



## Access to Information on the Environment Policy

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## **ACCESS TO ENVIRONMENTAL INFORMATION**

The European Communities (Access to Information on the Environment) Regulations 2007 (S.I. 133 of 2007), give legal rights to those seeking access to information on the environment from public authorities. They were amended by the European Communities (Access to Information on the Environment) Regulations 2011, (S.I. 662 of 2011).

Both pieces of legislation are to be read together and to be construed as one and can be referred to as the European Communities (Access to Information on the Environment) Regulations 2007 to 2011.

The Regulations provide a definition of environmental information and outline the manner in which requests for information may be submitted to public authorities. The Regulations also provide for a formal appeals procedure in the event that a person is unhappy with a decision on their request.

### **Objective of AIE Regulations**

- To guarantee the right of access to environmental information held by or for public authorities and to set out the basic terms and conditions of, and practical arrangements for, its exercise, and
- To ensure that, as a matter of course, environmental information is progressively made available and disseminated to the public in order to achieve the widest possible systematic availability and dissemination to the public of environmental information.”

### **Records Covered by AIE Regulations**

In the regulations “environmental information” is defined as any information in written, visual, aural, electronic or any other material form on:

- a) the state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites including wetlands, coastal and marine areas, biological diversity and its components, including genetically modified organisms and the interaction among these elements,
- b) factors, such as substances, energy, noise, radiation or waste, including radioactive waste, emissions, discharges and other releases into the environment, affecting or likely to affect the elements of the environment,
- c) measures (including administrative measures), such as policies, legislation, plans, programmes, environmental agreements, and activities affecting or likely to affect the elements and factors referred to in paragraphs (a) and (b) as well as measures or activities designed to protect those elements,
- d) reports on the implementation of environmental legislation,
- e) cost-benefit and other economic analyses and assumptions used within the framework of the measures and activities referred to in paragraph (c), and
- f) the state of human health and safety, including the contamination of the food chain, where relevant, conditions of human life, cultural sites and built structures inasmuch as they are, or may be, affected by the state of the elements of the environment

referred to in paragraph (a) or, through those elements, by any of the matters referred to in paragraphs (b) and (c);

- g) “environmental information held by a public authority” means environmental information in the possession of a public authority that has been produced or received by that authority;
- h) “environmental information held for a public authority” means environmental information that is physically held by a natural or legal person on behalf of that authority.

### **What Information Can Be Sought**

You can ask for environmental information held by, or for, the Marine Institute. Environmental information is defined in the AIE regulations and determines what is available under the [AIE regulations](#).

The environmental information you require may already be available through the links below:

[Marine Institute website](#) Further information on the key activities where environmental information is gathered can be found [HERE](#)

### [Freedom of Information Publication Scheme](#)

[Marine Data Centre](#) (search for, discover, view and download data through our online data discovery services). The National Marine Data Centre consists of hosted online data services including descriptive metadata to find data, maps and graphs to view data; and services to download data. The Digital Ocean concept acts as the one-stop-shop to all data related to marine matters including all the activities, programmes and services provided by the data centre.

[Open Access Repository](#) (Access to all Marine Institute publications including research papers)

### **Information Not Available Under AIE**

The AIE regulations do not apply to environmental information that is required to be made available under any other statutory provision.

Information that does not come within the scope of the definition of environmental information, and which is not already publicly available, as outlined above, may be requested under the [Freedom of Information Act 2014](#)

### **The Marine Institute Will:**

- consistent with other provisions of these Regulations, maintain a presumption in favour of the disclosure of environmental information, and seek to respond positively and promptly to requests,
- offer assistance to members of the public where necessary to enable them to formulate requests

- in the event that the environmental information sought is held by another public authority, transfer the application to that body. In this event, the applicant should be informed accordingly or be supplied with details of where the information is held and to whom the request should properly be made,
- retain environmental information in a manner that is easily accessible,
- the designated information officer (Helen Boles) will be the contact point for all requests. The officer will establish systems and structures to register and process all requests within the relevant time limits. Contact details for information will be made available on the Marine Institute website.
- While the Marine Institute will seek to protect the privacy of individuals and information supplied in confidence, in certain circumstances it may be in the public interest to release such information.

### **How to make a request?**

#### **The request should:**

- Be made in writing or electronic format
- Will state request is made under these Regulations
- State the name, address and any other relevant contact details of the applicant
- State in terms that are as specific as possible, the environmental information that is the subject of the request.
- Indicate the form or manner in which access to the environmental information is required.
- An applicant shall not be required to state his or her interest in making the request.
- There is no initial fee required when lodging a request for information under AIE

#### **Costs**

No fee is charged for the making of a request under the AIE Regulations. No fee is charged for the internal review process. The regulations do allow a public authority to charge a reasonable fee for the cost of supplying the environmental information.

The Marine Institute will charge:

- search, retrieval and copying of records: €20 per hour
- photocopy: €0.04 per sheet

Please note that the fee may be waived where the cost is estimated at less than €100.

We may also disregard charges if the record contains only personal information and if, having regard to the means of the requester, it would not be reasonable to apply one.

**A request to the Marine Institute for Environmental Information should be made in writing or electronic form to:**

FOI Officer,  
Marine Institute,  
Rinville,  
Oranmore,  
Galway.  
email: [foi@marine.ie](mailto:foi@marine.ie)

The Marine Institute is obliged to make a decision on the request within one month, or two months in certain cases where the applicant has been advised of this.

If the Institute does not respond to the applicant within four weeks the decision is deemed to have been refused and the requester can proceed to the review stage.

### **Dissatisfied with the Decision**

The applicant may seek an 'internal review' of the decision from the Marine Institute who shall designate a person unconnected with the original decision whose rank is the same as, or higher than, that of the original decision-maker to review the decision. Applications for review of a decision on a request must be made within four weeks, and should be addressed to:

AIE Officer  
Marine Institute  
Rinville  
Oranmore  
Co. Galway

Email: [foi@marine.ie](mailto:foi@marine.ie)