

Annex A - FOI/18/02803 Case Log and Correspondence

FOI/18/02803 Case Log

- 📁 Appeal - Stage 1 - OSIC request for withheld information - 14.12.18
- 📁 Appeal - Stage 1 - OSIC request for withheld information to policy area - 16.12.18
- 📁 Fol 18 02803 - Acknowledgement of Request
- 📁 Fol 18 02803 - Contribution from Energy
- 📁 Fol 18 02803 - [REDACTED] - Acknowledgement of Review Request - 20181107
- 📁 Fol 18 02803 - [REDACTED] - Cabinet Secretary Clearance
- 📁 Fol 18 02803 - [REDACTED] - Request for Cabinet Secretary Clearance - 20181126
- 📁 Fol 18 02803 - [REDACTED] - Response
- 📁 Fol 18 02803 - [REDACTED] - Response Letter
- 📁 Fol 18 02803 - [REDACTED] - Review Response - 20181128
- 📁 Fol 18 02803 - Original Request
- 📁 Fol 18 02803 - Question Response

Fol 18 02803 - Contribution from Energy

[REDACTED]

As you know [REDACTED] asked a similar questions associated with the £10m restructuring loan facility to BiFab under FOI/18/02772.

The response has just been issued with the request withheld under exemptions - section 30(c) (effective conduct of public affairs), and section 33(1)(b) (commercial interests) - of the Freedom Of Information (Scotland) Act 2002. Therefore I would suggest the following response.

"The scope of your request relating to Burntisland Fabrications Ltd, falls under the same exemption criteria as your request linked to reference number FOI/18/02772. A response was issued on 29 October 2018 stating that we were unable to provide the information you have requested, because of exemptions under - section 30(c) (effective conduct of public affairs), and section 33(1)(b) (commercial interests) - of the Freedom Of Information (Scotland) Act 2002."

Happy to discuss.

[REDACTED]

[REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 16 October 2018 22:38

To: [REDACTED]; [REDACTED]

<[REDACTED]>

Cc: [REDACTED]; [REDACTED]

<[REDACTED]>

Subject: FW: FOI - MPO - Convertible Loan Facilities - [REDACTED]

See FOI below relating to the FMEL and BiFab.

Can you provide a response for BiFab please. We don't need documents just a response to the questions.

[REDACTED]

-----Original Message-----

From: [REDACTED] <request-523755-b9c3e6a7@whatdotheyknow.com>

Sent: 03 October 2018 17:16

To: Central Enquiry Unit <CEU@gov.scot>

Subject: Freedom of Information request - Convertible Loan Facilities

Dear Scottish Ministers,

(1) Please confirm whether the following loan / loan facilities carry the option to convert the loan into equity:

(A) Ferguson Marine Engineering Limited - £15 million loan facility (granted September 2017)

(B) Ferguson Marine Engineering Limited - £30 million loan facility (granted June 2018)

[REDACTED]

(2) For each of the loan / loan facilities listed in (1), please state whether the authority to convert the loan in to equity is held:

(A) Jointly by the agreement of the lender and borrower

(B) Solely by the borrower

(C) Solely by the lender

Y Please acknowledge receipt of my FOI request.

Yours faithfully,

[REDACTED]

FoI 18 02803 - [REDACTED] - Cabinet Secretary Clearance

[REDACTED]
Cab Sec is content to approve.

Thanks

[REDACTED]
Private Secretary to Derek Mackay MSP, Cabinet Secretary for Finance,
Economy and Fair Work

The Scottish Government

St Andrew's House | Regent Road | Edinburgh | EH1 3DG | [REDACTED] M:
[REDACTED]

All e-mails and attachments sent by a Ministerial Private Office to any other official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Offices do not keep official records of such e-mails or attachments.

From: [REDACTED]

Sent: 26 November 2018 17:17

To: Cabinet Secretary for Finance, Economy and Fair Work <CabSecFEFW@gov.scot>

Cc: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

FoI SpAds PO <FoI.SpAdsPO@gov.scot>; Freedom of Information <foi@gov.scot>

Subject: FOI REVIEW: FoI/18/02803 - [REDACTED]: Conversion of FMEL and BiFab Loans to Equity

Cabinet Secretary for Finance, Economy and Fair Work

FOI REVIEW: FoI/18/02803

██████████: Conversion of FMEL and BiFab Loans to Equity

Purpose

1. To seek your clearance of my proposed response (attached) to ██████████ request for an internal review prior to my seeking Ministerial clearance.

