

Freedom of Information Act  
Sections 15 and 16  
Reference Manual

Guide to IDA Ireland's Legislation,  
Structure, Functions, Rules, Practices,  
Procedures and Records.  
*August 2011*



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## FREEDOM OF INFORMATION

### Introduction

IDA Ireland came under the provisions of the Freedom of Information (FOI) Act 1997 on 21 January, 2001. The Act established three new statutory rights –

- A legal right for each person to access information held by public bodies;
- A legal right for each person to have official information relating to himself/herself amended where it is incomplete, incorrect or misleading;
- A legal right to obtain reasons for decisions affecting oneself.

The Act asserts the right of members of the public to obtain access to official information to the greatest extent possible consistent with the public interest and the right to privacy of individuals.

This reference manual has been prepared and published in accordance with the requirements of Sections 15 and 16 of the Act. Its purpose is to facilitate access to official information held by IDA by outlining the Agency's structure and functions, the services it provides and how it applies them, the classes of records held and guidelines on how to make a request for information under the Freedom of Information Acts, 1997 and 2003.

### Routinely Available Information

- IDA Ireland currently routinely makes information available to the public on its functions, activities, schemes, and achievements, together with financial information in relation to grant-aid and the cost of running the organisation.
- Copies of the following publications are available free of charge and can be obtained at IDA's Head Office or through any of its regional and overseas offices -
- IDA Annual Report
- Innovation Ireland magazine
- Section 15 and 16 publication (available to download from IDA's website)

General information is also available on IDA's website: <http://www.idaireland.com>

IDA also produces promotional literature to support its marketing programme to attract foreign investment into Ireland, which is available on request.

This type of information will continue to be available informally without the need to use the FOI Act.

The FOI Act allows public access to information held by IDA, which is not routinely available through other sources. Access to information under the Act is subject to certain exemptions and involves specific procedures and time limits.

## How to Obtain Information under the FOI Act

The following information/records come within the scope of the FOI Act:

- Records containing
  - *Personal Data*:  
You have a right to see all records containing personal information relating to yourself held by IDA, irrespective of when created.
  - *Personnel Data*.  
Personnel records will be available to staff.
- Other Records.  
Subject to a limited number of exceptions, all other records created in IDA **after 21 April 1998** are available on request.

However, where records created after 21 April 1998 cannot be understood without access to records created before this date, then there is a right of access to the earlier records.

It is important to note that the FOI Act contains specific provisions that are designed to allow a public body to protect sensitive information. These are the exemption provisions. Should IDA with-hold information requested under the Act, the specific exemption clause invoked will be clearly explained.

## Applications under the FOI Act

All applications under the FOI Act for

- access to records held by IDA;
- correction of personal information;
- access to reasons for decisions made by IDA directly affecting the applicant

should be addressed to:

**Freedom of Information Officer,  
IDA Ireland,  
Wilton Place,  
Dublin 2.  
Phone: 01 603 4000  
Fax: 01 603 4040  
E-mail: [foiunit@ida.ie](mailto:foiunit@ida.ie)**

## **How to Apply for Information**

In order for a request for information/ records to comply with the requirements of the FOI Act and to enable the request to be dealt with as efficiently as possible:

- (a) Your application should be in writing. (A sample application form and guidelines are attached at Appendix I).
- (b) Your application should also indicate that the information is sought under the Freedom of Information Act.
- (c) You should indicate if information is required in a particular form, e.g. photocopy, computer disk, etc.
- (d) You must include the appropriate application fee, where relevant. See page 7 of this document for details of application fees. Payment should be made by way of bank draft, money order, postal order or personal cheque made payable to IDA Ireland. There is no application fee for a request relating to personal information.
- (e) You should give as much detail as possible to enable IDA staff to identify the record. If you have difficulty in identifying the precise records that you require, the staff will be happy to assist you in preparing your request.
- (f) You may be required to prove your identity, especially when requesting personal information so you may, therefore, be asked to produce your Passport, Driving Licence, Birth Certificate, etc.
- (g) You should provide full contact details including phone number and e-mail (where available) so that you can be contacted if it is necessary to clarify details of your request.
- (h) If your request is for an amendment to personal information under Section 17 of the Act, please be aware that you may be required to produce relevant evidence/ justification as appropriate.

Please note that you do not have to give any reason for requesting access to records, nor does any person have the right to demand such reasons.

The FOI Unit is available to provide assistance to persons with a disability to exercise their rights under the FOI Act.

IDA is obliged to acknowledge receipt of your request within 2 weeks and to respond to your request within 4 weeks of receipt of your request by IDA. However, it may be necessary to extend this period for up to 4 weeks if:

- (a) Your request relates to a very large number of records, or a large number of requests for the same record(s) have been made;
- (b) If the request relates to third party information that has been supplied to IDA, there are provisions for formal consultation with these third parties before releasing sensitive information relating to, or supplied by, them.

If the period is to be extended, you will receive notice of this before the end of the initial 4-week period and the reasons for the delay will be explained.

If IDA considers that your request should have been sent to another public body, the request shall be forwarded to that body without delay and you shall be notified that this has happened. Your application fee (if relevant) will be refunded and you will be requested to forward an application fee to that body. Your request will then be handled by that body as a new request (once they receive the application fee) and will follow the timescales for reply as outlined above.

If IDA hold some, but not all, of the records you have requested then you will be informed of this as soon as possible and IDA will endeavour to supply the name(s) and contact details of the public bodies from whom you should request those records not held by IDA.

