



25th April, 2023

Mr. Fred Logue,
[REDACTED]
[REDACTED]

Re: AIE request 202396

Dear Mr. Logue,

I refer to the request you made under the European Communities (Access to Information on the Environment) Regulations 2007 to 2018 (S.I. No. 133 of 2007, S.I. No. 662 of 2011, S.I. 615 of 2014 and S.I. No. 309 of 2018) (hereafter referred to as the AIE Regulations) for access to information held by Department of Environment, Climate & Communications relating to:

1. Details of how Ireland ensures that charges for supplying environmental information are based on a clear, transparent and consistent framework, in particular through its implementation of Article 4(8) of the Aarhus Convention
2. Details of any surveys or other analysis carried out by DECC on an ongoing basis to ensure that article 4(8) is adequately implemented, in particular how any findings of the Aarhus Convention Compliance Committee have been taken into account
3. Details of how Ireland ensures that fees for administrative appeals and court fees for access to justice procedures under Articles 9(1), (2) and (3) of the Aarhus Convention are not prohibitively expensive.
4. Details of any surveys or other analysis carried out by DECC on an ongoing basis to ensure that the NPE requirement of Article 9(4) is adequately implemented, in particular how any findings of the Aarhus Convention Compliance Committee have been taken into account.
5. Details of what remedies Ireland makes available to a person who wishes to challenge any of the fees and charges referred to above on the basis that they represent non-compliance with the Aarhus Convention, please give details of the relevant procedure and how it may be appealed up to and including a final decision as well as the expected costs of such and appeal in the worst case scenario (e.g. if the applicant doesn't succeed) and an approximate duration.

Which was received by this Department on 27th March, 2023.



Summary of Decision

I made a decision on your request on 25th April, 2023. Following examination of material held by Department of Environment, Climate & Communications, I have been unable to locate any records relevant to your request. I therefore must refuse your request.

Please see below the search steps we have undertaken in responding to the AIE request.

- A search of the electronic databases and records held both on mainframe computers and individual staff computers.
- Interviews with individual members of staff who may have dealt with such records.
- Circulation of e-mail to relevant staff, which gave the definition of the records sought and stressed the need for staff to carefully consider if they were aware of, or could find, any such records.

I have also been unable to determine whether any other public authority might possess the records that you have requested.

For details relating to charges and other points you have raised; may I refer you to documents that are in the public domain, at the following links.

- [Aarhus Convention National Implementation Reports, 2014, 2017,2021.](#)
- [Guidance for Public Authorities and others on implementation of the AIE Regulations.](#)
- [AIE Yearly Statistics are published on-line and are freely available to view.](#)
- Last iteration relating to charges Circular AIE/2/2017. Attached with this letter.

Right of review

Under Article 11 of the AIE Regulations you have a right to request an internal review of this decision. An internal review involves a complete reconsideration of the matter by a member of the staff of this Department of Environment, Climate & Communications, unconnected with the original decision, of the same or higher rank than the original decision-maker, who may affirm, vary, or annul the original decision.

If you wish to request an internal review, you can do so by writing to CorporateSupport.Unit@decc.gov.ie, AIE Officer, referring to this decision, quoting the AIE reference number. This request must be made within one month of the date of receipt of this decision. The decision of an internal review will be communicated to you within one month of receipt of your request for an internal review.



Please contact me at [REDACTED] or brendan.keenan@[REDACTED] if I can assist you in any matter relating to your request.

Yours sincerely,

[REDACTED]

[REDACTED]

Department of Environment, Climate & Communications,

Newtown Road,

Wexford, Y35 AP90.

