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**DfE Ref No. 2017-0113**

## **Environmental Information Regulations 2004**

I refer to your request for information on the nature of the data protection reasons used to exclude the details of 40 installations from publication. The request was received on 24 May 2017 and the Department is dealing with it under the terms of the above legislation. I can confirm that Department holds the information requested.

The Data Protection Act is intended to safeguard a person's personal data (that is information about a living, identifiable human being) held by, among others, Government Departments. It gives individuals rights in relation to unauthorised access to or misuse of their personal information in order to help protect their privacy.

Under Condition 6 (1) contained within Schedule 2 of the Data Protection Act 1998, the Department has withheld the names and locations of a number of beneficiaries. It would not be appropriate to disclose specific privacy concerns due to the risk of prejudice to the rights and freedoms or legitimate interest of individuals concerned. This information is therefore exempt from disclosure under Regulation 13 of the Environmental Information Regulations.

I have enclosed an Access to Information Factsheet which provides information on EIR procedures, including what to do if you are not happy with our response, and some useful contact points.

Yours sincerely

**Stephen McMurray**  
**Department for the Economy**

## Access to Information Fact Sheet

**Note:** This leaflet gives an overview of some of the main provisions of the Freedom of Information Act and Environmental Information Regulations and should not be regarded as a legal interpretation.

**1. What is the Freedom of Information Act?** The Freedom of Information (FOI) Act 2000 was fully implemented on 1<sup>st</sup> January 2005, giving you the right to request information from public authorities. This allows you to access information about how the Department works, spends public money, reaches decisions, etc.

**Information may also be obtained under:**

- **The Data Protection Act 1998 (DPA)** - this allows you access to information held *about you* by both public and private organisations, and gives you the right to make sure it is correct.
- **The Environmental Information Regulations 2004 (EIRs)** - This legislation gives you access to any environmental information held by organisations that perform public functions.

**2. How do I get information about Department for the Economy under these Acts?** You can find information on the Department's website: <https://www.economy-ni.gov.uk> If you can't see what you're looking for you can contact us by email at [foi@economy-ni.gov.uk](mailto:foi@economy-ni.gov.uk) or write to us at:

Information Management Unit  
Department for the Economy  
Netherleigh, Massey Avenue  
Belfast BT4 2JP

Please state your name, address, telephone number and specific details of the information you require.

**3. How long does it take to get information under the FOI Act?** Once a written request for information is received, we will respond promptly, and at any rate, within 20 working days. In certain circumstances a final response may be made outside this period where additional time is needed to determine whether or not disclosure would be in the public interest.

**4. Is there a cost?** This depends on a number of factors including the volume and complexity of material requested. Responses to enquiries that cost the department less than £600 to process<sup>i</sup> will be provided free of charge, although there may be a small charge for disbursements<sup>ii</sup>. The Department has a right to refuse an FOI request if the cost of locating and retrieving the information exceeds £600. We will not refuse a request for environmental information on the grounds of cost alone; however we have the right to charge a reasonable amount to cover processing costs. In all cases, we will notify you of any estimated costs before proceeding with the request.

**5. What happens if the information I want is not available?** The Department is not obliged to create or acquire information it does not already hold, but we will try to assist where possible. We may contact you about what relevant information we do hold, or may offer to transfer your request to another public authority that might help.

**6. Can I have any information at all?** The FOI Act and Environmental Information Regulations allow you access to much of the information held by public bodies. But some types of information are exempted, for example personal details about others, or where disclosure might prejudice a company's commercial interests.

**7. What if I am refused information?** We will tell you if information is being withheld and why. If you are unhappy with how we have handled your request you have the right to request an internal review. To request an internal review send an email or letter within 40 working days, to our Head of Information Management Unit – see contact details at point 2 above.

We will reply to you within 20 working days. If you are not satisfied with the result of the internal review you may appeal to the Information Commissioner (details provided below at point 9). The Commissioner will normally expect an internal review to have been carried out prior to appeal.

**8. How do I find out more?** More information is available from office of the Information Commissioner at:

<b>Website:</b>	<a href="http://www.informationcommissioner.gov.uk">www.informationcommissioner.gov.uk</a>	<b>Phone:</b>	01625 545 700
<b>Post:</b>	Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF	<b>Email:</b>	<a href="mailto:ni@ico.org.uk">ni@ico.org.uk</a>

### Re-use of Information

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<sup>i</sup> Includes the cost of locating, retrieving and extracting the information

<sup>ii</sup> Disbursements may include costs of photocopying, printing, postage etc