### **Rights of Review and Appeal**

The Act sets out a series of exemptions to protect sensitive information where its disclosure may damage key interests of the State or third parties. Where IDA invokes these provisions to withhold information, the decision may be appealed. Decisions in relation to deferral of access, charges, forms of access, etc. may also be the subject of appeal. Details of the appeals mechanisms are as follows:

#### **Internal Review**

You may seek an internal review of the initial decision if:

(a) you are dissatisfied with the initial response received, e.g. refusal of information, form of access, charges.

or

(b) you have not received a reply within 4 weeks of your initial application. This is deemed to be a refusal of your request and allows you to proceed to internal review.

An official of a higher grade than the official whose decision is being appealed will carry out the internal review. A request for a review must be submitted within 4 weeks of the official decision. IDA must complete the review within 3 weeks. You will be notified in writing of the outcome. Normally an internal review must be completed before an appeal may be made to the Information Commissioner.

Requests for internal review should be submitted in writing to –

**Freedom of Information Officer,  
IDA Ireland,  
Wilton Park House,  
Wilton Place, Dublin 2.**

## Review by the Information Commissioner

If still dissatisfied following completion of internal review, you may seek an independent review of the decision from the Information Commissioner.

Also if you have not received a reply to your application for internal review within 3 weeks, this is deemed to be a refusal and you may appeal the matter to the Commissioner. Appeals in writing may be made directly to -

**Office of the Information Commissioner,  
18 Lower Leeson Street,  
Dublin 2.**

**Phone : (01) 639 5689**

**Fax : (01) 639 5676**

**E-mail**

[info@oic.ie](mailto:info@oic.ie)

## Fees

Section 47 of the FOI Act provides that fees shall be charged as follows:

### Application Fee

In accordance with Statutory Instrument no. 264 of 2003, from 7 July 2003, subject to a number of exceptions listed below, IDA Ireland are obliged to charge an up-front fee for all requests for information and applications for internal and external appeal under the FOI Act.

This fee is reduced if:

(a) the person making the request or application is, or is a dependant of, a medical card holder;

(b) the person is specified under Section 29(2) i.e. is a third party with a right to apply directly to the Information Commissioner where a public body decides to release their information on public interest grounds.

The fees are as follows:

- Initial requests for information **€15**
- Application for internal review of a decision **€75**
- Application for independent review by the Information Commissioner **€150**

## **Exceptions to Application Fee**

Application fees do not apply to an appeal of a decision in relation to:

- A request under section 7 for records containing only personal information relating to the requester (including a request made pursuant to section 28(b) by a parent or guardian on behalf of a minor or disabled person or the next-of-kin or personal representative of a deceased person)
- An application under section 17 for amendment of records relating to personal information
- An application under Section 18 for information regarding the acts of public bodies that affect the applicant.
- An application in relation to a decision to charge a fee or deposit, or in relation to the amount of that fee or deposit.
- An application to the Information Commissioner in relation to a decision to charge a fee or deposit exceeding €25 in respect of search and retrieval and photocopying of records.
- An application to the Information Commissioner in relation to a decision to charge an application fee, or an application fee of a particular amount, on the grounds that the records concerned do not contain only personal information related to the requester or the request is not, and is not a dependant of, a medical card holder.

## **Fees for Processing Request**

In addition to the application fee, there may be a fee for processing the request.

In respect of personal records, these fees shall be charged only in respect of the cost of copying the records actually released. Where a significant number of personal records are involved, the cost of efficiently locating and retrieving such records will be charged.

In respect of other (non-personal) information, processing fees shall be charged equal to the estimated cost of efficiently locating, retrieving and photocopying the records released. No charges may apply in respect of the time spent by public bodies in considering requests.

The level of fees is currently set, in accordance with Statutory Instrument No 139 of 1998 as amended by No. 522 of 1998, as follows: -

- **€20.95** per hour - search and retrieval
- **€0.04** per sheet for a photocopy
- **€0.51** for a 3 and half-inch computer diskette
- **€10.16** for a CD-ROM

A deposit may be payable where the total fee is likely to exceed €50.80. In these circumstances, the IDA must, if requested, assist the member of the public to amend the request so as to reduce or eliminate the amount of the deposit.

## **Waiver of Fees**

Fees may be waived in the following circumstances:

- Where the administrative and related costs involved in collecting a fee are likely to exceed the fee itself (i.e. up to €6.35) no fee should be charged.
- Where the information would be of particular assistance to the understanding of an issue of national importance, or
- In the case of personal information, where such charges would not be reasonable having regard to the means of the requester.

## **INTRODUCTION TO IDA IRELAND**

IDA Ireland is a state-sponsored agency funded primarily through Government grant-in-aid. It reports to the Minister for Jobs, Enterprise & Innovation and operates under the terms of the Industrial Development Acts 1986 to 2009.

Broadly, IDA's objective is to contribute to Ireland's economic development through the promotion of inward investment in the economy. Specifically, it works to develop the strong base of over 1,000 overseas companies already located in Ireland and also to attract new investment.

IDA Ireland, in its current structure, was established in 1994. Its predecessor, the Industrial Development Authority, was responsible for developing Irish-owned industry as well as attracting inward investment. Following a restructuring in 1994, Forfás, the policy advisory and co-ordination board for enterprise, trade, science and technology in Ireland, became the body in which the State's legal powers for industrial promotion and the development of trade and technology are vested. Through Forfás, powers are assigned to Enterprise Ireland for the development of indigenous industry and to IDA Ireland for the promotion of inward investment.

