



31 January 2014

Ms Niamh Maguire
Committee Secretariat
Committee of Public Accounts
Leinster House
Dublin 2

**Re: Correspondence of 24th January 2014
from the Public Accounts Committee (PAC) concerning
missing FOI documentation - FOI 176/2013**

Dear Ms Maguire,

I refer to your letter of 24th January 2014, in which you requested an update on the missing documentation, which I am happy to provide.

The Department of Finance answered a freedom of information (FOI) request received from Deputy Pearse Doherty in December 2013. This request sought a reviewed assessment of records requested in an FOI received in 2009. The FOI in 2013 requested all correspondence between Minister Brian Lenihan and Chairperson/Chief Executive Officers in those banks under the Government Guarantee Scheme for the period 1 August 2009 to 11 March 2009 as per the original FOI in 2009, with a renewed assessment of whether each record could be released under FOI rules.

The Department answered the 2013 FOI request on the 5th December 2013. In the response to Deputy Doherty, the Department indicated that it could not consider whether to redact or release two of the documents on the FOI Schedule as it could not

locate the original copies of these documents. The Department did however provide the two redacted copies of these letters as they did for the 2009 FOI. The Deputy was provided with a further record which is an extract from one of the letters from the Ministerial representation tracking system, I have enclosed a copy of this record with this letter.

It should be noted that the documents in question are neither directly related to the Bank Guarantee nor, unless we misunderstood your request, documents discussed during my appearance at the Committee on 20th December. The documents contain correspondence between third parties with Minister for Finance Brian Lenihan copied into the correspondence.

The Department of Finance is continuing in its efforts to locate the original documents received in the Department, and is currently investigating whether copies are available from the original correspondents. We will revert to you as soon as possible should these efforts prove successful.

I hope the foregoing is of assistance to the Committee.

Yours sincerely,



John A Moran
Secretary General
Department of Finance

Representation Tracking
CAPITALISATION OF IRISH BANKS

Author : Claire Harrington

Reference No. : 090017/MF Revenue Ref. No. : Other Ref No.:
Date Of Letter : 27/01/2009 Date Received : 27/01/2009 Irish: N Who Submitted Rep?:

Representor Details:

Name :
Title :

Representee Details:

Mr. Richard Burrows,
Governor, Bank of Ireland
Head Office
Lower Baggot Street
Dublin 2

Forwarding Details:

Forwarded to : CARDIFF K Date Forwarded : 27/01/2009
Date Acknowledgement : Date Interim Return : Date Final Return : 22/02/2011 Date Signed
:

Officer Details:

Assistant Secretary : Division :
Principal Officer :

Copy given to Kevin Cardiff. Faxed to Mr John Hurley, Governor Central Bank (as requested by David Doyle Sec Gen) CH27/01
Further letter recd under compliment slip from Mr Richard Burows 27/01 at 11.30 a.m. - copy given to Kevin Cardiff CH27/01

* Letter dated 28/1/09 recd. 28/1 from Richard Burrows, BoI addressed to Noel M Corcoran & Associates, Taxation Consultants and copied to the Minister for Finance - content of his letter as follows:

"Dear Mr. Corcoran,

Thank you for your letter of 27 January and for meeting today with our advisor, Tom Godfrey of IBI. As I have explained to you we believe that Bank of Ireland has an independent future and that the best interests of our stockholders lie in the Bank remaining independent and being in a position to make a recovery when market conditions improve over time. In the circumstances we are not contemplating the cession of control to a new investor at this time. It is very clear that your proposal would require an immediate surrender of control to Jupiter together with further dilution as preference shares convert to equity. Thank you for bringing the proposal to us. We have concluded that there is no point in continuing engagement with Jupiter Group".

- letter forwarded to Kevin Cardiff for information, MY 28/1/09

Copy of letter from Richard Burrows, BOI dated 27/1/09 received from Minister's Office on 27/4/09 stamped "Seen by Minister" - letter forwarded to K. Cardiff for association, MY 5/5/09.

