

07/11/2025

Re: Freedom of Information request 202516 – Request part granted

Dear

I refer to your request dated and received on the 9th of October 2025 which you have made under the Freedom of Information Act 2014 for records held by this FOI body. Your request sought:

1. Details of the ICT budget and planned ICT projects or initiatives for the current financial year (2025/26).
2. Documentation outlining planned ICT procurements for FY 2025/26, including (but not limited to) hardware, software, ICT maintenance agreements, and related services.

I wish to inform you that I have decided to part grant your request on the 7th of November 2025.

The purpose of this letter is to explain that decision.

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

Details of both parts of your request were provided to the relevant sections within the LDA to identify records held which were within the scope of your request. For clarity this decision will deal with both parts individually.

Part 1

Firstly, I must advise that Section 11 of the FOI Act provides for a right to access to records held by FOI bodies. Requests for information are therefore not valid requests under the Act, as opposed to requests for records. FOI bodies are not required under the Act to create records where none exist, and it does not oblige FOI bodies to answer general queries. The Act does not provide a mechanism for answering questions, except for the extent that a question can reasonably be inferred to be a request for records which contain the answer to the question asked or the information sought.

On receipt of your request, “*Details of the ICT budget and planned ICT projects or initiatives for the current financial year (2025/26)*” it was concluded that this did not meet the criteria for a valid FOI request under Section 11 subsections (1) and (4) of the Freedom of Information Act.

Access to Records

11 (1) Subject to this Act, every person has a right to and shall, on request, therefore, be offered access to any record held by an FOI body and the right so conferred is referred to in this Act as the right of access.

(4) The records referred to in subsection (1) are—

(a) records created on or after the effective date

As this is a request for information and not a record or records, I have decided that your request does not contain sufficient particulars to enable the records sought to be identified. Therefore, I am refusing your request in accordance with Section 15(1)(a) of the Freedom of Information Act 2014, which states:

Refusal on administrative grounds to grant FOI requests.

15.(1) A head to whom an FOI request is made may refuse to grant the request where—

(a) the record concerned does not exist or cannot be found after all reasonable steps to ascertain its whereabouts have been taken.

Part 2

On receipt of your request, it was forwarded to the relevant sections within the LDA to identify records held which were within the scope of your request.

The records requested are attached to this decision letter for your information.

A number of redactions have also been applied to the attached records under Sections 32(1)(a)(i), 32(1)(a)(iii), 32(c) 36(1)(b) and 40 of the Act. These redactions are detailed in the Schedule of Records in **Appendix 1**.

Section 32(1)(c) states that:

Law Enforcement and Public Safety

32. (1) A head may refuse to grant an FOI request if access to the record concerned could, in the opinion of the head, reasonably be expected to—

(a) prejudice or impair—

(i) the prevention, detection or investigation of offences, the apprehension or prosecution of offenders or the effectiveness of lawful methods, systems, plans or procedures employed for the purposes of the matters aforesaid,

(iii) lawful methods, systems, plans or procedures for ensuring the safety of the public and the safety or security of persons and property,

(c) facilitate the commission of an offence.

Disclosure of these records could materially increase cyber-risk (security of systems/networks). The record contains detailed ICT architecture and security information. The head is of the opinion that disclosure could reasonably be expected to prejudice the security of systems and networks and to materially increase the risk of successful cyber-attack against public services. On that basis the record is exempt under section 32(1).

Public Interest Test

There is a Public Interest Test associated with section 32 of the FOI Act whereby my decision must be made having fully considered the harm and public interest relevant to this request.

I have considered the public interest issues which arise in this case and have taken account of the following factors in favour of release:

- Ensuring openness and transparency of organisational functions to the greatest possible extent, in particular in regards the expenditure of public money.
- The public interest in members of the public exercising their rights under the FOI Act.
- Ensuring fairness of procedures and that decisions are fair and equitable and evenly applied.

In reaching my decision I must balance this public interest against those factors favouring the non-release of this information. I considered the following:

- The public interest in protecting public bodies from the commission of crime.
- That the release of named software packages used by the LDA would reveal vulnerabilities in the IT security impairing its effectiveness.
- That there have been a number of attempted cyberattacks on the LDA to date.

A public interest test was carried out when considering the release of the records but, having balanced the factors both for and against the release I have, on balance, decided that the public interest in preserving the integrity of the information would be better served by withholding the relevant parts of these records.

Section 36 states that:

Commercially Sensitive Information

36 1) Subject to subsection (2), a head shall refuse to grant an FOI request if the record concerned contains:

b) financial, commercial, scientific or technical or other information whose disclosure could reasonably be expected to result in a material financial loss or gain to the person to whom the information relates or could prejudice the competitive position of that person in the conduct of his or her profession or business or otherwise in his or her occupation.

Therefore, I am refusing the release of parts of the records as well as refusing all attachments under the provisions of section 36(1)(b) as they contain commercially sensitive information.

Public Interest Test

There is a Public Interest Test associated with section 36 of the FOI Act whereby my decision must be made having fully considered the harm and public interest relevant to this request.