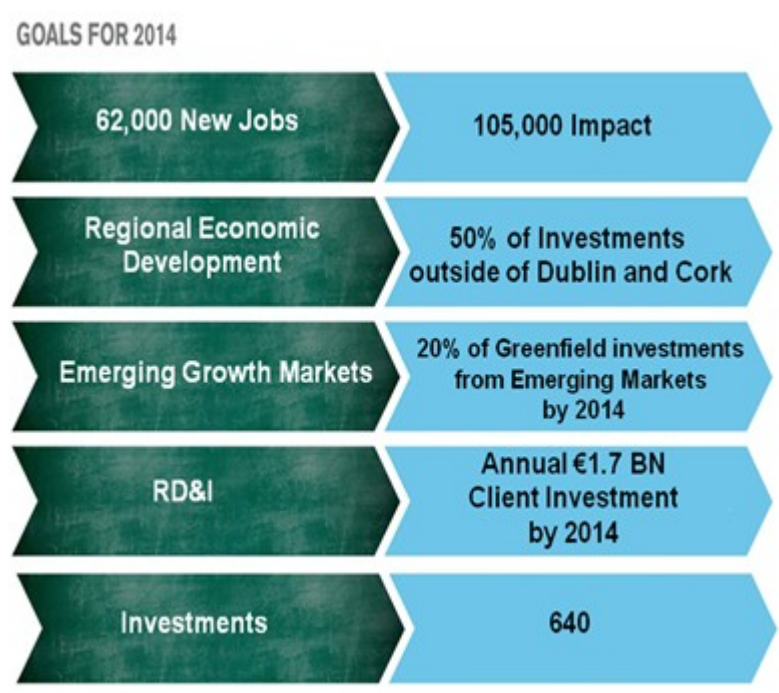
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### **IDA's Mission Statement**

**'IDA will maximise the impact of FDI in the transformation of Ireland into a global hub for innovation and commercialisation, bringing new employment opportunities and economic benefits for all its people by sustaining and winning high quality investment.**

**In collaboration with other stakeholders, IDA will ensure Ireland remains a uniquely attractive environment in which multinational companies can grow.'**

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**Source: IDA Strategy – Horizon 2020**

FDI is vital to the success of the Irish economy. Without it, Ireland would not have the more than 140,000 jobs directly created by foreign companies operating here. We also would not have the additional 100,000 jobs that support these firms. IDA-supported multinational companies make up 30% of Gross Value Added in the economy; account for more than two-thirds of all exports, at €110 billion annually; contribute nearly half of all corporate tax revenues; spend €7bn on payroll; and account for €19 billion in total spend in the Irish economy (2010).

Despite intensifying international competition Ireland continues to win a disproportionate share of Foreign Direct Investment (FDI) into Europe. 8 of the top 10 in ICT companies, 8 of the top 10 in pharmaceuticals, 15 of the top 20 in medical devices and more than 50% of the world's leading financial services firms have located here.

Independent reviews confirm that Ireland's market share of new US greenfield manufacturing projects locating in Europe is consistently strong relative to its share of the EU population and GDP. The US is the most significant source of new inward investment.

Ireland continues to outperform its competitor countries in a wide range of business indicators which contributes greatly towards our advantage in winning multinational investment;

- **1<sup>st</sup>** for real corporate taxes
- **1<sup>st</sup>** for business legislation for foreign investors
- **1<sup>st</sup>** for investment incentives for foreign investors
- **1<sup>st</sup>** for availability of skilled labour
- **2<sup>nd</sup>** for immigration laws
- **3<sup>rd</sup>** for availability of finance skills
- **4<sup>th</sup>** for labour productivity
- **5<sup>th</sup>** for Human Development Index (economic, social & educational)

*Source: IMD World Competitiveness Yearbook 2011*

- **IBM Global Location Trends Report– Number 1** for FDI per 100,000 population
- **National Irish Bank / fDi Intelligence - Ireland 2<sup>nd</sup>** most attractive country **globally** for FDI
- **E&Y Globalisation Index 2011 - Ireland ranked 2<sup>nd</sup>** most globalised economy in the world

IDA works closely with various Government departments, local authorities and other Agencies as necessary to maintain Ireland's competitiveness.

IDA operates in a business environment that demands rapid decision-making and the minimum of bureaucracy. The Agency's client companies, typically multinational market leaders, need to react quickly to technological advances and the challenges of globalisation. When they submit an investment proposal to IDA they expect and get a speedy response.

IDA is a full-service national development agency, a so-called 'one-stop shop'. It deals with all aspects of inward investment – the planning, promoting, marketing, negotiating and processing of investment proposals, provision of financial incentives, property solutions, helping new investors get started and working with them to maximise their contribution to the Irish economy. IDA places great emphasis on fostering good, mutually beneficial relationships with its client companies.

A key priority is to raise the quality and sustainability of these companies, to enhance their strategic value and to bed them more securely in the Irish economy. IDA works closely with the local affiliates of global companies to help them boost their importance within their own organisations. This process of moving companies up the value chain from being basic subsidiary producers to being important contributors within their parent corporations is well established and successful. IDA encourages and supports initiatives by local management all the way to the parent boardroom.

Horizon 2020 is Ireland's strategic investment blueprint for attracting multinational investment in to Ireland. In Horizon 2020 IDA has set a target of ensuring that between 2010-2014 **50% of FDI** projects will be located outside of Dublin and Cork. In line with the Government's National Spatial Strategy (NSS), IDA will make smart use of its property portfolio in regions targeted for investment. We will work with local authorities to make potential sites as attractive as possible for investors.

With the national unemployment rate above 14% in 2011 IDA's focus is primarily on job creation and includes a strong emphasis on quality of projects, jobs and investors. In addition, IDA ensures that its support of FDI will continue to provide best value for money for Government and the taxpayer.