Background

2. ██████████ asked on 3 October that we confirm whether the following loan/loan facilities carry the option to convert the loan into equity:

(A) Ferguson Marine Engineering Limited (FMEL) - £15 million loan facility (granted September 2017)

(B) Ferguson Marine Engineering Limited (FMEL) - £30 million loan facility (granted June 2018)

(C) Burntisland Fabrications Limited (BiFab) - £10 million restructuring loan facility

And for each of the loan/loan facilities listed, whether the authority to convert the loan into equity is held;

(A) Jointly by the agreement of the lender and borrower

(B) Solely by the borrower

(C) Solely by the lender

3. The response on 1 November explained that the scope of the request relating to Ferguson Marine was exempt under commercial interests. (All Terms and Conditions under both Ferguson Marine loans which are not exempt had previously been published in earlier FoI responses.) The request relating to Burntisland Fabrications Ltd was also exempt - under effective conduct of public affairs and commercial interests.

4. ██████████ requested a review on 1 November; a response is due on 29 November.

Consideration

5. There has been no material change in circumstances since the initial response of 1 November. The review concludes that the original decision should be confirmed with a modification to one the exemptions (effective conduct of public affairs). The draft response has been cleared by Special Advisers.

Recommendation

6. I recommend that you agree to the draft response issuing.

[REDACTED]
26 November 2018

FoI 18 02803 - Original Request

Hello [REDACTED] can you confirm if this FoI is for your area and if so that it is logged on the tracker?

[REDACTED]
Ministerial Private Office
People and Logistics Unit
St Andrew's House | Edinburgh | EH1 3DG | [REDACTED] [REDACTED]

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Scottish Ministers, Special Advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

-----Original Message-----

From: Central Enquiry Unit
Sent: 04 October 2018 08:44

To: [REDACTED]

Cc: [REDACTED]
[REDACTED]
[REDACTED]

Subject: FOI - MPO - Convertible Loan Facilities - [REDACTED]

Good morning

The email enquiry below was received at the Central Enquiry Unit today. I would be grateful if you would deal with this or forward it to the appropriate person / area of business.

You may wish to acknowledge receipt of this email to the enquirer.

Thank you

Reminder: If this email contains a request for information please remember that the Scottish Government is required to respond to all requests for information including e-mails, within 20 working days of receipt in accordance with the Freedom of Information (Scotland) Act. Please refer to the FOI Guidance. All FOI requests received must be registered on the FOI Tracker.

All FOI responses where information is released must be emailed to the FOI Unit immediately after issue, with 'FOI/EIRs TO PUBLISH' in the subject line

If the request is sensitive, it will require Ministerial clearance. Guidance on this is available at Steps 33 and 34 of the Step-by-Step Guide to Handling FOI/EIRs Requests.

If the request is from a journalist, responses should be issued by the relevant communications team Please consider the environment before printing this e-mail

[REDACTED] | ITECS: Central Enquiry Unit | Digital Directorate | Scottish Government | [REDACTED] [REDACTED] [REDACTED]

FOI 18 02803 - Question Response

FOI/18/02803 – [REDACTED]

“(1) Please confirm whether the following loan / loan facilities carry the option to convert the loan into equity:

(A) Ferguson Marine Engineering Limited - £15 million loan facility (granted September 2017)

(B) Ferguson Marine Engineering Limited - £30 million loan facility (granted June 2018)

(C) Burntisland Fabrications Limited (BiFab) - £10 million restructuring loan facility

(2) For each of the loan / loan facilities listed in (1), please state whether the authority to convert the loan in to equity is held:

(A) Jointly by the agreement of the lender and borrower

(B) Solely by the borrower

(C) Solely by the lender”