I have considered the public interest issues which arise in this case and have taken account of the following factors in favour of release:

- Ensuring openness and transparency of organisational functions to the greatest possible extent, in particular in regards the expenditure of public money.
- The public interest in members of the public exercising their rights under the FOI Act.
- Ensuring fairness of procedures and that decisions are fair and equitable and evenly applied.

In considering the public interest factors which favour withholding the records I have taken account of the following:

- The public interest is not best served by releasing this record.

- That these records contain references to an ongoing commercial process.
- That the release of named software packages used by the LDA would reveal vulnerabilities in the IT security impairing its effectiveness.
- That there have been a number of attempted cyberattacks on the LDA to date.
- A resulting cyberattack could lead to a material financial loss to the LDA.

The redacted material includes technical details of the IT security arrangements of the LDA and would if released to the world at large render the LDA vulnerable to cyberattacks. These could in turn hinder the LDA's ability to operate effectively in the open market or result in a material financial loss to the agency.

Section 40(1)(d) states:

Financial and economic interests of the State

40. (1) A head may refuse to grant an FOI request in relation to a record (and, in particular, but without prejudice to the generality otherwise of this subsection, to a record to which subsection (2) applies) if, in the opinion of the head—

(d) access to the record could reasonably be expected to result in an unwarranted benefit or loss to a person or class of persons.

For this exemption to apply the record must relate to subsection (2)-

(2) This subsection applies to a record relating to—

(m) trade secrets or financial, commercial, industrial, scientific or technical information belonging to the State or a public body, that are of substantial value or reasonably likely to be of substantial value,

I have considered the public interest issues which arise in your request, and have taken account of the following factors in favour of release:

- Ensuring openness and transparency of organisational functions to the greatest possible extent.
- The public interest in members of the public exercising their rights under the FOI Act.
- That there is more than just a transitory interest by the public in this information being released.
- The right to commercial confidentiality is outweighed by the needs of the public.

In considering the public interest factors which favour withholding the records as detailed in your request, I have taken account of the following:

- Allowing a public body to hold commercial information without undue access by members of the public.
- That the LDA is not prevented or impeded from the effective pursuit of its legitimate business.
- That the LDA can conduct its commercial operations without fear of premature disclosure.
- That the IT infrastructure of the LDA remain secure.
- That the release of named software packages used by the LDA would reveal vulnerabilities in the IT security impairing its effectiveness.
- That there have been a number of attempted cyberattacks on the LDA to date.
- A resulting cyberattack could lead to a material financial loss to the LDA.

The redacted material includes technical details of the IT security arrangements of the LDA and would if released to the world at large render the LDA vulnerable to cyberattacks. These could in turn hinder the LDA's ability to operate effectively in the open market or result in a material financial loss to the agency.

2. Right of Appeal

In the event that you are unhappy with this decision you may appeal against it. If you need to make such an appeal, you can do so by writing to the Freedom of Information Unit, Land Development Agency, 4th Floor, Ashford House, Tara Street, Dublin 2 or by e-mail to foi@lda.ie.

Please note that a fee applies. This fee has been set at €30 (€10 for a Medical Card holder). Payment should be made by way of bank draft, money order, postal order or personal cheque, and made payable to Chief Financial Officer, Land Development Agency, 4th Floor, Ashford House, Tara Street, Dublin 2.

Payment can be made by electronic means, using the following details:

The Land Development Agency DAC
IE61AIBK93101264101092
BIC: AIBKIE2D

You must ensure that your FOI reference number (**FOI 202516**) is included in the payment details.

You should make your appeal within 4 weeks of 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 complete reconsideration of the matter by a more senior member of the staff of this body.

Please be advised that the Land Development Agency replies under Freedom of Information may be released into the public domain via our website at lda.ie.

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

Should you have any questions or concerns regarding the above, please contact me by telephone on (01) 9103400.

Yours sincerely,



Monika Szyszko,
Senior Compliance Manager

Appendix 1: Schedule of Records

Requester name:		Request Re:202516				
Page number	Description of document	Deletions	Relevant section of FOI Act	Reasons for deletion	Decision Maker's decision	
1-36	ICT Outsourcing Services - PQQ	Commercially sensitive information	36 40	Commercially sensitive information Financial and Economic Interests of the State	Part grant	
37-68	Supplementary request for tenders IPS017F-05-013_SRFT_LDA Final	Page 17 Industry standards required, page 19 details of LDA IT infrastructure, page 20 targets and mitigations 21-22 IT Infrastructure details, 24 to 25 IT security measures, 25 - 28 IT assets held Page 13 2 paragraphs and one table , pages 14 -16 tables IT incidents corporate priorities, 15-16 Service requirements. 16-17 targets 21-22 and 5 bullets page 23 IT Infrastructure details 24 to 25 IT security measures,	32 36 40	Law enforcement and public safety Commercially sensitive information Financial and Economic Interests of the State	Part grant	
		Total number of pages			68	
		Total number of pages for full release			49	
		Total number of pages for partial release			19	
		Total number of pages being withheld			0	