

ACCESS TO INFORMATION ON THE ENVIRONMENT

What is the AIE Directive?

The Access to Information on the Environment Directive (AIE) gives everyone the right to gain access to environmental information that is held by a public authority. The Regulations arise from an EU Directive, known as the [AIE Directive](#) and have been in force in Ireland for several years. Their aim is to open up the work of public authorities where it impacts on the environment and allow people access to more information that would assist them when taking part in decision making processes where the environment would be impacted by the outcome.

What is Environmental Information?

The definition of “environmental information” in the Directive and in the Regulations is broad and wide-ranging. The definition covers information “in written, visual, aural, electronic or any other material form”. It identifies six separate categories of information dealing with:

1. the state of the elements of the environment (e.g. air, water, soil, land, landscape; biological diversity;
2. factors affecting, or likely to affect, the elements of the environment (e.g. energy, noise, radiation, waste, other releases into the environment);
3. measures designed to protect the elements of the environment (e.g. policies, legislation, plans, programmes, environmental agreements);
4. reports on the implementation of environmental legislation;
5. analyses and assumptions used within the framework of measures designed to protect the environment; and;
6. the state of human health and safety, the food chain, cultural sites and built structures in as much as they may be affected by the elements of the environment.

How to Access Environmental Information held by the University

Applications for Access to Information on the Environment should be directed to the Information and Data Compliance Office in TUS at datacompliance@tus.ie.

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;
- 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, e.g. electronic copies of relevant records.

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

Can we refuse to give you information under the AIE Regulations?

Under the AIE Regulations we may refuse to give you access to environmental information on certain grounds:

- international relations, national defence or public security;
- the course of justice (including criminal inquiries and disciplinary inquiries);
- commercial or industrial confidentiality;
- intellectual property rights;
- material in the course of completion;
- internal communications of public authorities;
- the request is considered to be unreasonable, due to the volume or range of information sought;
- the request is too general;
- the material is not yet completed.

We *must* refuse to give you access to environmental information on other grounds listed below (subject to the provisions of Article 10):

- personal information;
- information supplied by a third party on a voluntary basis;
- protection of the environment to which information relates;
- confidentiality of the proceedings of public authorities.

What can you do if you are unhappy with a decision on your 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 University, request the University 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.

Making 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
6 Earlsfort Terrace
Dublin 2. D02 W773

Telephone: +353 (0)1 6395689

Email: info@ocei.ie

Fees:

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.

Additional Information

The [Office of the Commissioner for Environmental Information](#) provides more information about AIE which might be of use.

AIE Regulations

The following page of the website of the OCEI provides information on the statutory instruments that give effect to the AIE Directive in Ireland and are known as "the AIE Regulations": [OCEI - Legislation](#).