Outstanding Notes Issued:

Total Issued to date; Last reminder Issued on:

5. Fee

BoL

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We 27/2

NOEL M. CORCORAN & ASSOCIATES

Taxation Consultants

Emsworth
Kinsealy
Dublin 17
Ireland

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N/A

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Tel: + 353-1-846 1859 (4 lines)

e-mail: info@noelmcormcoran.com
Website: www.noelmcormcoran.com

Fax: + 353-1-846 1905

NMC/MMCC

Our Ref:

Your Ref:

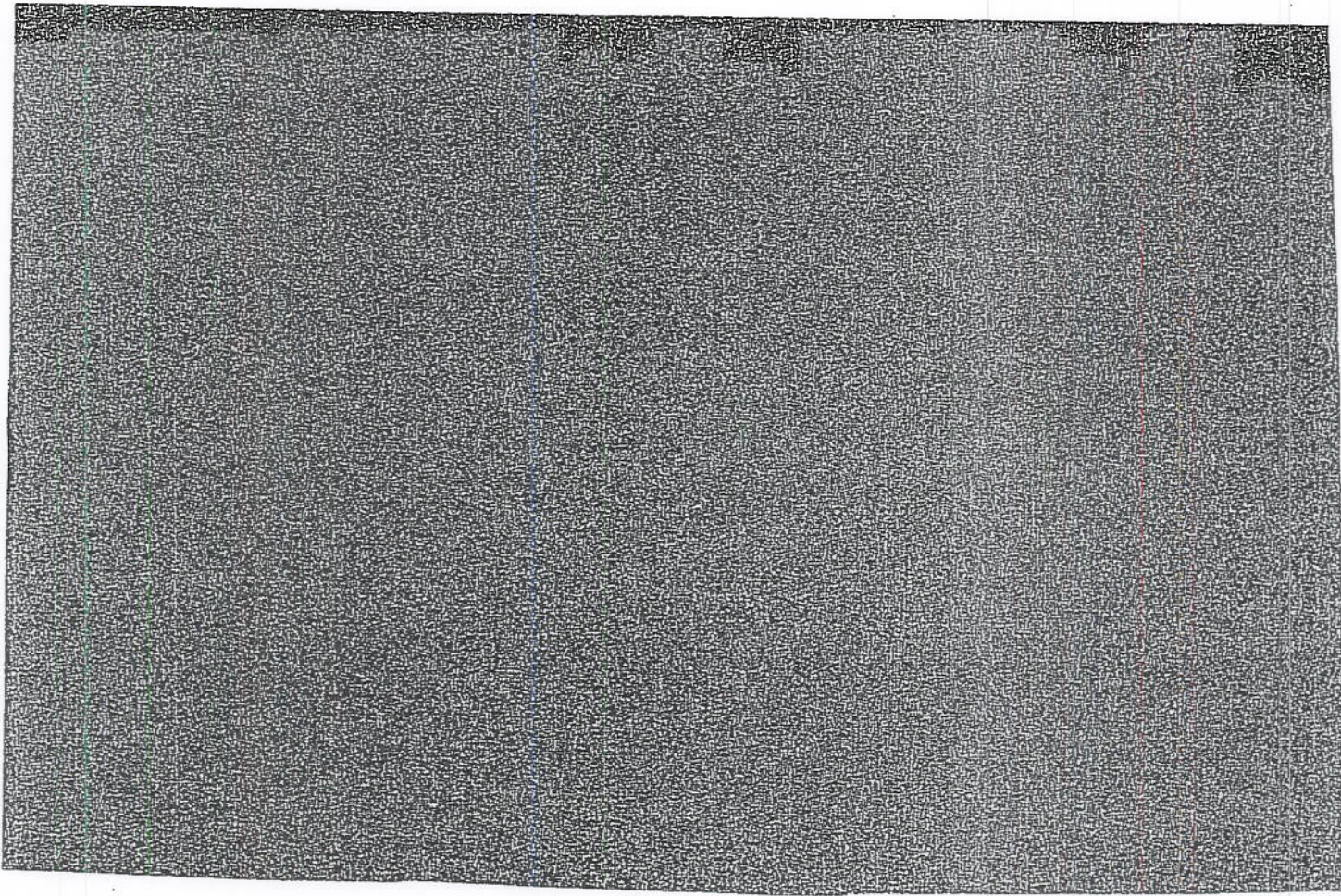
withheld

NC
6/2

R. Burrows Esq
Governor
Head Office
Lr Baggot Street
Dublin 2

30th January, 2009

Dear Mr. Burrows



