

03 July 2025

Dear

ATISN 24841

Thank you for your request which I received on 18 June 2025. You asked for:

information held relating to the Visit Wales adverts on Disney+ over the last six months, in particular the cost paid to Disney+ or their intermediaries for the advertising and any documents held relating to purchase orders, internal emails and any sign off of the cost.

Our response

Visit Wales' marketing remit is to promote Wales, and this is done to highly targeted relevant audiences, across TV, streaming, paid digital and other means.

Contractors and suppliers concerned with this request have been contacted and have confirmed that pricing information is confidential and any disclosure of it could prejudice commercial interests. Disney's correspondence following our enquiry states:

Our pricing information is confidential and any disclosure of it could prejudice Disney's commercial interests. In particular, making this information public would significantly impair our ability to negotiate freely with other clients. As such, we believe the information falls within the exemptions at Section 43 of the FOIA.

We consider the information requested relating to costs paid to Disney + and their intermediaries to be exempt from disclosure under Section 43 (commercial interests) of the Freedom of Information Act 2000. Full reasoning for applying this exemption is given at Annex A to this letter.

Next steps

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ.

or email: Freedom.ofinformation@gov.wales

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at:

Information Commissioner's Office,

Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely,

ANNEX A

ATISN 24841 – Consideration For and Against Disclosure of Information

Decisions relating to non-disclosure have been taken with due consideration of the exemption identified under Section 43(2), commercial interests, of the Freedom of Information Act 2000 (FOIA).

Section 43 is a qualified (public interest tested) exemption and in order to engage it, I must show that the public interest in withholding the information is greater than the public interest in releasing it. I have therefore considered the effects of disclosure of the information publicly, as the information is made available to anybody and everybody, not just the requestor. As such, when considering your request, I have considered the wider effects of disclosure rather than any personal interest you may have in being provided with the information.

Section 43(2) – commercial interests

The exemption states:

(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

The Welsh Government (WG) is of the view that revealing the information at this time would be likely to prejudice our supplier/contractors' commercial interests.

The information would reveal commercially sensitive information not otherwise publicly available and which, if disclosed would be likely to prejudice their competitive offer and their ability to negotiate in future with other clients.

Public Interest Test For Disclosure

The Welsh Government recognises the public interest in openness and transparency within government, particularly in terms of ensuring an accountable government by disclosing how the Welsh Government spends public money and that the money is invested wisely.

Public Interest Against Disclosure

Disclosure of this information would provide competitor media companies access to a level of information not otherwise available to them. This would be likely to enable them to obtain an advantage when negotiating with Welsh Government and other organisations.

I do not believe facilitating this type of unfair competitive advantage would be in the wider public interest.

I am aware that, as a general rule, the sensitivity of information is likely to reduce over time; therefore, the age of the information, or timing of the request, may be relevant in determining whether to apply an exemption, or where the public interest may lie. In this case, however, the information captured is very much current information. I believe therefore that the balance of the public interest falls in favour of withholding the information.