IDA uses a sophisticated model to conduct a rigorous analysis of each project proposal recommended for financial assistance. The recommended level of support is based, amongst other factors, on the results of the analysis while taking into account the limits set by IDA legislation and by the EU Commission. While the IDA Board makes decisions on investment proposals, in larger scale projects it may also be required that government or EU approval is sought for the levels of financial support made available to the company.

## **ORGANISATIONAL STRUCTURE OF IDA IRELAND**

### **The Board**

The Minister for Jobs, Enterprise & Innovation appoints Board Members. An up-to-date listing of IDA Board members and members of Board Committees can be found in the most recent Annual Report (<http://www.idaireland.com/ida-ireland/corporate-governance/>)

### **Corporate Governance**

IDA is committed to the highest standard of corporate governance. The Agency complies with the “Code of Practice for Governance of State Bodies” which were drawn up by the Department of Finance in 2001.

In accordance with these guidelines Board members are not circulated with documents where a conflict of interest is known to exist and absent themselves from discussions or decisions on matters where a conflict arises.

IDA Board members, and certain members of staff, are required to furnish a Statement of Interest to the Public Offices Commission and to the Secretary in accordance with the Ethics in Public Office Act, 1995.

[http://www.idaireland.com/ida-files/docs/ida-ireland/Code\\_of\\_Conduct\\_IDA\\_Board\\_Members.pdf](http://www.idaireland.com/ida-files/docs/ida-ireland/Code_of_Conduct_IDA_Board_Members.pdf)

### **Confidentiality**

IDA is committed to maximum public disclosure of its structures, activities and policies. However, in order to continue to conduct its business it is essential for IDA to continue to ensure that it will treat confidentially commercially sensitive information supplied by investing companies.

Confidentiality may also extend to data such as details of target companies, names of companies with which IDA is negotiating, levels of IDA assistance for new projects, and some internal sectoral and territorial targets that could benefit IDA competitors for mobile investment.

### **Client Charter**

IDA operates in accordance with a set of principles set out in its Client Charter (<http://www.idaireland.com/ida-files/docs/ida-ireland/IDA-Customer-Charter.pdf>).

These principles of operation apply to IDA’s dealings with companies and other bodies and individual members of the public.

## Organisational Structure of IDA Ireland

|   |
|---|
| <b>Minister for Jobs, Enterprise and Innovation</b>       |
| <b>Department of Jobs, Enterprise &amp; Innovation</b>    |
| <b>IDA Ireland</b>  |
| <b>Board (Appointed by Minister)<br/>&amp; Committees</b> |
| <b>Chairman<br/>Non-executive/appointed by Minister</b>   |
| <b>Chief Executive</b>                                    |
| <b>Executive Committee</b>                                |

# MANAGEMENT STRUCTURE

**Chief Executive  
Barry O'Leary**

**Director - Business Development & Marketing –Europe & U.S.  
Dermot Clohessy**

**Director - Corporate Services & Business Development, Asia & Growth Markets  
Denis Molumby**

**Div Mgr  
Life Sciences & Healthcare Services & Food  
Dave Shanahan**

Medical Technologies  
Gus Jones

ICT  
New Names  
Pat Howlin

ICT  
Existing  
Donal Murphy

Strategic Investments  
RD&I and Services  
Innovation Policy  
Leo Bishop

Emerging Companies  
Barry O'Dowd

Director Europe  
Anne-Marie Tierney  
Le-Roux

Director – North American  
John Conlon

Territory Director  
Chicago & Atlanta  
Enda Meehan

Territory Director  
Mountain View & Irvine

**Divisional Mgr  
Financial Services & Open Innovation  
Kieran Donoghue**

Content Industry & Consumer & Business Services  
Emmanuel Dowdall

Clean Tech  
George Bennett

Diversified Engineering Sector  
Tommy Fanning

**Head of Communications  
Vacancy**

Asia/Growth Markets  
Brian Conroy  
Gerry Sharkey

Mary Molloy  
Connect Ireland Referral Scheme

**Strategic Relationships, Business Process Transformation & IT  
Eileen Sharpe**

HR & OD & Open Innovation  
Breda O'Toole

**Div Mgr,  
Corporate Services, Planning and Financial Management  
John O'Brien**

Brendan McDonagh  
Planning, EU & Tax

Deirdre Lyons  
Corporate Services

Financial Mgt

**Div Mgr  
Regional Business Development and Property Management  
Mary Buckley**

Strategic Property Management  
Frank Conlon  
Athlone

Regional Managers  
Regional Business and Relationship Development

## **IDA LEGISLATION, FUNCTIONS, RULES, PROCEDURES & PRACTICES**

### **Introduction**

This section sets out in more detail the legislation under which IDA operates, together with the general rules, procedures and practices applied by IDA in providing its services.

IDA was established in 1994 to focus on bringing new overseas business to Ireland and to promote the expansion of the existing base of overseas companies.

Many of its powers derive from legislation which governed the former Industrial Development Authority, which was abolished on 1<sup>st</sup> January 1994, and are assigned to IDA by Forfás under Section 9 of the Industrial Development Act 1993.

IDA operates under the provisions of the following Acts -

- Industrial Development Act, 1986
- Industrial Development Amendment Act, 1991
- Industrial Development Act, 1993
- Industrial Development Act, 1995
- Industrial Development (Enterprise Ireland) Act, 1998
- Industrial Development (Science Foundation Ireland) Act, 2003
- Industrial Development Act, 2006
- Industrial Development Act, 2009

IDA activities are also governed by other national and EU laws.