Yours sincerely

Noel M. Corcoran

Noel M Corcoran

Noel M Corcoran & Associates

c.c. Brian Lenihan, T.D. Minister for Finance



Bank of Ireland 

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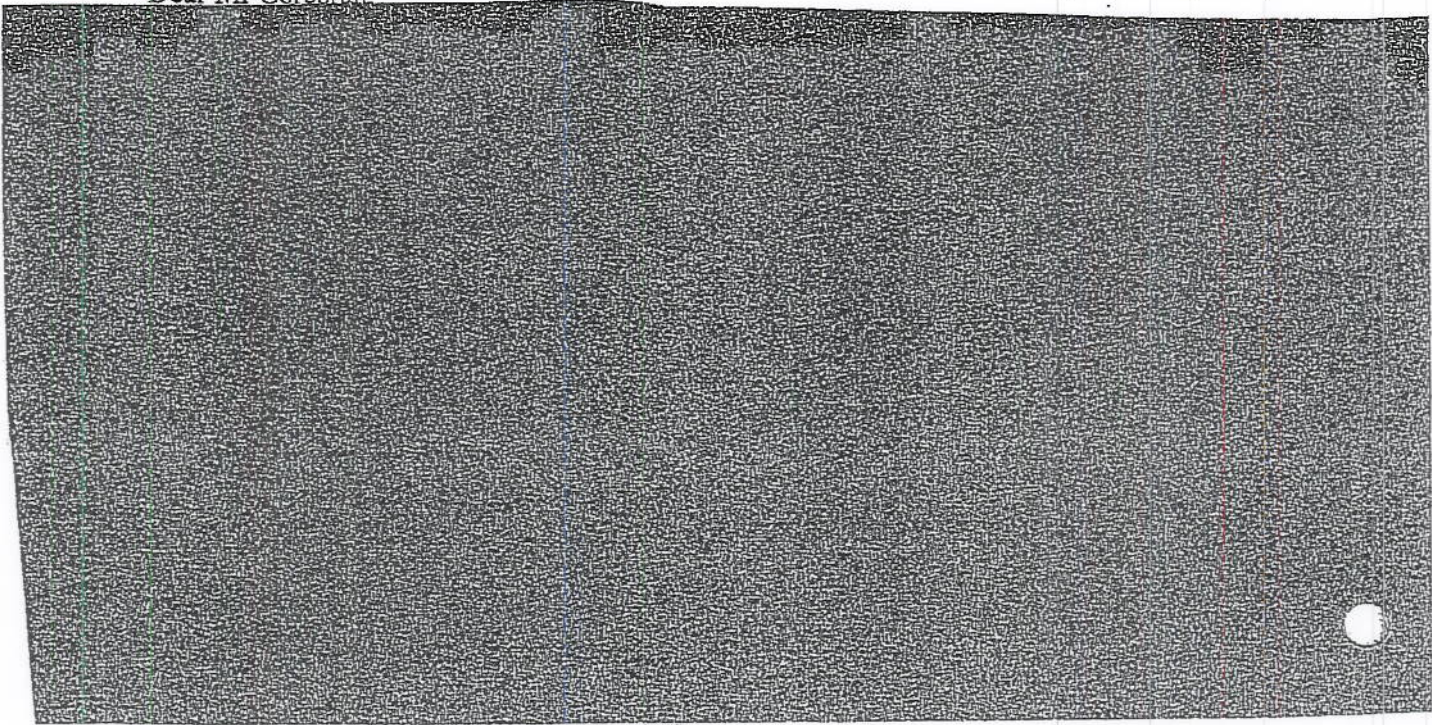
28 January 2009

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for file
re
14/3/09*

*09/0017/MF
Mr Kevin Cardiff
Referred for information
P. Scanlon 28/1/09*

Mr Noel M Corcoran
Noel M Corcoran & Associates
Taxation Consultants
Emsworth
Kinsealy
Dublin 17

Dear Mr Corcoran



Richard Burrows

Copy : Mr Brian Lenihan, TD, Minister for Finance

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