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Our Reference Number: FOI/64/2004

18<sup>th</sup> August, 2004

Mr. Arthur Beesley  
The Irish Times  
10-16 D'Olier Street  
Dublin 2.

Dear Mr. Beesley,

I refer to the request, which you made under the Freedom of Information Acts 1997 and 2003 for records held by this Department.

Any records or correspondence created since the start of 2004 on the matter of the financial situation at An Post.

The Department received no submission from the 3<sup>rd</sup> party and therefore have made a decision regarding your request.

The summary of the decision making process has been enclosed for your convenience and sets out the decision taken by the Department to part-grant your request. The records (or part thereof) that have been withheld are mainly under Section 27 (1)(b) on the grounds that the material could prejudice the commercial position of An Post, and Section 19 (1)(a)+(b) which covers records of Government. Section 20 has also been applied to certain records.

I would like to inform you that you are entitled to a review of the decision 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 body. In the event that you need to make an appeal, you can do so by writing to Mr. John Wynne, FOI Unit, Department of Communications, Marine and Natural Resources, Leeson Lane, Dublin 2.

Yours sincerely,

  
Patricia Cronin

**Schedule of Records:**

**FOI 64/2004**

No.	Ref no:	Description	Date	Supplementary Information
1.	P2-4	Letter to Donal Curtin An Post from Eamonn Molloy Assistant Secretary re: financial difficulties by SDS	12.5.2004	Withheld under Section 20 (1) (a) of the Act which allows for refusal on the grounds that the record contains matter relating to the deliberative processes of the public body concerned
2.	P2.14/1	Note of Meeting with An Post 29 June 2004, Leeson Lane	30.6.2004	Page 1 Bullets 1 to 6 withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information Rest of record withheld as information is not relevant to this FOI request
3.	P2-14/1	Note of Meeting with An Post 1 June 04, Leeson Lane	1.6.2004	Page 1 Bullets 1 to 9 withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information Rest of record withheld as information is not relevant to this FOI request

4.	P2-14/1	Note of Meeting with An Post 4 May Leeson Lane 2004	5.5.2004	Page 1 Bullets 1 to 9 withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information Rest of record withheld as information is not relevant to this FOI request
5.	P2-14/1	Note of Meeting with An Post 30 March Leeson Lane 2004	30.3.2004	Page 1 Bullets 1 to 4 and Page 2 Bullet 7 withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information Rest of record withheld as information is not relevant to this FOI request
6.	P2-14/1	Note of Meeting with An Post 2 March Leeson Lane 2004	3.3.2004	Page 1 Bullets 5 to 7 and Page 2 Bullets 5 to 6 and Bullet 9 and Bullet 12 withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information Rest of record withheld as information is not relevant to this FOI request

7.	P2-14/1	Meeting with An Post 4 February 2004	4.2.2004	Page 1 Paragraph 2 withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information Rest of record withheld as information is not relevant to this FOI request
8.	P2-14/1	Note of Meeting with An Post 26 January 04 Leeson Lane 2004	29.1.2004	Page 1 Bullets 7 to 9 and Section entitled "November accounts" withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information Rest of record withheld as information is not relevant to this FOI request
9.	P1-4	Government Decision on Aide Memoire re: industrial relations situation in An Post	27.1.2004	Withheld under Section 19 (1) (b) of the Act which allows for refusal on the grounds that the record is a record of the Government other than a record by which a decision of the Government is published to the general public by or on behalf of the Government

10.	P1-4	Aide Memoire for Government	20.1.2004	Withheld under Section 19 (1) (a) of the Act which allows for refusal on the grounds that the record has been, or is proposed to be, submitted to the Government for their consideration by a Minister of the Government or the Attorney General and was created for that purpose
11.	P1-4	Letter to Dermot McCarthy Secretary General of Taoiseach from Brendan Tuohy Secretary General re: financial situation in An Post	13.1.2004	Page 1 Paragraph 5 and 6. Page 2 Paragraph 4, including Bullets 1 to 3, withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information
12.	P1-4	Fax from Patricia Cronin Principal Officer to Paul Byrne Dept. of Finance for attention re: financial situation in An post	13.1.2004	Page 2 Paragraph 5 and 6. Page 3 Paragraph 4, including Bullets 1 to 3, withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information
13.	P1-4	An Post Presentation to Oireachtas Joint Committee on Communications, Marine & Natural Resources	8.1.2004	<b>Released</b>
14.	P1-1	Letter to Eamonn Molloy Assistant Secretary from Michael Tyndall An Post re: Memorandum of draft minutes of the AGM An Post	5.5.2004	<b>Released</b>