The principal functions of IDA as described in the 1993 Act are –

- to promote the establishment and development, in the State, of industrial undertakings from outside the State,
- to make investments in and provide supports to industrial undertakings which comply with the requirements of the enactments for the time being in force,
- to administer such schemes, grants and other financial facilities requiring the disbursement of European Community Funds as may from time to time be authorised by the Minister with the concurrence of the Minister for Finance.

IDA's client base is comprised of companies whose strategic control is outside Ireland (except for food companies using Irish raw materials) and which -

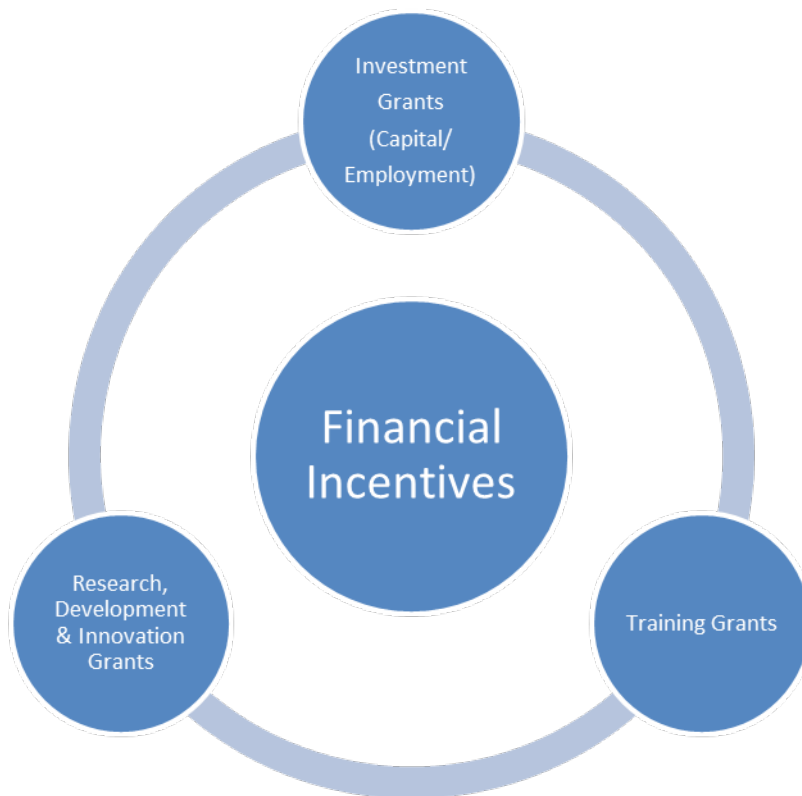
- make products for sale primarily on world markets; or
- make products of an advanced technological nature for supply to internationally trading or skilled sub-supply firms within the State; or
- make products for sectors of the Irish market which are subject to international competition; or
- are service industries as specified by the Minister. (The sectors which have been designated as service industries by the Minister are set out in the Industrial

Development (Service Industries) Order 2003, Statutory Instrument No. 458/03 – (See Appendix III).

Decisions under the legislation governing IDA are made by the relevant Board or Committee or member of staff by the application of the legislation to the circumstances of the particular case and not by reference to ‘precedent’ decisions made in other cases. Accordingly, IDA does not keep an index of precedents.

### **Financial Incentives**

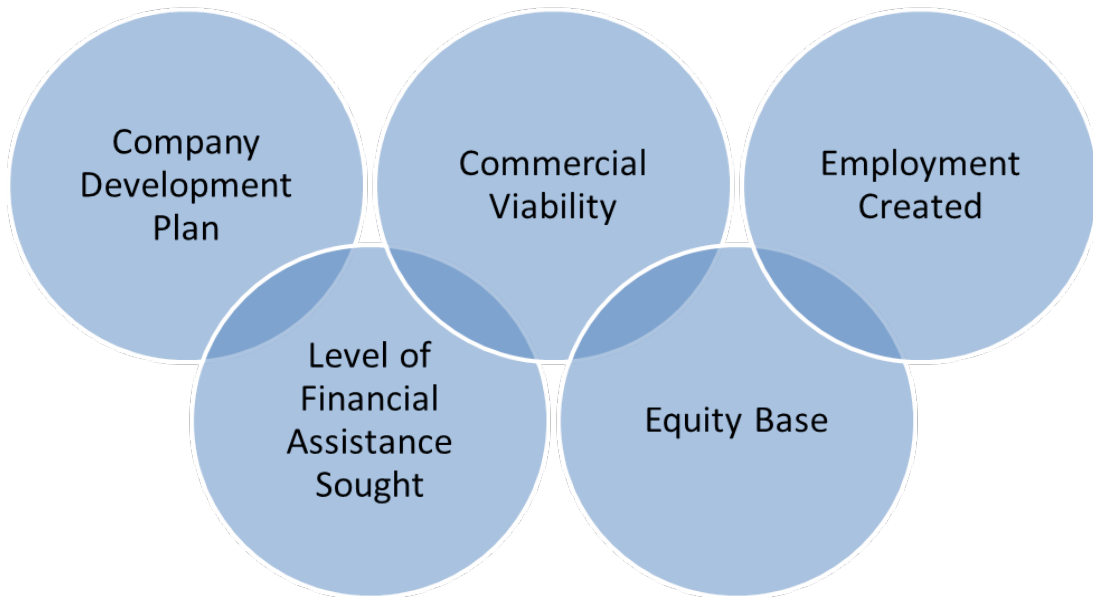
*IDA Ireland, as a State Agency, must comply with State Aid Rules as provided for under EU legislation.*



### 1.1. Project Appraisal

The relevant project divisions of IDA assess applications for incentives. Every client is assigned a global team who are the primary contacts throughout the entire process of establishing in Ireland.

