

## Review of AIE Regulations submission

Regarding Part 4 – Refusals and appeals connected with requests for Environmental Information.

It is my opinion that the proposal to amend Part 4 to “a public authority **may** refuse to make available” should be revisited. While as a public authority our position is always to release records and information wherever possible, it is my view that this change from the previous mandatory and discretionary grounds for refusal will cause difficulty for decision makers in balancing the need for transparency against the other factors which can come into play when dealing with certain records and information – particularly those relating to records of legal privilege/commercial sensitivity etc. Decision makers will lose the small amount of comfort that was afforded to them by the mandatory/discretionary grounds when reaching their decisions. Given the high level of decisions annulled by the OCEI it is clear that this is already a challenging area for individuals tasked with making decisions under the regulations and I feel this proposed amendment will give rise to further difficulty.