



FIRST-TIER TRIBUNAL – GENERAL REGULATORY CHAMBER

Information Rights

Tribunal Reference: EA.2015.0032
Appellant: Andi Ali
Respondent: The Information Commissioner
Registrar: R Worth

Decision

1. Mr Ali sent to the Tribunal a notice of appeal in which he sought to appeal against the Information Commissioner's decision reference FS50568178.
2. The Information Commissioner's decision was to refuse, under section 50(2)(c) of the Freedom of Information Act 2000, to issue a decision notice.
3. This Tribunal has power to hear appeals against decision notices, this power is provided by s.57(1) of the Freedom of Information Act 2000: "Where a decision notice has been served, the complainant or the public authority may appeal to the Tribunal against the notice."
4. Mr Ali was therefore asked to provide representations why his case should not be struck out under rule 8(2)(a) of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009. I have had regard to Mr Ali's representations.
5. This Tribunal can only hear cases where Parliament has given it power to do so. A person issued with a decision notice may appeal to this Tribunal against that decision notice. A person refused a decision notice may not appeal to this Tribunal although they may seek redress via judicial review.
6. In the above circumstances, I conclude that this Tribunal does not have jurisdiction. The case is therefore struck out as this Tribunal does not have jurisdiction to consider Mr Ali's appeal.

This decision was made by the Tribunal's Registrar. A party is entitled to apply in writing within 14 days of the date of this document for this decision to be considered afresh by a Judge.

R Worth

Registrar, dated 4 March 2015