#### *Considerations When Evaluating a Project*



#### *Determining Appropriate Level of Incentives*



A potential undertaking must submit an application to IDA for assistance. Using the project appraisal information gathered, the relevant IDA project executive may submit a recommendation regarding the eligibility of the project and the level of grant to the appropriate Board or Committee of IDA, Government or European Commission.

The Board of IDA, with the approval of the Minister, has delegated certain of its powers to approve incentives to the Investment Committee of the Board and to the Management Investment Committee. Depending on the total level of incentives a package may be approved by one of these committees or the Board of IDA. If the total level of proposed incentives or the total of a particular proposed grant exceeds the limits laid down by IDA legislation and State Aid Rules, the permission of the Government or the European Commission is required.

## **Grant Agreement & Grant Payment**

### **Legal Agreement:**

Where an incentive package is approved, a grant agreement is entered into between the IDA, the Irish legal entity and its parent company.

### **Payment of Grant:**

Grants are paid following the relevant expenditure being made by the company.

The claim is examined to ensure that it has been completed in full, is accompanied by an independent accountant's report on the expenditure and that the necessary documentation is included.

Where it is appropriate, an executive from the Grant Inspectorate arranges to inspect the assets of the company.

In the event of a breach of the grant agreement it is IDA's policy to actively pursue its rights under the agreement, including the taking of legal action in Irish and overseas courts.

## **BUSINESS DEVELOPMENT & MARKETING DIRECTORATE**

### **Structure of the Directorate**

The Directorate is structure under four main sectoral divisions that have a global span of control, incorporating both the Irish & overseas based operations staff.

Each Division represents one of the key business sectors identified and targeted by IDA over the years as having the potential to deliver significant inward investment –

- (1) Life Sciences & Healthcare Services & Food
- (2) Information and Communications Technologies;
- (3) Content Industry & Consumer, Clean Tech & Engineering
- (4) Financial Services & Open Innovation

They are responsible for new investments and for expansions and new projects from companies already located in Ireland.

### **Role and Delivery of Service**

The fundamental role of the Global Sectoral Divisions is to:-

- Encourage international corporations to invest in Ireland, to help develop the economy and give a balanced regional distribution of new jobs.
- Work closely with the existing cadre of foreign subsidiaries to encourage and assist them to add higher-value activities to their Irish facilities (i.e. R&D, marketing, shared services, e-business), thereby enhancing their contribution to the Irish economy and their sustainability in a competitive global market.

## **HUMAN RESOURCES, ORGANISATIONAL DEVELOPMENT & OPEN INNOVATION**

This Division is responsible for the selection, development and adaptability of resources to ensure the organisation meets its strategic objectives in a continuously innovative and competitive environment. This is achieved through the following services within HR & OD:

- Recruitment & Selection/Resourcing the Organisation
- Organisational Development including Performance Management and Equality
- Overseas & Regional Staffing
- Industrial Relations
- Salary Administration
- Terms and Conditions of Service
- Coaching for individuals and managers
- Developing peoples' potential through career development
- Providing training and development in innovation
- Supporting the culture of Open Innovation

## **CORPORATE COMMUNICATIONS**

As a publicly funded organisation IDA Ireland has obligations, and requirements, to report on its activities and programmes and to promote public knowledge, understanding and acceptance of its role. IDA implements an extensive domestic and international media/PR programme, particularly in promoting Ireland as a location of excellence for certain types of inward investment. IDA Press office also contributes to Government communications programmes.

Media and PR activity, both locally in Ireland and in international markets, are co-ordinated and managed through the Press and PR office. These include all announcements, public statements, media briefings and other PR programmes as required.

The division is also responsible for developing IDA's website ([www.idaireland.com](http://www.idaireland.com)) to ensure good quality, accurate and consistent information is available for internal and external clients.

## **CORPORATE SERVICES, PLANNING & FINANCIAL MANAGEMENT**

**This area comprises three main functions;**

- **Planning, EU & Tax**
- **Legal, Compliance & Secretariat**
- **Financial Management**

### **Planning, EU & Tax**

The role of the Planning Department is to provide a comprehensive planning, support strategy development and policy-making service to IDA Ireland; to supply data and policy inputs to other Government agencies; to help develop IDA's investment and marketing programmes; to promote the provision of the infrastructure required for inward investment, and to provide information for the development of the organisation's overall strategy.

The Department provides its services internally within IDA and to Government departments and other agencies and organisations. These services are not routinely available to the public.

The Department also monitors and deals with any EU issues that impact on the development of IDA supported foreign direct investment. The Department networks with existing clients, Government, Business Organisations, EU Permanent Representation and the EU Commission in relation to such matters.

### **Legal, Compliance & Secretariat**

The Department's overall role is to

- provide accurate and comprehensive legal advice to the Agency
- respond quickly and fully to requests for information from Government department and political representatives
- act as secretariat to the Board and a range of committees
- promote good corporate governance and ensure that IDA decisions are implemented efficiently
- respond to the information management needs of IDA Ireland and other Government agencies
- provide a legal and advisory service to the Agency
- **Financial appraisal** of companies and projects being recommended for IDA grant support.

The **Internal Audit** function is also located in this Department, however is currently outsourced to an external provider.

The **Legal Department** provides a legal and advisory service to the Agency. The staff of the department draft, negotiate and implement grant and property agreements based on decisions made by IDA Boards and Committees.

