

INTRODUCTION TO ACCESS INFORMATION ON ENVIRONMENT (AIE) AND HOW TO ACCESS INFORMATION

European Communities (Access to Information on the Environment) Regulations 2007 to 2011 (S.I. No. 133 of 2007 and S.I. No. 662 of 2011) (hereafter referred to as the AIE Regulations), give legal rights to those seeking to access information on the environment from public authorities.

Under these regulations, information relating to the environment held by, or for, a public authority must be made available on request, subject to certain exceptions. The AIE regulations also oblige public authorities to be proactive in disseminating environmental information to the public.

The AIE Regulations provide a definition of environmental information; outline the manner in which requests for information may be submitted to public authorities and the manner in which public authorities are required to deal with requests e.g. timeframes for response. The regulations also provide for a formal appeals procedure in the event that a person is unhappy with a decision on their request.

WHAT PUBLIC BODIES ARE SUBJECT TO AIE?

The AIE Regulations broadly define “public authorities” to encompass all bodies that have a role in public administration. It is important to note that this definition is broader in scope than the definition of “public body” in the FOI Acts.

Under the 2011 Regulations, the Minister is required to publish an indicative list of public authorities that are subject to the AIE Regulations. These are:

- Government Departments e.g. the Department of Environment, Community and Local Government
- Local authorities e.g. Cork County Council,
- Non-commercial state agencies e.g. the Environmental Protection Agency,
- Commercial state agencies e.g. EirGrid,
- Regulatory bodies e.g. the Commission for Energy Regulation

MAKING AN ACCESS TO INFORMATION ON THE ENVIRONMENT REQUEST:

Applications for Access to Information on the Environment should be made to:

AIE Information Officer,
Sligo Education Centre,
Ballinode,
Sligo

When making a request for information under the Access to Information on the Environment Regulations you are required to:

- state that the application is being made under the AIE Regulations and submit it in writing or electronic form to angela@ecsligo.ie
- provide your contact details,
- state, in terms that are as specific as possible, the environmental information required, and specify the form and manner of access desired.

Normally you will be notified of the decision on your request within 1 month of its receipt.

WHAT TO DO IF YOU ARE UNHAPPY WITH DECISION :

If you consider that your original request for environmental information was refused wholly or partially, or was otherwise not properly dealt with in accordance with the provisions of the AIE Regulations, you may, not later than one month following the receipt of the decision from the Centre, request that the Centre carry out an internal review of the decision in part or in whole.

No fee will be charged for the internal review process.

A written outcome of the review informing you of the decision, the reason for the decision and advising you of your right of appeal to the Commissioner for Environmental Information, including the time limits and fees associated with such an appeal, will be issued to you within one month of the date of receipt of the request.

FEES :

The Centre may charge a reasonable fee for supplying environmental information in accordance with the Regulations.

The Centre has set these fees as follows:

- If an applicant requires hard copies there may be a fee of €0.05 per sheet, depending on the volume of information contained in the request, plus postage.
- Electronic access can be provided to requesters free of charge via email; however, this is separate to the charges noted above.

Details of charges, if any, will be advised in the final decision letter.

CENTRE WEBSITE :

This website is an information point for the purpose of the AIE Directive. If you require further environmental information than that which is provided on the website, you may submit an AIE request or contact the AIE Unit, as outlined above.

Further Information including background information on the legislation, useful publications and links to other relevant bodies is available in the AIE section of the Environment Department's website www.environment.ie.