

## ***Frequently Asked Questions***

# Freedom of Information Code of Practice for North/South Implementation Bodies and Tourism Ireland

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This publication will be made available, on request, in alternative formats as appropriate.

## **What is a Code of Practice?**

A Code of Practice is a working document that is issued by organisations to encourage good practice. It is admissible in proceedings of law e.g. tribunals and courts of law.

## **What is Freedom of Information (FOI)?**

Freedom of Information (FOI) gives you the right to request information held by public authorities. It means you may access information to help you understand how we work, spend public money and how and why we make our decisions.

## **What is the Freedom of Information Code of Practice for North/South Implementation Bodies and Tourism Ireland?**

[The British-Irish Agreement Act 1999](#) provides that a Code of Practice on FOI be developed for use by the [North/South Bodies and Tourism Ireland](#). The Code of Practice was developed by the [North South Ministerial Council](#) (NSMC) and has been in operation by the Bodies since February 2006. The Code facilitates public access to information held by the six North/South Bodies and Tourism Ireland in a number of ways subject to the categories of exempt information as set out in the Annex.

## **Why is a Code of Practice issued for North/South Bodies? Does this mean that legislation is not applicable?**

The N/S Bodies and Tourism Ireland are not subject to the FOI Act 2000 in the UK or the FOI Act 1997 (as amended) in Ireland. Instead, the Implementation Bodies Agreement made between the British and Irish Governments on 8 March 1999 (by which the Bodies were established), provides for a Code of Practice on access to information held by the Bodies. The responsible Ministers from both Governments gave consideration to jurisdictional legislation and to best practice in the area of access to information when drawing up the Code. In addition, the UK and Irish Information Commissioners were consulted on the text of the Code.

The North/South Bodies and Tourism Ireland have committed to providing an open and transparent service which is supported by the Code.

The Code is non-statutory and does not override or prejudice provisions contained in statutory rights of access to information or records in Irish, UK, EU or international law nor does it override statutory prohibitions on disclosure in particular the Data Protection Act 1998 and the Environmental Information Regulations 2004 in the UK and legislation governing Access to Information on the Environment and the Data Protection Acts 1988 and 2003 in Ireland.

## **What is the purpose of the Code of Practice?**

It is to encourage greater openness and transparency in how the North/South bodies conduct their business. It has put together a framework through which you can access records and information to support transparency and accountability.

## **Can I request information about myself?**

You can apply for access to your own personal information under the Data Protection Acts 1988 and 2003 respectively. A request for this type of information under the legislation can be made to Human Resources in writing. Formal identity may be required.

## **Do I need to make an FOI request?**

Not necessarily. **safefood** publishes a large amount of material regarding its activities through a variety of publications and its website. Much of the information is freely available either from our website or by e-mailing:

[foi@safefood.eu](mailto:foi@safefood.eu)

A list of what information is available and how it can be accessed can be found on the [Publications List](#).

## **Can I get all the information I ask for?**

There are exemptions outlined in the Annex of the Code. Some of these relate to third party information, security, personal or commercial matters for example. **safefood** will endeavour to provide as much of the information as possible, in accordance with the Code's provisions, and will notify you if it is unable to comply fully with your request.

## **How do I make a request?**

You can write to or email the address given in the Publication Scheme. In your request, you should clearly state that you are looking for information under the Code of Practice and describe the information you want as accurately as possible, as this will assist **safefood** in responding to you more efficiently and effectively.

## **What is the cost?**

Ordinarily no fees will be charged, unless a request causes an excessive amount of work for the North/South bodies. In such cases, **safefood** will reserve the right to refuse the request.

## **How long does the process take?**

Your request will be acknowledged no later than 5 working days from receipt. A decision on your request will be issued no later than 20 days from receipt of your request, unless there is a significant volume of material involved or consultation with a third party needs to take place and, in this case, the decision will be issued no later than 35 days from receipt of your request.

## **Who makes the decision to give me the information?**

Your request will be dealt with by the person who has day to day operational responsibility for FOI as detailed in the Publications Scheme. If required, they will consult with the person who has overall responsibility for the Scheme and FOI.

## **What if my request is refused?**

If your request is refused or part refused, you have the right to appeal this decision. Your appeal must be sent to the Chief Executive no later than 20 days of the receipt of the refusal. Your request will be reviewed and a final decision notified to you no later than 15 working days of the request being received.