The **Secretariat Department** supports the following internal Boards and Committees:

- Board of IDA
- Investment Committee of the Board
- Audit, Finance & Risk Committee
- Property Committee of the Board
- Management Development & Remuneration Committee
- Company Development Committee
- Management Investment Committee
- Property Management Committee
- Executive Committee
- Management Committee
- Joint Consultative Committee

In its Government Liaison function the department responds to requests for information from Government departments and politicians; including speech material for Government Ministers.

The **Compliance and Information Management department** provides a range of management information to IDA Ireland, other Government agencies, the Department of Jobs, Enterprise & Innovation and the EU. It ensures that such information is up to date and suitably presented to meet the needs of the audience.

The Freedom of Information Officer is based in the Compliance & Information Management Department and co-ordinates the implementation of the FOI Acts, 1997 and 2003 and the Data Protection Acts, 1988 and 2003, in IDA Ireland. Members of the public can contact the Freedom of Information Unit directly to obtain any help they need in submitting FOI requests and for general information on FOI operating procedures within IDA Ireland. Detailed instructions on how to make an FOI request are set out in Section 1, Page 3, of this manual.

## **Financial Management**

The role of this department is to provide an effective and dynamic service for the Agency and to ensure that appropriate financial controls are implemented.

The Accounting function is charged with the overall management of the financial affairs of the Agency with specific responsibility for:

- Preparation, negotiation, management and control of multi-annual budgets in respect of funding for the operations of the Agency.
- Preparation of annual financial statements for audit by the Comptroller & Auditor General.
- Ensuring that payments are made in accordance with relevant IDA policies and procedures.
- Ensuring compliance with statutory obligations in respect of accounting activities.
- Processing and control of grant payments to client companies.
- Invoicing for, and collection of, amounts due in respect of services and goods provided by the Agency to third parties.
- Processing and payment of salaries and wages in accordance with instructions from the Personnel Division.
- Cash-flow management.

The Procedures under which the Accounting function operates are listed below:

- Procurement procedures in respect of the purchase of general goods and services.
- Procurement procedures in respect of Industrial Property Activities.
- Agency travel policy.
- Regulations governing travel and subsistence expenses.
- Accounting Policies approved by the Board.
- Compliance with Financial Reporting Standards as applicable to the affairs of the Agency.

Details of these policies are available on request from Financial Management.

## **STRATEGIC RELATIONSHIPS, BUSINESS PROCESS TRANSFORMATION & IT**

*This division was established to position IDA as an organisation which is an exemplar of productivity and efficiency and one that optimizes all resources to deliver best in class service to all clients. The key objectives are to:*

- Refine business processes and procedures in a way that enables delivery of world class service to clients and maximises productivity and efficiency.
- Map the activities and flow of work that takes place in each of IDA's business units.
- Identify areas that are inefficient or misaligned with IDA's goals and objectives.
- Present solutions and options to achieve productivity and efficiency improvements.
- Deliver an implementation plan that supports a positive, people first culture of quality and innovation.

The main role of this area is;

- Enhance the relationship between IDA and other Agencies by embedding a culture of inter-agency collaboration & cooperation so that resources (people & information) are used more efficiently & to the advantage of enterprise.
- Develop a joint approach with key players including sister agencies and the Department of Foreign Affairs which will focus on generating FDI business from China.
- Development and implementation of a technology roadmap for IDA that simplifies structures and sets the direction and strategic intent for enabling technology to deliver Horizon 2020 goals and objectives. Delivery of a comprehensive IT service to the organisation that optimises mobility, collaboration and productivity thus supporting the delivery of Horizon 2020 from an increasingly complex and competitive global marketplace

## **PROPERTY**

In line with IDA's strategy, Horizon 2020+, the objective of IDA's Property function is to support the Organisation's mission in winning job creating foreign direct investments and achieving balanced regional development through the NSS Gateway locations. The Property Programme also supports EI assisted companies. The availability of quality business parks and the provision of advanced office and technology buildings (in partnership with the private sector) is a key factor in winning foreign direct investments to Regional locations. IDA is also focused on divestment of properties in non-core locations provided value for money can be achieved.

### **Legislation**

IDA has wide powers to buy, sell and deal with property generally for the purpose of providing sites or premises for suitable industrial undertakings (S.16 of 1986 Act). It may also dispose of property for purposes other than industrial development, with the consent of the Minister (S. 3(4) of 1995 Act).

### **Guidelines – Procurement Rules and Procedures**

In addition to its powers under the relevant legislation, the Property Division also follows Public Sector Guidelines (Green Book), EU Procurement Regulations, internal property procurement guidelines and all tender processes.

### **Approval**

The Board of IDA has delegated certain of its powers in relation to property to the Property Committee of the Board, the Property Management Committee and to Property Division Executives, subject to various monetary limits.

## **OFFICES IN REGIONAL LOCATIONS:**

IDA has a network of offices around the country focusing on:

- marketing, client relationships and company transformation,
- good communications with key stakeholders and the public
- and influencing the ecosystem to build the infrastructure and capabilities to win and retain foreign direct investment in the Region

## **OVERSEAS OFFICES**

IDA maintains a number of overseas offices. The role of the executives based abroad is essentially a marketing one: to identify relevant sectors and target companies and to market to those companies the advantages of Ireland – and of specific regions within Ireland – as locations for multinational investors.

In their direct marketing operations the overseas offices liaise closely with the project divisions in Head Office.

**For contact details on Regional and Overseas Offices click on <http://www.idaireland.com/contact-us/>**

# Appendices

## **APPENDIX I : REQUEST FOR ACCESS TO RECORDS UNDER THE FREEDOM OF INFORMATION ACTS, 1997 AND 2003**

### **What is Freedom of Information?**

- The Freedom of Information Act came into effect on 21 April, 1998. This Act gives you the right to access records held by Government departments and certain public bodies. You do not have to give a reason as to why you want to see any records. The government department or body must give you an explanation if you are not given what you ask for. A decision on your application must normally be made within 4 weeks.

