



**IN THE MATTER OF AN APPEAL TO THE FIRST TIER TRIBUNAL  
UNDER SECTION 57 OF THE FREEDOM OF INFORMATION ACT 2000**

**Appeal No. EA/2012/0174**

**BETWEEN:**

**MATTHEW McALISTER**

**Appellant**

**and**

**THE INFORMATION COMMISSIONER**

**Respondent**

**and**

**LAND AND PROPERTY SERVICES and THE DEPARTMENT of FINANCE and  
PERSONNEL of NORTHERN IRELAND**

**Additional Party**

**Before Brian Kennedy QC  
Henry Fitzhugh  
Paul Taylor**

**Representation:**

**For the Appellant: Matthew McAlister**

**For the Additional Party: David Sharp of Counsel.**

**Date of Hearing: Thursday 12<sup>th</sup> & 13<sup>th</sup> March 2013, at Bedford House, Belfast.**

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## DECISION

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This Tribunal allows the appeal and substitutes the following decision:

UPON HEARING the Appellant and Counsel for the Additional Party and upon reading the written submissions of the First Respondent and upon consent of the Appellant and the Additional Party it is ordered as follows:

1. That the Appellant succeeds in his appeal insofar as it relates to Section 16 of the Freedom of Information Act 2000 (“the Act”)
2. That the documentation provided by the Additional Party to the Appellant in the “Additional Material - Open Bundle” shall satisfy the Additional Party’s obligations pursuant to the Act.

Signed:

Judge Brian Kennedy QC

Dated: 3<sup>rd</sup> March 2013.