

A&L Goodbody

our ref | CEY

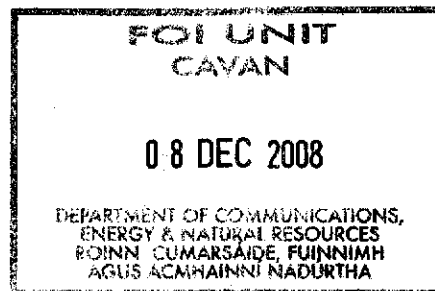
your ref |

date | 5 December 2008

Freedom of Information Officer
Department of Communications, Energy & Natural Resources
FOI Unit
Elm House
Earlsvale Road
Cavan

A&L
LG

Via post and e-mail: <mailto:FOI.Unit@dcecr.gov.ie>



Freedom of Information Act Request

Dear Madam or Sir,

Pursuant to Section 7 of the Freedom of Information Act 1997 (as amended) (**FOI Act**), we have been instructed to request that the Department of Communications, Energy & Natural Resources (**Department**) furnish us, in paper format, with a copy of each and every record (as defined by Section 2(1) of the FOI Act) or document (regardless of the media used) that was created relating to the proposed amendment (**proposed amendment**) to Section 174 of the Copyright and Related Rights Act 2000 (including any submissions commenting on or in support of the proposed amendment) and which is contained at Section 182 the Broadcasting Bill 2008 (**Bill**) (described in the margin to Section 182 of the Bill as "Collective exercise of certain rights in relation to DTT retransmissions.").

To the extent that there are any relevant records or documents, including those created prior to 21 April 1998, we also hereby request that the Department furnish us paper copies of these under Section 6(5)(a) of the FOI Act, as it is necessary for us to receive this information to understand the records or documents requested in the immediately preceding paragraph.

In order to process our request and in accordance with the provisions of the FOI Act, we have enclosed a cheque in the sum of €15.00.

Given the urgency of this request for our client in the context of the current passage of the Bill through the Houses of the Oireachtas, we would request a response to this letter as soon as possible.

Dublin Belfast London Boston New York

S.C. Hamilton	J.H. Hickson	J.G. Grennan	S.M. Deggett	S. O'Riordan	K.P. Allen	N. O'Sullivan	S. Ó Cioitín	M.F. Barr	A. Roberts	D. Main
R.B. Buckley	M.F. O'Gorman	I.B. Moore	B. McDermott	M.P. McKenna	E.A. Roberts	M.J. Ward	D.R. Baxter	A.J. Quinn	C. Wdger	J. Cahir
M.T. Beresford	C.E. Gill	J. Coman	C. Duffy	K.A. Feeney	D. Glynn	A.C. Burke	A. McCarthy	M.L. Stack	M. Dale	
R.M. Law	L.A. O'Farrell	P.D. White	D. Solap	M. Shedlock	T. Donohue	J. Given	J.E. Whelan	R. Walsh	N. Cowne	

Please acknowledge receipt of this letter in writing and do not hesitate to contact this office if you have any questions about this request.



Yours faithfully,

Art Coolidge



Department of Communications, Energy and Natural Resources
Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádúrtha

18/12/2008

A & L Goodbody
Solicitors
International Financial Services Centre,
North Wall Quay,
Dublin 1.

FOI Request Reference: FOI/2008/64

Dear Sir/Madam,

I refer to your FOI request under Section 7 of the Freedom of Information Acts, 1997 and 2003, received in this office on 08/12/2008 requesting records regarding a proposed amendment which is contained at Section 182 of the Broadcasting Bill 2008. The application was received along with the associated fee.

The officer handling your request will be Mr Joe Meleady, Broadcasting Policy Division, Department of Communications, Energy and Natural Resources, 29-31 Adelaide Road. Joe can be contacted on 016783094.

You can expect to receive your decision by the 08/01/2009.

If you have not received a decision by that time, 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. A request for a review should be addressed to the undersigned at the address shown.

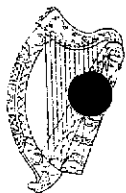
Please note the Department of Communications, Energy and Natural Resources has a policy of posting a summary of non-personal requests and decisions on the Departments website for reference purposes.

Yours sincerely,


Carmel Cosgrove

FOI Unit
Department of Communications, Energy and Natural Resources
Elm House,
Earlsvale Rd
Cavan

Phone: 01 6782902



An tAire Umraoide,
Fóireann agus Seirbhíse Náisiúna
Bailí Átha Cliath 2.

Department of Communications,
Energy and Natural Resources,
Dublin 2.

M/s. A & L Goodbody, Solicitors.
IFSC,
North Wall Quay,
Dublin 1.

Dear Sir/Madam,

I refer to your F.O.I request under the Freedom of Information ACTS, 1997 and 2003 received in the Department on 09/12/2008 requesting records regarding a proposed amendment which is contained at section 182 of the Broadcasting Bill, 2008.

As the records held in relation to this issue form part of the ongoing deliberative process, they are withheld in accordance with section 20 of the Act.

The Freedom of Information Act provides the right to appeal a decision taken under the Act within 4 weeks of the initial decision. Should you wish to make such an appeal, you can do so by writing to Ms. Carmel Cosgrove, F.O.I Unit, Department of Communications, Energy and Natural Resources, Elm House, Earlsvale Road, Cavan.

Yours sincerely,

J. Meleady.

Broadcasting Policy Division.

9 January, 2008.