Annex B - FOI/18/02772 Case Log and Correspondence

FOI/18/02772 Case Log

- 🔗 181001 - FOI - E - Bifab Limited - £10 million secret restructuring loan facility - original request
- 🔗 181003 - FOI - E - Bifab Limited - £10 million secret restructuring loan facility - acknowledgement
- 🔗 181029 - Cab Sec Response - RE: FOI/18/02771 & FOI/18/02772 - Due 29 October 2018
- 🔗 Appeal - Stage 1 - Confirmation of lead official and discussion re deadline - 17.12.18
- 🔗 Appeal - Stage 1 - OSIC request for withheld information - 14.12.18
- 🔗 Appeal - Stage 1 - OSIC request for withheld information to policy area - 16.12.18
- 🔗 FOI - E - Bifab Limited - £10 million secret restructuring loan facility [REDACTED]
- 🔗 FOI - E - Response to FOI/18/02772 - Response - 29 October 2018 [REDACTED] - 301018
- 🔗 FOI Review - 02772 - Final - 26 November 2018
- 🔗 FOI/18/02772 - Acknowledgment of request for review of original responses to FOI/18/2771 and FOI/18/2772 - 06 November 2018
- 🔗 FOI/18/02772 - E - Acknowledgment of request for review of original responses to FOI/18/2771 and FOI/18/2772 - [REDACTED] - 07 November 2018
- 🔗 FOI/18/02772 - E - Bifab Limited - £10 million secret restructuring loan facility - [REDACTED] Response - 26 November 2018
- 🔗 FOI/18/02772 - E - Review - Acknowledgment of request for review of original responses to FOI/18/2771 and FOI/18/2772 - [REDACTED] - 09 November 2018
- 🔗 FOI/18/02772 - E - Review - Acknowledgment of request for review of original responses to FOI/18/2771 and FOI/18/2772 - [REDACTED] - 09 November 2018
- 🔗 FOI/18/02772 - Internal review of Freedom of Information request - Bifab Limited - £10 million secret restructuring loan facility - 26 November 2018
- 🔗 FOI/18/02772 - Response - 29 October 2018 - response email
- 🔗 FOI/18/02772 - Review - 31 October 2018
- 🔗 FOI/18/02772 - Review - Clearance request - Due 26/11/18
- 🔗 FOI/18/02772 - Review - Clearance request - Reply - Due 26/11/18
- 🔗 FOI/18/2772 - Bifab Limited - £10 million secret restructuring loan facility - [REDACTED] - 31 October 2018
- 🔗 FOI_18_02772 - Response - 29 October 2018
- 🔗 FOI_18_02772 - Response - 29 October 2018
- 🔗 FW: FOI - E - REVIEW - FOI/18/02771 - Bifab Limited - £35 million secret convertible loan - [REDACTED] response - 301018
- 🔗 RE: FOI - E - REVIEW - FOI/18/02771 Bifab Limited £35 million secret convertible loan - [REDACTED] - clarification
- 🔗 RE: FOI/18/02772 - Review - Clearance request - response from SPADS

181001 - FOI - E - Bifab Limited - £10 million secret restructuring loan facility - original request

The email enquiry below was received at the Central Enquiry Unit today.
I would be grateful if you would deal with this or forward it to the appropriate person / area of business.

You may wish to acknowledge receipt of this email to the enquirer.

Thank you

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[REDACTED] | Deputy Manager | iTECS: Central Enquiry Unit | Digital Directorate | Scottish Government [REDACTED] [REDACTED] [REDACTED]

-----Original Message-----

From: [REDACTED] <request-522674-180490a0@whatdotheyknow.com>
Sent: 30 September 2018 06:59
To: Central Enquiry Unit <CEU@gov.scot>
Subject: Freedom of Information request - Bifab Limited - £10 million secret restructuring loan facility

Dear Scottish Ministers,

Please provide all information held about the £10 million restructuring loan facility (with no fixed repayment prior to 2026) granted to Burntisland Fabrications Limited (Bifab) in 2018. This should include, but is not limited to (A) all internal memorandums and emails and (B) the loan agreement.

Please acknowledge receipt of my FOI request.

Yours faithfully,

[REDACTED]

181029 - Cab Sec Response - RE: FOI/18/02771 & FOI/18/02772 - Due 29
October 2018

[REDACTED]

The Cabinet Secretary is content to clear.

