

Freedom of Information Frequently Asked Questions - FAQ

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What is FOI?

The FOI Act provides, that from 21 April 1998, every person has the following new legal rights:

- the right to access official records held by Government Departments or other public bodies listed in the Act;
- the right to have personal information held on them corrected or updated where such information is incomplete, incorrect or misleading; and
- the right to be given reasons for decisions taken by public bodies that affect them.
- regulations provide parents, guardians and next-of-kin with the above rights

These rights mean that from 21 April, 1998 people can seek access to personal information held on them no matter when the information was created, and to other records created after 21 April, 1998

What are the benefits of FOI?

The Act will provide for greater access to official information by citizens. The experience of other countries with FOI legislation is that, because the records produced by public servants are more likely to be seen by the public, the process of making decisions and giving reasons for them has improved greatly.

What Bodies are covered by FOI?

Bodies listed by category which are subject to the Freedom of Information Act.

Click on the relevant link to view more information:

- [Central Government Departments & Bodies under their Aegis](#)
- [City Councils / County Councils / Borough Councils](#)
- [Town Councils \(formerly Urban District Councils\)](#)
- [Town Councils \(formerly Commissioners\)](#)
- [Regional Authorities & Regional Assemblies](#)
- [Health Service Executive](#)
- [Voluntary Hospitals](#)
- [Major Providers of Services to People with Intellectual Disability](#)
- [Major Providers of Services to People with Physical Disability](#)
- [Performance Verification Groups](#)
- [Bodies in the Third Level Education Sector](#)
- [Bodies in the Broadcasting Sector](#)
- [Fisheries Boards](#)

How does it work?

The Act requires public bodies to respond to requests from the public for information they hold. In most cases, public bodies must give their decision on a request within 4 weeks of receiving it. Also, public bodies must produce reference books setting out the structure of their organisation, the arrangements in place for providing information and any rules, guidelines or practices they use in reaching decisions that effect the public.

These books are available from the the public bodies concerned. Some public bodies will also have their reference books available on the internet and on CD-ROM.

What information can I get access to?

Any official information held by public bodies can be sought under the Act.

However, in order to allow Government business to be properly conducted, it will sometimes be necessary to exempt from release, certain types of information in some circumstances. These are set out in the Act.

Among the key exemptions are records relating to:

- Government meetings
- law enforcement and security
- confidential and commercially sensitive information
- personal information (other than information relating to the person making the request)

I'm not happy with a decision on my request – What can I do?

Requesters can appeal to the public body to re-examine their case.

The public body must have the request reviewed by someone more senior than the person who made the original decision. The reviewer can change or agree with the original decision.

If the requester is still unhappy with the decision, he or she has the right to appeal the decision to the [Information Commissioner](#).

The Commissioner has been appointed specifically to hear appeals from members of the public who are not happy with decisions made on their requests. The appeal may be subject to an up-front fee (see [FAQ Number 7](#) which details charges applicable for appeals).

Will I be charged?

The following charges apply in relation to requests for records made under the FOI Act:

Application Fees

There is no application fee if your request is for personal information only. If your request is for a record containing non-personal information, an application fee of €15 (€10 if you are a medical card holder) must accompany your request.

Search and Retrieval and Copying Fees

Fees may also be applied in respect of the time spent searching and retrieving records that are released to you and in respect of copying of such records. These fees are unlikely to arise if your request is for personal information

A charge applies to most internal and independent reviews (Information Commissioner) concerning access to non-personal records. There are reductions for medical card holders. This will be notified to you at the appropriate time by the relevant public body.

Do I need to make and FOI request to get information from public bodies?

No. Public bodies routinely make information available to the public through information leaflets, publications and in response to enquiries. This will continue.

FOI provides an additional source of information by facilitating access to records not made routinely available.

How do I make an FOI Request?

Request must be in writing to the Public Body that holds the records.

When you make a request you must:

submit the request **in writing along with the [appropriate fee](#), if applicable, to the Public Body that holds the records you are looking for** (regarding fee – see ["FAQ" number 7](#))

- specify that the request is being made **under the FOI Act**
- **be clear** enough so that the public body to whom the request is addressed understands what records are being requested. In cases where the public body is not clear what records are being requested, it must assist the requester to put his/her request in such a way that the records being sought can be identified.

Alternatively, you may download the [Application Form](#) available on this website.

Click on this link for [further information](#) on completing an FOI application form.

Each Public Body has one or more FOI Officers whose responsibility it is to handle requests made under the Freedom of Information Act, 1997.