



**An Roinn Cumarsáide,
Fuinnimh agus Acmhainní Nádirtha
Baile Átha Cliath 2.**

**Department of Communications,
Energy and Natural Resources,
Dublin 2.**

7 April 2008

Mr Mark Tighe
The Sunday Times
4th Floor
Bishop's Square
Redmond's Hill
Dublin 2

Re: FOI/23/2008

Dear Mr Tighe

I refer to your request under the Freedom of Information Act for access to records held by this Department in relation to audits of the Department's computers in 2006, 2007 and 2008. Your request has been REFUSED under Section 10 (1) (a) of the FOI Acts 1997 and 2003 as such records do not exist.

I wish to advise you that, if for any reason you are not satisfied with the outcome of your request, you are entitled to seek a review of the case by appealing the decision to this Department's FOI Internal Review Board. To appeal, you need to write to Mr Frank O'Brien, FOI Unit, Department of Communications, Energy and Natural Resources, Elm House, Earlsvale Road, Cavan. You must make your appeal within 4 weeks of the date of this letter, but 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 Department.

Please note that an application fee for an appeal is currently €75.00 and a reduced fee of €25.00 applies if you are covered by a Medical Card. If claiming a reduced application fee, the request must also be accompanied by:

- The Medical Card registration number;
- The name of the issuing Health Board;
- Your consent to the verification of these details with that Health Board.

Payment should be made by way of bank draft, money postal order, or personal cheque made payable to "The Department of Communications, Energy and Natural Resources".

On receipt of the fee, an acknowledgement letter will be sent to you outlining details of when you can expect a decision on your appeal, and the contact details of the person handling the appeal.

Yours sincerely



Ann Kissane
Human Resources Division
Tel: (01) 678 2173
email: ann.kissane@dcenr.gov.ie



Department of Communications, Energy and Natural Resources
Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádurtha

27th March, 2008

Mr. Mark Tighe,
News Reporter,
The Sunday Times,
4th Floor,
Bishop's Square,
Redmond's Hill,
Dublin 2.

Dear Mr. Tighe,

I refer to the Freedom of Information request received in this office on 11th March, 2008 and the associated fee which was received in the FOI Unit on 27th March, 2008.

Your request has been circulated to 4 divisions with the Department and the following decision-makers have been nominated to deal with your request:

Part 1: Records relating to Computer Audits. Ref. No: FOI/0023/2008
Decision-maker: Ann Kissane, HR Division, Phone No. 01 6782173.

Part 2: Records relating to how much the Department spent on bottled water.
Ref. No: FOI/0020/2008
Decision-maker: Tracey Hall, Corporate Services, Phone No. 01 6782554.

Part 3: Records relating to the proposed new Broadcast Bill. Ref. No: FOI/0021/2008
Decision-maker: Bill Morrissey, Broadcasting Policy Division, Phone 01 6783176.

Part 4: Records relating to Data Protection Issues. Ref. No: FOI/0022/2008
Decision-maker: Joe Birthistle, Information Systems Division, Phone 01 6782205.

The postal address for all of the above is 29 – 31 Adelaide Rd., Dublin 2.

A final decision on your request will normally be sent to you within 4 weeks of receipt of your request. This means that you can expect to receive your decision by the 11th April, 2008.

If you have not heard from us when the time allocated has expired, you are automatically entitled to appeal to the Department for a review of the matter. This review proceeds on the legal basis that the initial request is considered to be refused once the specified time for responding to it has expired.

You should also be aware that you are entitled to a review of the decision if your request is refused, or if you are for any reason dissatisfied with the outcome of your request. The review is a full and new examination of the matter carried out by a more senior member of staff of this Department. In the event that you need to make an appeal, you can do so by writing to Mr. Frank O'Brien, FOI Unit, Department of Communications, Energy & Natural Resources, Elm House, Earlsvale Rd., Cavan. Please note that there is a charge for all appeals of FOI requests. This charge is currently €75.00. A reduced fee of €25.00 applies if you are the holder of a Medical Card.

Please note that the Department of Communications, Energy & Natural Resources has a policy of posting a summary of your request, your name and address and the subsequent reply on the Department's website for reference purposes.

Yours sincerely,

Mary Rabbitte
FOI Unit
PH: 01 6782903



THE SUNDAY TIMES

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05/03/08

Dear Sir/Madam,

Under the Freedom of Information Act I would like access to copies of the following records.

1. Results of all audits of department computers using software (such as PixAlert) in 2006, 2007 and 2008. Please include any statistics that show how many computers were found to contain inappropriate material. Please also include any records which show any disciplinary proceedings which arose from such audits.
2. Records showing how much the department spent on bottled water in 2006 and 2007 and in January and February 2008.
3. All correspondence and records of meetings between the minister and department officials and RTE over the proposed new broadcast bill.
4. Records showing any data protection breaches in the department in from January 2005 to present. If any data protection issues arose please include records on any inquiries into these.

Regards,

Mark Tighe

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