### **What can you ask for?**

- You can ask for the following records held by Government departments or certain public bodies:
  - any records relating to you personally, whenever created
  - all other records created after 21 April, 1998

A "record" can be a paper document, information held on computer, printouts, maps, plans, microfilm, microfiche, audio-visual material, etc.

### **What public bodies are covered by the Act?**

- A full list of bodies covered by the Act is given at the back of this form.

### **Can you appeal against the decision?**

- Yes. If you are not satisfied with the decision, on an FOI request you may ask the department or body for "internal review" of the decision. A more senior officer will review your application. You will be told the result of this review within 3 weeks.

If you are not satisfied with the decision on "internal review", you may ask the Information Commissioner to review the matter.

### **Do you have to pay?**

- An application fee must accompany all requests for non-personal information. Processing fees are also applicable in respect of the efficient search and retrieval of information and in respect of the cost of reproducing records related to the request. No processing fees may be charged in respect of the search and retrieval of personal information except where the request relates to a significant number of records. A full list of charges is set out in the application form.

### **For further information -**

- A leaflet explaining the application and appeal procedure is available from the public bodies listed in this form, from public libraries and from Citizen Information Centres. The Freedom of Information Act is available from the Government Publications Sales Office, Molesworth Street, Dublin 2. For further information, please contact the Freedom of Information Officers in any of the departments or bodies listed at the back of this form.

**REQUEST FOR ACCESS TO RECORDS UNDER THE FOI ACTS, 1997 AND 2003.**

You may use this form to apply under the Freedom of Information Acts, 1997 and 2003 for records held by Government Departments or bodies

\_\_\_\_\_

Please use BLOCK letters

**Details of Applicant**

**Surname:** \_\_\_\_\_

**First Name:** \_\_\_\_\_

**Postal Address:** \_\_\_\_\_

\_\_\_\_\_

**Telephone Number(s):**

**Office Use Only**

Home: \_\_\_\_\_

Date FOI Request Received \_\_\_\_\_

Business: \_\_\_\_\_

Identity Verified  \_\_\_\_\_

Consent Confirmed  \_\_\_\_\_

**Personal Information.**

Before you are given access to personal information relating to yourself, you may be asked to provide proof of your identity.

**Form of Access**

My preferred form of access is:  
(please tick as appropriate)

- to receive copies of the records by post
- other - please specify \_\_\_\_\_

\_\_\_\_\_

**Details of Request**



**1 Parent Company**

Short History of Parent Company  
Ownership details including principal shareholders  
Brief details of any subsidiaries  
Location of headquarters and other offices  
Services or products offered  
Markets served (both geographical and sector)  
Sample list of major clients

Financial History of Parent Company  
Audited financial statements for three years  
(including *Balance Sheet, Profit & Loss* and *Cash Flow*)  
Additional information that is of value includes brokers' reports, prospectuses,  
10K or 10Q forms, etc.

**2 Existing Irish Operations (If any)**

Extent of existing Irish operations  
History of operation including audited financial statements for the past 3 years.

**3 Proposed Project**

Summary of Proposed Irish Project  
Functions and responsibilities of the Irish operation  
Services and products to be provided from Ireland  
Markets served (both geographical and sector)  
How does Irish project fit into corporate strategy?

**Staff Projections for 3/5 Years**

Employment build-up by year broken down by job category & salary level.  
Description of skill level involved in project.  
Percentage of staff with a 3<sup>rd</sup> level or college degree qualification for each year of  
projections.

**4. Financial Projections for 5 Years**

Projected Profit and Loss Account

Projected Balance Sheet

Projected Cash Flow Statement to include capital expenditure, working capital  
requirements, sources of funding, etc.

5. **Sales and Profitability Projections – 5 Years - €'000)**
6. **Phasing Of Requirements and Sources of Funds - (€'000)**
7. **Commercial Viability**
- 8 **Competitive Position**

**S.I. No. 458 of 2003**

**INDUSTRIAL DEVELOPMENT (SERVICE INDUSTRIES) ORDER, 2003**

- I, MARY HARNEY, Minister for Enterprise, Trade and Employment, in exercise of the powers conferred on me by section 3(1) of the Industrial Development Act, 1986 (No. 9 of 1986), hereby order as follows:
1. This order may be cited as the Industrial Development (Service Industries) Order, 2003.
  2. This order shall come in to operation on the 24<sup>th</sup> September, 2003.
  3. The Industrial Development (Service Industries) Order, 1998 (SI No 253 of 1998) is revoked.
  4. Any undertaking engaged in the provision of a service specified in the Schedule to this Order is a service industry for the purpose of the Industrial Development Act, 1986 (No. 9 of 1986).

**SCHEDULE**

Software development;  
Data processing and electronic commerce;  
Technical and consulting services;  
Commercial laboratory services;  
Administrative/service centres, co-ordination and headquarters services;  
Research and development services;  
Media, multimedia and recording services;  
Entertainment and leisure services;  
Training services;  
Publishing services;  
International Financial services;  
Healthcare services;  
Construction related services;  
Environmental services;  
Supply Chain Management and Logistics Management services;  
Commercial international standards bodies;  
Technology test centres;  
Prototype laboratory services;  
Intellectual property services;  
Group Procurement;  
Shipping services

GIVEN under my Official Seal  
24<sup>th</sup> September 2003

MARY HARNEY,  
Minister for Enterprise, Trade and Employment.