



Access to Environmental Information

Introduction

EU Directive

The AIE Regulations were introduced in Ireland to give effect to Directive 2003/4/EC of the European Parliament and the Council on Public Access to Environmental Information (the AIE Directive). This Directive repealed Council Directive 90/313/EEC which was the previous EU instrument providing for access to environmental information. The AIE Directive was adopted by the EU to give effect to the Access to Information pillar of the 1998 UNECE Convention on Access to Information, Public Participation in Decision making and Access to Justice in Environmental Matters (the [Aarhus Convention](#)).

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

AIE Regulations

The following statutory instruments (S.I.s) give effect to the AIE Directive in Ireland. These are:

[S.I. No. 133/2007 - European Communities \(Access to Information on the Environment\) Regulations 2007](#)

[S.I. No. 662/2011 - European Communities \(Access to Information on the Environment\) \(Amendment\) Regulations 2011](#)

[S.I. No. 615/2014 - European Communities \(Access to Information on the Environment\) \(Amendment\) Regulations 2014](#)

[S.I. No. 309/2018 - European Communities \(Access to Information on the Environment\) \(Amendment\) Regulations 2018](#)

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 and that possess environmental information.

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

- Government Departments
- Local Authorities
- Non-Commercial State Agencies

- Commercial State Agencies
- Regulatory Bodies.

What categories of information does AIE cover?

The definition of 'environmental information', as set out in the AIE Regulations determines what information comes within the remit of the AIE Regulations. This definition includes information in written, visual, aural, electronic or any other material form on:

- The state of the elements of the environment for example, air, water, soil, land, landscape, and biological diversity,
- Factors affecting or likely to affect, the elements of the environment, for example energy, noise, radiation, waste, and other releases into the environment,
- Measures designed to protect the elements of the environment for example, policies, legislation, plans, programs, and environmental agreements,
- Reports on the implementation of environmental legislation,
- Analyses and assumptions used within the framework of measures designed to protect the environment,
- The state of human health and safety, including the contamination of the food chain, where relevant, conditions of human life, cultural sights and built structures in as much as they may be affected by the elements of the environment.

How to make an AIE application

Applications for Access to Information on the Environment should be made to info@wdc.ie

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

- State the application is being made under the AIE Regulations and submit via electronic format to info@wdc.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 one 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 from the WDC, request that the WDC 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 to appeal to the Commissioner for Environmental Information, including the time limits associated with such an appeal, will be issued to you within one month of the date of receipt of the request.

Fees

There is no fee required when lodging a request for information under AIE to the WDC.

Assistance in making a request

If you have any queries the AIE Officer can be contacted via e-mail at info@wdc.ie.