Thanks

[REDACTED]

Private Secretary to Derek Mackay MSP, Cabinet Secretary for Finance,
Economy and Fair Work

The Scottish Government

St Andrew's House | Regent Road | Edinburgh | EH1 3DG | [REDACTED]
[REDACTED]

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From: [REDACTED]

Sent: 25 October 2018 16:12

To: Cabinet Secretary for Finance, Economy and Fair Work <CabSecFEFW@gov.scot>

Cc: DG Economy <DGEconomy@gov.scot>; [REDACTED]; [REDACTED]
[REDACTED]
[REDACTED]

Subject: FW: FOI/18/02771 & FOI/18/02772 - Due 29 October 2018

[REDACTED]

Grateful if Mr MacKay could review the attached draft responses to two FOI requests from a [REDACTED] which have been cleared by Spads.

[REDACTED] has asked a series of FOIs relating to SG loans/grants, therefore the replies follows a similar theme to what has gone before.

FOI/18/02771

In November 2017, Scottish Ministers granted a £15 million loan facility to Burntisland Fabrications Limited (BiFab) - company registered number SC213282. This loan facility was subsequently secretly increased to £35 million, fully drawn down and converted in to class B shares in BiFab Limited during 2018.

In respect of this £35 million investment please provide Scottish Minister's assessment of the value of the investment:

(A) Immediately before the conversion of the £35 million loan to shares.

(B) Immediately after the conversion of the £35 million loan to shares.

(C) The latest available valuation of the shareholding (please give date of valuation).

I request this information in the public interest of efficient and effective use of £35 million of public funds.

FOI/18/02772

Please provide all information held about the £10 million restructuring loan facility (with no fixed repayment prior to 2026) granted to Burntisland Fabrications Limited (Bifab) in 2018. This should include, but is not limited to (A) all internal memorandums and emails and (B) the loan agreement.

The response is due on **Monday 29 October**.

Regards

[REDACTED]

[REDACTED]

Head of Large Scale Renewables (Offshore Wind, Onshore Wind, Pump Hydro & Hydro) | Directorate for Energy and Climate Change | [REDACTED] | www.gov.scot | [Energy Strategy](#) | [Onshore Wind Policy Statement](#)

FOI - E - Response to FoI/18/02772 - Response - 29 October 2018 - [REDACTED]
- 301018

Good morning [REDACTED]

The email enquiry below was received at the Central Enquiry Unit today. I would be grateful if you would deal with this or forward it to the appropriate person / area of business.

You may wish to acknowledge receipt of this email to the enquirer.

Thank you

[REDACTED]

Reminder: If this email contains a request for information please remember that the Scottish Government is required to respond to all requests for information including e-mails, within 20 working days of receipt in accordance with the Freedom of Information (Scotland) Act. Please refer to the FOI Guidance. All FOI requests received must be registered on the FOI Tracker.

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If the request is from a journalist, responses should be issued by the relevant communications team ☐ Please consider the environment before printing this e-mail

[REDACTED] | ITECS: Central Enquiry Unit | Digital Directorate | Scottish Government | [REDACTED] | [REDACTED] | [REDACTED]

-----Original Message-----

From: [REDACTED] <request-522674-180490a0@whatdotheyknow.com>
Sent: 29 October 2018 16:16
To: Central Enquiry Unit <CEU@gov.scot>
Subject: Re: Fol/18/02772 - Response - 29 October 2018

Dear Scottish Ministers,

Message for [REDACTED]

The response to FOI/18/2771 has been incorrectly recorded against this FOI/18/2772.

Please correct and apply response to FOI/18/2771.

Yours faithfully,

[REDACTED]

-----Original Message-----

Dear [REDACTED]

Please find attached a response to your recent Fol request under reference Fol/18/02772.

Regards

[REDACTED]

FOI/18/02772 - Review - 31 October 2018

Morning [REDACTED]

Thank you for agreeing to undertaking the requested FOI review of 2 responses we have issued with regard to BiFab.

I have informed [REDACTED] and [REDACTED] about this request.

I also attach a link to the FOI Sharepoint site where there is detailed guidance about how to undertake a review.

<http://sgsharepoint/sites/freedomofinformation/FOIEIR%20Wiki/ReviewsIndex.aspx>

Grateful if you can acknowledge receipt to the writer and log on the FOI tracker.

