



**IN THE FIRST-TIER TRIBUNAL
GENERAL REGULATORY CHAMBER
BETWEEN:**

EA/2013/0075

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT

Appellant

-and-

THE INFORMATION COMMISSIONER

Respondent

STUART HARPER

Second Respondent

CONSENT ORDER

Pursuant to rule 37(1) of the Tribunal (1) of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009,

UPON the Secretary of State for the Home Department having voluntarily agreed to disclose the identity of the private company that has a licence to import cannabis,

AND UPON the Information Commissioner accepting that the identity of the private company exporter of cannabis is outside the scope of the original request for information

IT IS ORDERED BY CONSENT THAT:

1. The appeal, insofar as it relates the Information Commissioner's decision that the Appellant is required to disclose the identify of the private company exporter, is allowed. The remainder of the appeal (ie the part of the appeal relating to the Information Commissioner's decision to require disclosure of the importer company) is dismissed.
2. There be no order for costs.

Dated this 27 August 2013

Judge NJ Warren
Chamber President

Statement of Reasons

1. This appeal concerned a Decision Notice issued on 19 March 2013 under reference FS50461169.
2. Mr Harper had requested a “*list of cannabis importation licences granted in the last 4 years.*”
3. The Appellant supplied a list of importation licences with the identities of the importer and exporter redacted when the importer or exporter was a private company. This information was withheld on the basis that it was exempt information (assuming it fell within the scope of the Mr Harper’s request).
4. The Appellant has considered the matter further and has now agreed to voluntarily disclose the identity of the private company that imported the cannabis. However, it has not disclosed the identity of the exporter private company as this falls outside the scope of Mr Harper’s request.
5. The Information Commissioner has further considered the matter and now accepts that the identity of the exporter is outside the scope of Mr Harper’s request.
6. Without prejudice to the respective positions adopted by each party in this appeal, in view of the further disclosure the parties consider it appropriate for these proceedings to be concluded by way of this consent order.