Officer.

Schedule of records for 00618: Summary of Decision-Making

| Rec No | Brief description | No. of pages | Decision: Grant/Part Grant/Refuse | Section of Act applicable |
|--------|----------------------------------|--------------------------------|-----------------------------------|---------------------------|
| 1 | CEO Remuneration for 2016 | 1, pg 37 of 2016 Annual Report | Grant | |
| 2 | Board Member Emoluments for 2016 | 1, pg 36 of 2016 Annual Report | Grant | |
| 3 | Board Member Emoluments for 2015 | 1, pg 36 of 2015 Annual Report | Grant | |
| 4 | 2017 Financial Statements | To be finalised and approved | Refuse | Section 15 (1) e |