

Rules made under s.337.

**PUBLIC HEALTH (FREEDOM OF ACCESS TO
INFORMATION ON THE ENVIRONMENT) RULES, 1992**

Revoked by LN. 2005/165 as from 18.1.2007

(LN. 1992/143)

1.11.1992

Amending enactments	Relevant current provisions	Commencement date
None		

ARRANGEMENT OF RULES.

Rules

1. Title and commencement.
2. Interpretation.
3. Provision of information.
4. Refusal of information.

1950-07

Revoked
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Public Health

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Title and commencement.

1. These Rules may be cited as the Public Health (Freedom of Access to Information on the Environment) Rules 1992 and shall come into effect on the 1st day of November 1992.

Interpretation.

2.(1) In these Rules, unless the context otherwise requires–

“the Directive” means Council Directive 90/313/EEC on the Freedom of Access to Information on the Environment;

“a relevant body” means a public authority or a body with public responsibilities for the environment and under the control of a public authority.

(2) Expressions used in these rules have the meaning they bear in the Directive.

Provision of information.

3. (1) Subject to rule 4, a relevant body shall make available information relating to the environment to any natural or legal person at his request and without his having to prove an interest.

(2) A relevant body shall respond to a person requesting information as soon as possible and at the latest, within two months.

(3) The reasons for refusal to provide information, shall be given in writing by a relevant body to the person requesting the information.

(4) A relevant body may charge a fee for supplying information relating to the environment, such fee not to exceed the reasonable cost of the provision of such information.

Refusal of information.

4.(1) Nothing in these rules prevents a relevant body from refusing a request for information relating to the environment where it affects–

(a) the confidentiality of the proceedings of public authorities, international relations and to national defence;

(b) public security;

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- (c) matters which are, or have been, subjudice, or under enquiry (including disciplinary enquiries), or which are the subject of preliminary investigation proceedings; or
 - (d) commercial and industrial confidentiality, including intellectual property.
- (2) A relevant body shall refuse a request for information relating to the environment where it affects–
- (a) the confidentiality of personal data or files, or both, unless such body has the consent of the person to whom such data or files relate; and
 - (b) materials supplied by a third party without that party being under a legal obligation to do so, unless the relevant body has the consent of the third party who supplied the material.
- (3) A relevant body shall refuse a request for information where it affects material, the disclosure of which would make it more likely that the environment to which such material relates would be damaged.
- (4) Information held by relevant bodies, shall be supplied in part where it is possible to separate out information on items concerning the interests referred to in sub-rules (1), (2) and (3).
- (5) A request for information may be refused where it would involve the supply of unfinished documents or data or internal communications or where the request is manifestly unreasonable or formulated in too general a manner.