

Environmental Information Regulations

On 1 January 2005 the Environmental Information (Scotland) Regulations 2004 (EIR), came into force. These replaced the previous regulations which had been in place since 1992, giving members of the public the right to access environmental information held by public authorities.

The Regulations apply to environmental information held by the Scottish Legal Aid Board.

What is environmental information?

The regulations have broadened the definition of environmental information. Environmental information covers information on the state of the environment such as:

- air, water, soil, land, flora and fauna (including human beings), diversity, and genetically modified organisms
- information on emissions and discharges, noise, energy, radiation, waste and other substances
- measures and activities such as policies, plans and agreements
- reports, cost benefit and economic analyses
- the state of human health and safety, contamination of the food chain
- cultural sites and built structures (as they may be affected by environmental factors)

How do I make a request?

Requests to the Scottish Legal Aid Board can be made verbally or in writing (hard copy/electronic).

A request can be made to any employee of a public authority but it may be dealt with more efficiently if you are able to direct requests to the appropriate person or department.

If a verbal request is made we recommend that you note who you spoke to, the date, and the information you requested. You may wish to follow up a verbal request with a letter or email confirming the terms of your request.

What if the information is refused or the Scottish Legal Aid Board says it does not hold the information?

Under the EIR, public authorities have a duty to have an internal review procedure. We will provide you with a refusal notice which will include details of:

- their review/complaints procedure in case you wish to appeal against their decision
- your right of appeal to the Scottish Information Commissioner's Office (OSIC)
- the Scottish Information Commissioners enforcement powers
- your right and the public authority's right to appeal to the information tribunal following the Scottish Commissioner's decision.

How much will it cost?

If it will cost us less than £100 to respond to your request, we will not charge you anything.

However, if the cost of staff time and other resources needed to put together the information is between £100 and £600, we will normally charge you up to a maximum of £50. If so, before we do the work we will tell you what we estimate you will have to pay and you can then decide whether to go ahead with the request.

If the work is likely to cost us more than £600, we can refuse to give you the information. If we agree to give it to you, we may charge you £50 plus the full cost of work done after the initial £600 limit is reached.

You will have to pay us any estimated charge before we send you the information. If getting the information costs less than we estimated, we will refund the difference.

Who do I contact for more information?

You can call our Corporate Support Manager on 0131 240 2191 or email general@slab.org.uk.