



Access to Information on the Environment Policy

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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.”

What Records Can Be Accessed?

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.

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.

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

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

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

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.