Many thanks,

[REDACTED]

[REDACTED] | Head of BMU | Energy & Climate Change Directorate | Scottish Government

4th Floor | Atlantic Quay | 150 Broomielaw | Glasgow | G2 8LU

[REDACTED]

FOI/18/02772 - Review - Clearance request - Due 26/11/18

Good afternoon [REDACTED]

Special Advisers are content with your proposed response.

Ministerial clearance is not required.

Thanks

[REDACTED]

From: [REDACTED]

Sent: 22 November 2018 15:16

To: Fol SpAds PO <Fol.SpAdsPO@gov.scot>; Freedom of Information <foi@gov.scot>

Cc: [REDACTED]

[REDACTED]

Subject: FOI/18/02772 - Review- Clearance request - Due 26/11/18

Importance: High

Afternoon

Please find attached my suggested response to a review request for FOI/18/02772.

The due date for the response to issue is **Monday 26 November**.

Please note that this respondent has been in touch almost daily over the last 15 days regarding his response so I am very keen to make the deadline if possible.

Very happy to discuss.

[REDACTED]

[REDACTED]

FOI/18/02772 - Review - Clearance request - Reply - Due 26/11/18

Hi [REDACTED]

I am mostly content for this response and the response to 18/02772 to go for clearance/issue.

Thank you for now providing the links to information already available – shows our effort to fulfil our section 15 duty to advise and assist! The only comment I would

make is that we should offer apologies within the response letters for our failure to provide these links in our initial responses.

Regards

[REDACTED]

[REDACTED]

Casework Officer

Freedom of Information Unit

2W

St Andrews House

[REDACTED]

From: [REDACTED]

Sent: 22 November 2018 15:16

To: Fol SpAds PO <Fol.SpAdsPO@gov.scot>; Freedom of Information <foi@gov.scot>

Cc: [REDACTED]

[REDACTED]

Subject: FOI/18/02772 - Review- Clearance request - Due 26/11/18

Importance: High

Afternoon

Please find attached my suggested response to a review request for FOI/18/02772.

The due date for the response to issue is **Monday 26 November**.

Please note that this respondent has been in touch almost daily over the last 15 days regarding his response so I am very keen to make the deadline if possible.

Very happy to discuss.

[REDACTED]

[REDACTED]

Annex C - FOI/18/02771 Case Log and Correspondence

FOI/18/02771 Case Log

181023 - FOI/18/02771 & FOI/18/02772 - Due 29 October 2018 - Seeking Spads clearance

181025 - Spads response - FOI/18/02771 & FOI/18/02772 - Due 29 October 2018

181029 - Cab Sec response - FOI/18/02771 & FOI/18/02772 - Due 29 October 2018

Appeal - Stage 1 - OSIC request for withheld information - 14.12.18

Appeal - Stage 1 - OSIC request for withheld information to policy area - 16.12.18

FOI - E - Bfab Limited - £35 million secret convertible loan - acknowledgement

FOI - E - Bfab Limited - £35 million secret convertible loan - original request

FOI - E - REVIEW - FOI/18/02771 - Bfab Limited - £35 million secret convertible loan - 301018

FOI Review - 02771 - final - 26 November 2018

FoI/18/02771 - 29 October 2018 - response email

FOI/18/02771 - Acknowledgment of request for review of original responses to FOI/18/2771 and FOI/18/2772 - 06 November 2018

FOI/18/02771 - E - Acknowledgment of request for review of original responses to FOI/18/2771 and FOI/18/2772 - 07 November 2018

FOI/18/02771 - E - Review - Acknowledgment of request for review of original responses to FOI/18/2771 and FOI/18/2772 - 09 November 2018

FOI/18/02771 - E - REVIEW - Bfab Limited - £35 million secret convertible loan - 30 October 2018

FOI/18/02771 - FOI - E - REVIEW - FOI/18/02771 Bfab Limited £35 million secret convertible loan - 22 November 2018

FoI/18/02771 - Internal review of Freedom of Information request - Bfab Limited - £35 million secret convertible loan - 27 November 2018

FoI/18/02771 - Internal review of Freedom of Information request - Bfab Limited - £35 million secret convertible loan - 27 November 2018

FOI/18/02771 - Review

FOI/18/02771 - Review - Clearance request - Due 26/11/18

FoI_18_02771 - Response - 29 October 2018

FoI_18_02771 - Response - 29 October 2018

FW: FOI - E - REVIEW - FOI/18/02771 - Bfab Limited - £35 million secret convertible loan - response - 301018

RE: FOI - E - REVIEW - FOI/18/02771 Bfab Limited £35 million secret convertible loan - clarification

RE: FOI/18/02771 - Review - Clearance request - SPADS

FOI/18/02771 Correspondence

181023 - FOI/18/02771 & FOI/18/02772 - Due 29 October 2018 - Seeking Spads clearance

Hi,

Grateful if Spads could review the attached draft responses to two FOI requests from a [REDACTED].

