



An Roinn Talmhaíochta,
Bia agus Mara
Department of Agriculture,
Food and the Marine

Right To Know

By e-mail to; requests@righttoknow.ie

Our Ref: AIE/24/777

15th January 2025

Re: Request for Access to Records under the Access to Information on the Environment Regulations 2007-2018

To whom it may concern,

I refer to your request received 19th November 2024, made under the European Communities (Access to Information on the Environment) regulations 2007 to 2018 (S.I. 133/2007, S.I. 662 of 2011, S.I. 615 of 2014 and S.I. 309 of 2018) (hereinafter referred to as the AIE Regulations) for access to records held by the Department of Agriculture, Food and the Marine

Your request sought:

"Under the AIE Regs to request copies of any reports or presentations provided by Teagasc to DAFM on the subject of the Agricultural Sustainability Support and Advisory Programme (ASSAP) for the period 2023-2024YTD"

I, Mandy Murphy, Assistant Principal Officer, have now made a final decision to part-grant your request today, in relation to the records held in Water & Air Quality Division. The purpose of this letter is to explain that decision. This explanation has three parts and this letter addresses each part in turn:

1. A schedule of all the records covered by your request;
2. An explanation of the relevant findings concerning the records to which access is denied,
3. A statement of how you can appeal this decision should you wish to do so.

1. Schedule of records: The records were requested by e-mail and consist of:

1. a Microsoft Excel spreadsheet called AIE.24.777 Schedule of Records, the records in each file requested are recorded separately on the spreadsheet.
2. this letter
3. scanned redacted copies of the files held relevant to your request

2. Findings, particulars and reasons for decisions to deny access

Access to some information sought is refused in accordance with Article 8(a)(i), which provides as follows:

*"8. A public authority shall not make available environmental information in accordance with article 7 where disclosure of the information—
(a) would adversely affect
(i) the confidentiality of personal information relating to a natural person who has not consented to the disclosure of the information, and where that confidentiality is otherwise protected by law"*

It is my decision that the confidentiality of the records in question is otherwise protected by law under Section 37(1) of the Freedom of Information Act 2014. This provides that:

"37. (1) Subject to this section, a head shall refuse to grant an FOI request if, in the opinion of the head, access to the record concerned would involve the disclosure of personal information (including personal information relating to a deceased individual)."

In arriving at a decision on your request, I confirm that I have had regard to the provisions of Article 10 of the Regulations, as a decision to refuse to disclose information under Articles 8 and/or 9 must not be taken in isolation from the relevant provisions in Article 10.

In line with Article 10(3), my deliberations have included weighing the public interest served by disclosure against the interest served by refusal. It is my view that the public interest, in this case, does not warrant the release of this information. In relation to balancing the public interest that full access be granted, and the public interest in ensuring the right to privacy, I find that the over-riding public interest is in making sure that a person's personal information will not be made public.

3 .Right to Appeal

If for any reason you wish to appeal this decision you may do so by writing to the Freedom of Information Unit at the Department of Agriculture, Food and the Marine, Pavilion A, Grattan Business Centre, Dublin Road, Portlaoise, Co. Laois, R32 K857. You may also submit your appeal by e-mail to: foi@agriculture.gov.ie. You must make your appeal within one month of this notification.

Yours sincerely,



Mandy Murphy
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Department of Agriculture, Food & the Marine
Johnstown Castle Estate
Co Wexford