

# Environmental Information (Scotland) Regulations 2004

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The Environmental Information (Scotland) Regulations 2004 provide a right of access to environmental information held by Scottish Public Authorities.

The definition of environmental information is very broad and includes:

- the state of elements of the environment and their interaction (air, water, soil, land and landscape, natural sites, flora and fauna)
- discharges, emissions, noise, radiation, waste measures and activities affecting the environment (e.g. policies, legislation, plans, activities)
- reports on implementation of environmental legislation
- cost benefit and economic analysis
- effects of the environment on conditions of human life (including flood, buildings)

The Regulations are governed by the Scottish Information Commissioner, who is also responsible for the Freedom of Information (Scotland) Act 2002.

## Making a Request

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Environmental information is available within our website and in our [Guide to Information](#).

Information can also be provided upon request, either verbally, in writing or by completing the [Information Request Form](#).

If we do not hold the information requested, but know of another public authority that does, we will let you know.

You can expect to receive a response from us within 20 working days, though we may ask you for clarification to help us locate the information you are interested in more easily.

We may also extend the response time by an additional 20 working days if the enquiry is large or complex. We will let you know in good time if that is the case.

## Charges

In responding to requests for information under the Environmental Information (Scotland) Regulations 2004 (EIRs), we are entitled to charge a reasonable amount towards making the information available. This includes information which may have been requested under the Freedom of Information (Scotland) Act 2002 (FOISA).

The costs for EIR requests is based on estimated costs of staff time to locate and retrieve information, plus any costs associated with putting the information into a particular format, copying and postage costs.

We do not charge for the time taken to decide if we hold the information requested, or the time it takes to decide whether the information can be released.

Further information on charges is available under [Freedom of Information](#).

## Withholding Information

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As with Freedom of Information legislation, environmental information may be withheld if there is a good reason for doing so.

If we withhold information, we will let you know why. If you are unhappy with our decision, or with the way we have dealt with your request, you can ask us to review our decision.

If you do not agree with the outcome of the review, you can ask the [Scottish Information Commissioner](#) to investigate.