

Please read the Introduction – See [Introduction](#).

Section 33: Security, Defence and International Relations

Section	Information Required
Section 33(1)	<ul style="list-style-type: none"> • State which paragraph of section 33(1) is being relied on for the refusal to grant access to each record, i.e. paragraph (a), (b), (c) or (d) • In respect of the relevant paragraph relied on (and listed below), identify the adverse effect expected on : <ol style="list-style-type: none"> a) the security of the State b) the defence of the State c) matters relating to Northern Ireland d) the international relations of the State • Explain <u>how</u> the release of the particular record is expected to cause the adverse effect (harm) identified. • Explain why you consider that this adverse effect (harm) could reasonably be expected to occur. <p style="text-align: center;"><u>To be asked only where section 33(4) has been relied on:</u></p> <ul style="list-style-type: none"> • Explain how disclosure of the existence or non-existence of the record (as opposed to disclosure of the actual contents of the record) would prejudice a matter referred to in subsection (1).
33(2)	<p>If, in your view, the record falls within section 33(2), but <u>does not fall within section 33(2)(b)(i) or (ii)</u>, please provide the information sought below. Please also ensure that you have answered the questions at section 33(1) above.</p> <p>A. Show that the information contained in the record relates to the tactics, strategy or operations of the Defence Forces</p> <p>OR</p> <p>B. Show that the record contains:</p> <ul style="list-style-type: none"> • a communication between a Minister of the Government or his or her Department or Office and a diplomatic mission or consular post in the State, or of the State, or • a communication between the Government or an officer of a Minister of the Government (or another person acting on behalf of such a Minister) and another government (or a person acting on behalf of another government) <p style="text-align: right;">Section 33(2) contd. over/</p>

<p>33(2)(b)(i) and (ii)</p>	<p>If, in your view, the record falls within section <u>33(2)(b)(i) or (ii)</u> identify the relevant provision and -</p> <ul style="list-style-type: none"> • Show that the record contains: <ul style="list-style-type: none"> ○ a communication between a Minister of the Government or his or her Department or Office and a diplomatic mission or consular post in the State, or of the State, or ○ a communication between the Government or an officer of a Minister of the Government (or another person acting on behalf of such a Minister) and another government (or a person acting on behalf of another government) <p><u>AND</u></p> <ul style="list-style-type: none"> • Show that the information: <ul style="list-style-type: none"> ○ was communicated in confidence, or ○ relates to negotiations between the State and the other state in question, or ○ relates to negotiations in relation to such a state, or ○ is a record of that other state containing information the disclosure of which is prohibited by that state, <p><u>or</u></p> <ul style="list-style-type: none"> • Show that the record contains analysis, opinions, advice, recommendations and the results of consultations or is information the release of which could reasonably be expected to affect adversely the international relations of the State
<p>33(3)</p>	<ul style="list-style-type: none"> • State which paragraph of section 33(3) is being relied on for the refusal to grant access to each record and (where applicable) state the relevant sub-paragraph, i.e. paragraph (a), (b), (c)(i), (c)(ii) or (c)(iii) • Please also provide the information sought below with regard to that paragraph/sub-paragraph
<p>33(3)(a)</p>	<ul style="list-style-type: none"> • Show that the information in the record was obtained or prepared for the purpose of intelligence in respect of the security or defence of the State
<p>33(3)(b)</p>	<ul style="list-style-type: none"> • Show that the information contained in the record relates to the detection, prevention or suppression of activities calculated or tending to undermine the public order or the authority of the State (see section 2 of the Offences against the State Act 1939)

33(3)(c)(i)	<ul style="list-style-type: none"> • Show that the record contains information communicated in confidence • If not evident from the record, clarify the person(s) to whom and from whom the information was communicated and whether such person was in or outside the State • Show that the information relates to <ul style="list-style-type: none"> ○ the security of the State, or ○ the defence of the State, or ○ matters relating to Northern Ireland, or ○ the international relations of the State, or ○ the protection of human rights • Show that the information was expressed to be confidential or to be communicated in confidence by the person from whom it was communicated
33(3)(c)(ii)	<ul style="list-style-type: none"> • Show that the record contains information communicated in confidence, <u>and</u> <p>Show either A <u>or</u> B <u>or</u> C:</p> <p>A.</p> <ul style="list-style-type: none"> • Show that the information was communicated from, to or within an international organisation of states (or a subsidiary organ of such an organisation) or an institution or body of the European Union • If not evident from the record concerned, please identify the organisation, organ, institution or body concerned <p style="text-align: center;">OR</p> <p>B.</p> <ul style="list-style-type: none"> • Show that the information relates to negotiations between the State and such an organisation, organ, institution or within or in relation to such an organisation, organ, institution or body • If not evident from the record concerned, please identify the organisation, organ, institution or body concerned <p style="text-align: center;">OR</p> <p>C.</p> <ul style="list-style-type: none"> • Show that the record concerned is a record of such a body and show that the information contained in the record is prohibited from disclosure by the organisation, organ, institution or body • If not evident from the record concerned, please identify the organisation, organ, institution or body concerned

33(3)(c)(iii)	<ul style="list-style-type: none">• Show that the record contains information communicated in confidence.• Show that the information concerned relates to planning for, responses to, threats or incidents in respect of network and information security.