



21 February 2007

Mr Nicholas Paul,
Ballinagoul,
Ring,
Dungarvan,
Co. Wexford.

FOI/0097/2006

Dear Mr Paul,

I refer to your request seeking an internal review under Section 14 of the Freedom of Information Act of the decision conveyed to you, on 24 January, on the above application regarding the records you requested.

I have reviewed your request for access to records held by this Department in connection with correspondence between the Irish Government and the EU in relation to non-compliance with the Habitats Directive in respect of the mixed stock salmon fishery and I have decided to uphold the original decision made by Ms Leeson.

This decision is upheld having regard to the provisions of sections 20(1) and 24(2)(e) of the Act.

You may appeal this decision by writing to the Information Commissioner at:
18 Lt Leeson Street, Dublin 2.

If you wish to appeal, you must usually do so not later than 6 months after receiving this letter. Should you write to the Information Commissioner, making an appeal, please refer to this letter.

If you make an appeal, the Information Commissioner will fully investigate and consider the matter and issue a fresh decision.

Please note that an application fee must accompany all appeals made to the Office of the Information Commissioner regarding FOI requests for non-personal records, and your appeal to them cannot be processed until the fee has been submitted. The application fee is currently €150.00 and a reduced fee of €50.00 will apply if you are covered by a Medical Card.

If claiming a reduced application fee, the request must also be accompanied by

- The Medical Card registration number
- The name of the issuing Health Board
- Your consent to the verification of these details with that Health Board.

Payment should be made by way of bank draft, money postal order, or personal cheque made payable to "The Office of the Information Commissioner"

On receipt of the fee, an acknowledgement letter will be sent to you outlining details of when you can expect a decision on your request, and the contact details of the person handling the application.

Yours sincerely,

Deirdre de Brún

Deirdre de Brún,
Inland Fisheries, Marine Leisure and Research Division
Ph: 01 678 2266



24th January, 2007

Mr Nicholas Paul
Ballinagoul,
Ring,
Dungarvan,
Co. Waterford

FOI/0097/2006

Dear Mr Paul,

I refer to the appeal you have made under the Freedom of Information Act on the decision taken regarding your recent FOI request concerning replies given by reps of the Irish Gov. to warning letters from the EU re Habitats Directive re Mixed Stock Fishery of salmon.

Your appeal was received in the FOI Unit on the 23/01/2007 along with the associated fee. A decision on your appeal will be made within three weeks of receipt of your request. This means that you can expect to receive the outcome of your appeal by the 13/02/2007.

A full and new examination of the matter will now be carried out by Ms Deirdre DeBrun, Department of Communications, Marine & Natural Resources, Leeson Lane, Dublin 2. She can be contacted at 01 6782266.

If you are not satisfied with the outcome of the appeal, you are entitled to apply for a further review by the Office of the Information Commissioner, 18 Lr. Leeson Street, Dublin 2 within six months of receiving notice of decision on the appeal. Please note the FOI charges will apply if you wish to bring your case to the Office of the Information Commissioner.

Please note that an application fee for an appeal to the Commissioner is currently €150.00 and a reduced fee of €50.00 applies if you are covered by a Medical Card.

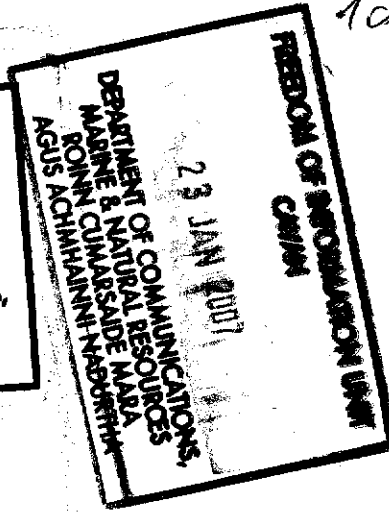
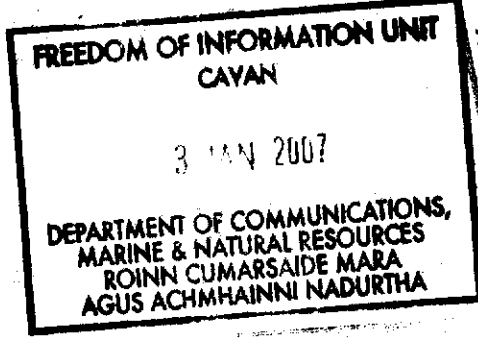
If claiming a reduced application fee, the request must also be accompanied by

- The Medical Card registration number
- The name of the issuing Health Board
- Your consent to the verification of these details with that Health Board.