[REDACTED] has asked a series of FOIs relating to SG loans/grants, therefore the replies follow a similar theme to what has gone before.

FOI/18/02771

In November 2017, Scottish Ministers granted a £15 million loan facility to Burntisland Fabrications Limited (BiFab) - company registered number SC213282. This loan facility was subsequently secretly increased to £35 million, fully drawn down and converted in to class B shares in BiFab Limited during 2018.

In respect of this £35 million investment please provide Scottish Minister's assessment of the value of the investment:

(A) Immediately before the conversion of the £35 million loan to shares.

(B) Immediately after the conversion of the £35 million loan to shares.

(C) The latest available valuation of the shareholding (please give date of valuation).

I request this information in the public interest of efficient and effective use of £35 million of public funds.

FOI/18/02772

Please provide all information held about the £10 million restructuring loan facility (with no fixed repayment prior to 2026) granted to Burntisland Fabrications Limited (Bifab) in 2018. This should include, but is not limited to (A) all internal memorandums and emails and (B) the loan agreement.

The response is due on **Monday 29 October**.

Grateful if you could advise if these responses need Ministerial clearance before issue.

Regards

[REDACTED]

[REDACTED]

Head of Large Scale Renewables (Offshore Wind, Onshore Wind, Pump Hydro & Hydro) | Directorate for Energy and Climate Change | [REDACTED] | www.gov.scot | [Energy Strategy](#) | [Onshore Wind Policy Statement](#)

181025 - Spads response - FOI/18/02771 & FOI/18/02772 - Due 29 October 2018

Hi [REDACTED]

Special Advisers are content with your updated propose response, please note to put correct Fol ref on 02772 response.

Ministerial clearance is required for both Fol 02771 and 02772. Lines should be prepared with colleagues in Comms prior to issue.

Many thanks,

[REDACTED]

From: [REDACTED]
Sent: 25 October 2018 15:16
To: Fol SpAds PO <Fol.SpAdsPO@gov.scot>
Subject: RE: FOI/18/02771 & FOI/18/02772 - Due 29 October 2018

Hi [REDACTED]

That was an error on my part the objective version hadn't saved correctly so there shouldn't of been a reference to the 2 cases. Now amended.

Do I still need Ministerial clearance before issuing?

Deadline is Monday.

[REDACTED]

[REDACTED]

Head of Large Scale Renewables (Offshore Wind, Onshore Wind, Pump Hydro & Hydro) | Directorate for Energy and Climate Change | [REDACTED] | www.gov.scot | [Energy Strategy](#) | [Onshore Wind Policy Statement](#)

From: [REDACTED] On Behalf Of Fol SpAds PO
Sent: 25 October 2018 10:58
To: [REDACTED]; Fol SpAds PO
<Fol.SpAdsPO@gov.scot>
Subject: RE: FOI/18/02771 & FOI/18/02772 - Due 29 October 2018

Good Morning [REDACTED]

Special Advisers have reviewed both Fol responses and while content with the response for 02771 are questioning the response for 02772, the second last paragraph in the response refers to 'loans in cases 11 and 12' . SpAds are asking what are cases 11 and 12 as there is no reference in original request?

Many thanks,

[REDACTED]

181029 - Cab Sec response - FOI/18/02771 & FOI/18/02772 - Due 29 October 2018

[REDACTED]

The Cabinet Secretary is content to clear.