15.	P1-1	Annual Report 2003			<b>Released</b>
16.	P1-1	Statement on Behalf of Minister for Communications, Marine & Natural Resources at AGM of An Post 29 April 2004	29.4.2004		<b>Released</b>
17.	P1-1	An Post AGM 29 April 04 Statement on behalf of Minister for Finance by Paul Byrne Department of Finance	29.4.2004		<b>Released</b>
18.	P1-1	Briefing for Minister Memorandum for Government An Post Accounts 2003	19.4.2004	Withheld under Section 19 (1) (a) of the Act which allows for refusal on the grounds that the record has been, or is proposed to be, submitted to the Government for their consideration by a Minister of the Government or the Attorney General and was created for that purpose	
19.	P1-1	Government Decision 20 April 04 re: the Annual Report and Accounts of An Post 2003	21.4.2004	Withheld under Section 19 (1) (b) of the Act which allows for refusal on the grounds that the record is a record of the Government other than a record by which a decision of the Government is published to the general public by or on behalf of the Government	
20.	P1-1	Letter to Patricia Cronin Principal Officer from Michael Tyndall An Post re An Post Annual Report 2003	20.4.2004		<b>Released</b>
21.	P1-1	An Post Annual Report 2003 Chairperson's Report to Minister for Communications, Marine &	20.4.2004		<b>Released</b>

22.	P1-1	Natural Resources Email from Patricia Cronin to Eamonn Confrey and Ciaran O'Cuinn re: briefing note on An Post Memo	19.4.2004	Withheld under Section 19 (1) (a) of the Act which allows for refusal on the grounds that the record has been, or is proposed to be, submitted to the Government for their consideration by a Minister of the Government or the Attorney General and was created for that purpose
23.	P1-1	Memorandum for Government Annual Report and Accounts of An Post for year ended 31 December 2003	15.4.2004	Withheld under Section 19 (1) (b) of the Act which allows for refusal on the grounds that the record is a record of the Government other than a record by which a decision of the Government is published to the general public by or on behalf of the Government
24.	P1-1	Note for file re: Department of Finance obs on Memo	15.4.2004	Withheld under Section 19 (1) (a) of the Act which allows for refusal on the grounds that the record has been, or is proposed to be, submitted to the Government for their consideration by a Minister of the Government or the Attorney General and was created for that purpose

25.	P1-1	Email from Lorcan Fullan to Ciara Bates re: Interim Comments	14.4.2004	Withheld under Section 19 (1) (a) of the Act which allows for refusal on the grounds that the record has been, or is proposed to be, submitted to the Government for their consideration by a Minister of the Government or the Attorney General and was created for that purpose
26.	P1-1	Fax to Niall from Ciara Bates re Memorandum for Government	14.4.2004	Withheld under Section 19 (1) (a) of the Act which allows for refusal on the grounds that the record has been, or is proposed to be, submitted to the Government for their consideration by a Minister of the Government or the Attorney General and was created for that purpose
27.	P1-1	Email fro Patricia Cronin to Ciara Bates Breege O'Sullivan re: An Post 2003 Accounts	2.3.2004	Page 1 paragraph 9 and rest of record withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information
28.	P19	An Post Briefing Note	18.6.2004	<b>Released</b>

29.	P19	Note for Minister – Presentation by An Post Management to Cabinet	10.6.2004	Withheld under Section 19 (1) (a) of the Act which allows for refusal on the grounds that the record has been, or is proposed to be, submitted to the Government for their consideration by a Minister of the Government or the Attorney General and was created for that purpose
30.	P19	Email from Patricia Cronin Principal Officer to Sean Coughlan, Breege O'Sullivan and Ciara Bates re: 2004 Estimates	10.5.2004	Page 2 paragraphs 8-14 and rest of record withheld as information is not relevant to this FOI request
31.	P19	Steering Group on Sustaining Progress Agreement on 10 May 2004	10.5.2004	Page 1 paragraph 8 and rest of record withheld as information is not relevant to this FOI request
32.	P19	Briefing Note for Order of Business	30.3.2004	Page 1 and page 2 paragraph 1 – 3 and rest of record withheld as information is not relevant to this FOI request
33.	P19	Briefing Note for file	13.2.2004	<b>Released</b>
34.	P19	An Post Briefing Note	6.1.2004	Page 1 paragraph 2-8 page 2 1-2 and 4-8 withheld as information is not relevant to this FOI request