Payment should be made by way of bank draft, money postal order, or personal cheque made payable to "The Office of the Information Commissioner".

Yours sincerely,

Mary Rabbitte
FOI Unit
PH: 01 6782903



Ballingaool,
Ring,
Dungarvan
Co. Waterford
20/01/2007.

A Chara,

I refer to a request, I made under the f.o.i. Act, re, Access to records held by the D.C.M.N.R. in connection with correspondence, between the Irish Government and the E.U. in relation to non-compliance with the Habitats directive in respect of the mixed stock Salmon fishery (Drift Net fishery re; Salmon)

In a letter from your Dept. dated 15/01/2007 this request was refused.

I now wish to appeal this decision to the Internal Review Board.

I enclose, money postal order in the sum of

Yours Sincerely,
Nicholas Paul



15 January 2007

Mr Nicholas Paul
Ballinagoul
Ring
Dungarvan
Co Waterford

Re: FOI/0097/2006

Dear Mr. Paul

I refer to the request you have made under the Freedom of Information Act for access to records held by this Department in connection with correspondence between the Irish Government and the EU in relation to non compliance with the Habitats Directive in respect of the mixed stock salmon fishery.

Given that the matter is the subject of infringement proceedings initiated by the EU Commission against Ireland, I am not in a position to release the information requested at this time. Accordingly, your request is refused in accordance with section 24(1)(e) of the Freedom of Information Act 1997.

I wish to advise you that, if for any reason you are not satisfied with the outcome of your request, you are entitled to seek a review of the case by appealing the decision to this Department's FOI Internal Review Board. To appeal, you need to write to Mr. Frank O'Brien, FOI Unit, Department of Communications, Marine and Natural Resources, Elm House, Earlsvale, Cavan, Co Cavan. You must make your appeal within 4 weeks of the date of this letter, but the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this Department.

Please note that an application fee for an appeal is currently €75.00 and a reduced fee of €25.00 applies if you are covered by a Medical Card.

If claiming a reduced application fee, the request must also be accompanied by

- The Medical Card registration number
- The name of the issuing Health Board
- Your consent to the verification of these details with that Health Board.

Payment should be made by way of bank draft, money postal order, or personal cheque made payable to "The Department of Communications, Marine & Natural Resources".

On receipt of the fee, an acknowledgement letter will be sent to you outlining details of when you can expect a decision on your appeal, and the contact details of the person handling the appeal.

Yours sincerely

Barbara Leeson
Inland Fisheries, Marine Leisure and Research Division
Ph: 01 6782276



19/12/2006

Mr Nicholas Paul,
Ballinagoul,
Ring,
Dungarvan,
Co. Waterford

FOI/0097/2006

Dear Mr Paul,

I refer to the Freedom of Information request received in this office on 19/12/2006 along with the associated fee.

The officer handling your request will be Ms Barbara Leeson, Inland Fisheries and Marine Leisure & Research Division, Department of Communications, Marine & Natural Resources, Leeson Lane, Dublin 2, Co Dublin. She can be contacted at 01 6782276.

A final decision on your request will normally be sent to you within 4 weeks of receipt of your request. This means that you can expect to receive your decision by the 20/01/2007.

If you have not heard from us when the time allocated has expired, you are automatically entitled to appeal to the Department for a review of the matter. This review proceeds on the legal basis that the initial request is considered to be refused once the specified time for responding to it has expired.

You should also be aware that you are entitled to a review of the decision if your request is refused, or if you are for any reason dissatisfied with the outcome of your request. The review is a full and new examination of the matter carried out by a more senior member of staff of this Department. In the event that you need to make an appeal, you can do so by writing to Mr. Frank O'Brien, FOI Unit, Department of Communications, Marine & Natural Resources, Elm House, Earlsvale Rd., Cavan. Please note that there is a charge for all appeals of FOI requests. This charge is currently €75.00. A reduced fee of €25.00 applies if you are the holder of a Medical Card.

Please note that the Department of Communications, Marine & Natural Resources has a policy of posting a summary of your request, your name and address and the subsequent reply on the Department's website for reference purposes.

Yours sincerely,

Mary Rabbitte
FOI Unit
PH: 01 6782903

Ballingoul,
Ring,
Dungarvan,
Co. Waterford,
15/12/2006.

A Chara,
Please forward to me, Copies of
Replies, given by representatives of
the Irish Government to "Warning Letters"
received by them from the E.U. re;
Habitats Directive, in relation to
Mixed Stock fishery of Salmon,
(i.e. drift-net fishing at sea for
Salmon).

Yours Sincerely,
Nicholas Paul.