

## **Annex A**

- **Section 22 (Information intended for future publication)**

Section 22(1) of the Act states that information is exempt from disclosure if:

- a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),
- b) the information was already held with a view to such publication at the time when the request for information was made, and
- c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

We consider that these three limbs have been met.

Section 22 is a qualified exemption and is subject to the public interest test. We have therefore balanced the public interest for and against disclosure as required by FOIA, and summarise these arguments as follows.

### *For disclosure*

- Disclosing the information, you requested would increase public awareness of the firms that were and were not authorised under the TPR regime and continued doing business in UK.

### *Against disclosure*

- We expect to publish this information in the very near future. We do not consider it to be in the public interest to release this information in advance of publication.

Overall, we consider that the public interest lies in favour of maintaining the exemption for the above reasons. We do not consider it to be in the public interest to release the information in advance of publication.