Thanks

[REDACTED]

Private Secretary to Derek Mackay MSP, Cabinet Secretary for Finance,
Economy and Fair Work

The Scottish Government

St Andrew's House | Regent Road | Edinburgh | EH1 3DG | [REDACTED]
[REDACTED]

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From: [REDACTED]

Sent: 25 October 2018 16:12

To: Cabinet Secretary for Finance, Economy and Fair Work <CabSecFEFW@gov.scot>

Cc: DG Economy <DGEconomy@gov.scot>; [REDACTED]; [REDACTED]
[REDACTED]
[REDACTED]

Subject: FW: FOI/18/02771 & FOI/18/02772 - Due 29 October 2018

[REDACTED]

Grateful if Mr MacKay could review the attached draft responses to two FOI requests from a [REDACTED] which have been cleared by Spads.

[REDACTED] has asked a series of FOIs relating to SG loans/grants, therefore the replies follows a similar theme to what has gone before.

FOI/18/02771

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(B) Immediately after the conversion of the £35 million loan to shares.

(C) The latest available valuation of the shareholding (please give date of valuation).

I request this information in the public interest of efficient and effective use of £35 million of public funds.

FOI/18/02772

Please provide all information held about the £10 million restructuring loan facility (with no fixed repayment prior to 2026) granted to Burntisland Fabrications Limited (Bifab) in 2018. This should include, but is not limited to (A) all internal memorandums and emails and (B) the loan agreement.

The response is due on **Monday 29 October**.

Regards

[REDACTED]

[REDACTED]

Head of Large Scale Renewables (Offshore Wind, Onshore Wind, Pump Hydro & Hydro) | Directorate for Energy and Climate Change [REDACTED] | www.gov.scot | [Energy Strategy](#) | [Onshore Wind Policy Statement](#)

FOI/18/02771 – Review

Morning [REDACTED]

Thank you for agreeing to undertaking the requested FOI review of 2 responses we have issued with regard to BiFab.

I have informed [REDACTED] and [REDACTED] about this request.

I also attach a link to the FOI Sharepoint site where there is detailed guidance about how to undertake a review.

<http://sgsharepoint/sites/freedomofinformation/FOIEIR%20Wiki/ReviewsIndex.aspx>

Grateful if you can acknowledge receipt to the writer and log on the FOI tracker.

Many thanks,

[REDACTED]

[REDACTED] | Head of BMU | Energy & Climate Change Directorate | Scottish
Government
4th Floor | Atlantic Quay | 150 Broomielaw | Glasgow | G2 8LU
[REDACTED]

FOI/18/02771 - Review - Clearance request - Due 26/11/18

Good afternoon [REDACTED]

Special Advisers are content with your proposed response.

Ministerial clearance is not required.

Thanks

[REDACTED]

From: [REDACTED]

Sent: 22 November 2018 15:12

To: Fol SpAds PO <Fol.SpAdsPO@gov.scot>; Freedom of Information <foi@gov.scot>

Cc: [REDACTED]

Subject: FOI/18/02771 - Review- Clearance request - Due 26/11/18

Importance: High

Afternoon

Please find attached my suggested response to a review request for FOI/18/02771.

The due date for the response to issue is **Monday 26 November**.

Please note that this respondent has been in touch almost daily over the last 15 days regarding his response so I am very keen to make the deadline if possible.

Very happy to discuss.

[REDACTED]

FW: FOI/18/02771 - Scottish Information Commissioner Appeal - [REDACTED]
- Action required by 07.10.19 - original request

FYI - Forwarded after receiving undeliverable from Director mailbox.

[REDACTED] | Lead Caseworker | Freedom of Information Unit | Scottish Government
| 2W | St Andrews House | Regent Road | Edinburgh | EH1 3DG | [REDACTED]
[REDACTED]

You can find the most recent information on FOI on the [FOI SharePoint site](#). It contains detailed guidance on all aspects of FOI, as well as step-by-step guides to answering a request and doing an internal review, response templates and sample reasons.

RE: FOI/18/02771 - Review- Clearance request -- SPADS

Good afternoon [REDACTED]

Special Advisers are content with your proposed response.

Ministerial clearance is not required.

Thanks

[REDACTED]

From: [REDACTED]

Sent: 22 November 2018 15:12

To: Fol SpAds PO <Fol.SpAdsPO@gov.scot>; Freedom of Information <foi@gov.scot>

Cc: [REDACTED]

Subject: FOI/18/02771 - Review- Clearance request - Due 26/11/18

Importance: High

Afternoon

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Very happy to discuss. [REDACTED]

[Your right to request a review](#)