35.	P1-2	Table on Non-pay expenditure from An Post	28.6.2004	Withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information
36.	P1-2	Note for file An post Financial Accounts for the month ending 31 may 2004	28.6.2004	Page 1 and Page 2 Bullets 1 to 7 and Page 2 Expenditure Table withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information Rest of record withheld as information is not relevant to this FOI request
37.	P1-2	Letter to Patricia Cronin from Ciaran McGivern re: enclosing copies of Financial and Operating Review 31 May 2004 and summary report for same period	21.6.2004	<b>Released</b>
38.	P1-2	An Post Financial and Operating Review for the month ended 31 May 2004	21.6.2004	Withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information
39.	P1-2	An Post Summarised Financial and Operating Review for the month ended 31 May 2004	21.6.2004	Withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information

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40.	P1-2	Letter to Ciara Bates from Ciaran McGivern re: An Post Financial and Operating Review 30 April 2004 and summary report for same period	28.5.2004	<b>Released</b>
41.	P1-2	Note for file An Post Financial Accounts for the month ending 30 April 2004	1.6.2004	Page 1 and Page 2 Bullets 1 to 5 and Page 2 Expenditure Table withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information Rest of record withheld as information is not relevant to this FOI request
42.	P1-2	Letter to Patricia Cronin Principal Officer from Ciaran McGivern An Post re: Financial and Operating Review – April 2004	26.4.2004	<b>Released</b>
43.	P1-2	An Post Financial and Operating Review for the month ended 30 April 2004	26.4.2004	Withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information
44.	P1-2	An Post Summarised Financial and Operating Review for the month ended 30 April 2004	26.4.2004	Withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information

45.	P1-2	Note for file on An Post Financial Accounts for month ending 31 March 2004	27.4.2004	Page 1 and Page 2 Bullets 1 to 2 and Page 2 Expenditure Table withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information Rest of record withheld as information is not relevant to this FOI request
46.	P1-2	An Post Financial and Operating Review for the month ended 31 March 2004		Withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information
47.	P1-2	An Post Summarised Financial and Operating Review for the month ended 31 March 2004		Withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information
48.	P1-2	Letter to Patricia Cronin Principal Officer from Ciaran McGivern An Post re: Summary Financial and Operating Review for the month ended 29 February 2004	29.3.2004	<b>Released</b>
49.	P1-2	Letter to Patricia Cronin Principal Officer from Ciaran McGivern An Post re: Year End Report 2003 and Report for February 2004	26.3.04	<b>Released</b>

50.	P1-2	Note for file on An Post Financial Accounts for month ending 29 February 2004	31.3.2004	<p>Page 1 and Page 2 Bullets 1 to 2 and Page 2 Expenditure Table withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information</p> <p>Rest of record withheld as information is not relevant to this FOI request</p>
51.	P1-2	An Post Financial and Operating for the month ended 29 February 2004	26.3.2004	Withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information
52.	P1-2	An Post Summarised Financial and Operating Review for the month ended 29 February 2004	29.3.2004	Withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information
53.	P1-2	Letter to Patricia Cronin Principal Officer from Ciaran McGivern An Post re: Year End Report 2003 and Report for January 2004	26.2.2004	<b>Released</b>
54.	P1-2	An Post Financial and Operating Review for the month ended 31 January 2004	26.2.2004	Withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information

55.	P1-2	An Post Unaudited Financial Results Year ended 31 December 2003	26.2.2004	Withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information
56.	P1-2	Letter to Patricia Cronin Principal Officer from Michael Tyndall An Post re: draft unaudited Accounts for 2003	5.2.2004	<b>Released</b>
57.	P1-2	Note for file on An Post Financial Accounts for month ending 31 January 2004	8.3.2004	Page 1 and Page 2 Bullets 1 to 3 and Page 2 Expenditure Table withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information Rest of record withheld as information is not relevant to this FOI request
58.	P1-5	An Post Budget 2004 – Board Pack		Withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information
59.	P1-5	Budget Variances Analysis in An Post – Jan/Feb 2004	30.3.2004	Withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially sensitive information

60.	P1-5	An Post Budget – Detailed commentary	27.1.2004	Withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially
61.	P1-5	An Post Budget – Short commentary	27.1.2004	Withheld under Section 27 (1) (b) of the Act which allows for refusal on the grounds that the material contains commercially
62.	P1-5	An Post Regulatory Accounts Summary-Year ended 31 December 2002	23.1.2004	<b>Released</b>