

Access to Information on the Environment (AIE)

You have the right to obtain certain environmental information from a public authority.

To get access to environmental information you can use Freedom of Information legislation or the European Communities (Access to Information on the Environment) Regulations 2007 to 2014 (AIE Regulations).

General Information

Subject to certain exceptions, information relating to the environment held by, or for, a public authority must be made available on request to any person.

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.

Frequently Asked Questions

- What is the difference between AIE and Freedom to Information (FOI)?

The Access to Information on the Environment Regulations operates in parallel with the Freedom of Information Act 2014. While the two legislative codes are broadly similar (with respect to environmental information), the AIE Regulations and the FOI Acts differ in that a wider range of public authorities are covered by the AIE Regulations than by the FOI legislation. There are also material differences in the grounds under which access to information can be refused under the two legislative codes.

- Is there a charge for getting information under the AIE Regulations?

There is no initial fee required when lodging a request for information under AIE.

A Public authority may however, charge a reasonable fee when it makes available environmental information in accordance with the Regulations. Depending on the volume of information to be released, SOLAS may charge for the time spent retrieving records which could, for example, include the cost of staff or other costs connected with searching, retrieving (€20.00 per hour), compiling or copying of the information (4 cent per sheet).

For requests received under the Regulations, SOLAS applies the same fee structure as that which is provided for under the Freedom of Information Acts. Details of the fees concerned are as follows:
Search & Retrieval - €20.00 per person per hour.

Copying - €0.04 per sheet for a photocopy and €10.00 for a CD-ROM containing copy documents.

Note

Where the estimated cost of search and retrieval of the records sought is likely to exceed €50.79, a deposit of at least 20% of the total amount will be required. In such cases, the requester will be advised in writing of the position and will be provided with an opportunity to review or amend his/her request. The search & retrieval process will not commence until payment of deposit has been received by SOLAS. It should also be noted that the date for the final decision on the AIE request (which is normally within one month of receipt by SOLAS of the request) will be determined by reference to the date of receipt of the deposit payment.

A fee in respect of search and retrieval and photocopying may be waived where the cost is estimated at less than €10.00

- How do I make an AIE request?

Applications for Access to Information on the Environment should be made to the Freedom of Information Unit, SOLAS, Castleforbes House, Castleforbes Road, Dublin 1.

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 (foi@solas.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 can I do if I am unhappy with a decision on my request?

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 of the public authority concerned, request the public authority to carry out an internal review 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.

- How do I make an appeal to the Commissioner for Environmental Information?

A written appeal should be submitted to the Commissioner for Environmental Information at the:

Office of the Commissioner for Environmental Information,
18 Lower Leeson Street,
Dublin 2.
Telephone: 01- 6395689

Further contact details and information on the Commissioner's Office are contained on the Office of the Information Commissioner (OIC) website at www.oic.ie.

The AIE Regulations provide that a fee of €50 must be charged for an appeal to the Commissioner for Environmental Information. However, provision is also made for a reduced appeal fee of €15 for medical card holders and their dependents and also for people, not party to the original request for access to information, who are appealing a decision to release information which they believe will affect them.

AIE Regulations 2013 Guidance Notes

Further information on the AIE Regulations is set out in the Official Guidelines which accompany the AIE Regulations. These Guidelines are intended to assist and offer guidance to public authorities on the implementation of the AIE Regulations and to applicants who wish to access environmental information.

The full text of the AIE Regulation (S.I. 133 of 2007) and (S.I. 662 of 2011) and the AIE Regulations Guidance Notes are available at www.environ.ie

Assistance in Making Requests

If you have any queries the FOI Unit can be contacted by telephone at 01 5332500 or e-mailed at foi@solas.ie