



## THE LABOUR COURT

An Chúirt Oibreachais

### Re-use of Public Sector Information (PSI) Regulations

#### Introduction

The European Communities (Re-Use of Public Sector Information) Regulations 2005 (as amended by SI 103/2008 and SI 525/2015) create a statutory framework for the re-use by businesses and citizens of existing information held by public sector bodies in new products and services. The Regulations affect how information can be re-used, once it has been legitimately accessed, by placing obligations on the public sector to the benefit of re-users with the aim of boosting economic activity. It is important to note that the Regulations do **not** create any new rights of access to information.

The PSI Regulations provide for the release for re-use of information in a pre-existing format or language, and do not apply to information on which substantial work has to be done to prepare it for release for re-use. Also, the PSI Regulations do not circumscribe existing regimes in respect of copyright, intellectual property, protection of personal data or Freedom of Information (FOI), and do not permit the release of information in a manner that is otherwise prohibited by law.

The PSI Regulations, together with the explanatory guide published by the Department of Public Expenditure and Reform for public bodies on the re-use of public sector information regulations, are available at [www.psi.gov.ie](http://www.psi.gov.ie).

This Department complies with the regulations on the Re-use of Public Sector Information. We encourage the re-use of the information that is published on this website, including information made available in our [FOI Publication Scheme](#), which has been prepared in accordance with Section 8 of the Freedom of Information Act 2014. Information and documents obtained from this website may be reproduced and/or re-used subject to the latest PSI licence available at [www.psi.gov.ie](http://www.psi.gov.ie).

#### Procedures for Making a PSI Request

Under the PSI Regulations, an individual or a legal entity may make a request in a legible form to a public sector body to release documents for re-use. Every request shall clearly indicate that it is being made for the purpose of the re-use of public sector information. Every request made in a language other than Irish or English shall be accompanied by a translation of the request into Irish or English.

The Regulations provide that a public sector body shall, on receipt of a request in respect of a document held by it to which the PSI Regulations apply, allow the re-use of the document for

commercial or non-commercial purposes in accordance with the conditions and time limits provided for by the Regulations.

### How to Make a PSI Request

Requests to this Department to release documents for re-use under the PSI Regulations should be made in writing to:

Freedom of Information Unit,  
Department of Business, Enterprise and Innovation,  
Kildare Street,  
Dublin 2,  
D02 TD30.

Applications can also be made electronically to [foiunit@dbei.gov.ie](mailto:foiunit@dbei.gov.ie).

### Timelines

The PSI Regulations provide that a public sector body shall generally respond to a PSI request within 20 working days from receipt of the request. Where, due to the extent or complexity of the request, processing will take longer than 20 working days from receipt of the request, the public sector body concerned shall advise the requester accordingly within three weeks after the initial request was received. In such circumstances the public sector body should respond in full to the request within 40 working days from receipt of the request.

### Right of Appeal

The PSI Regulations provide a statutory appeals mechanism to the Office of the Information Commissioner whereby a requester may appeal against:

1. a decision of a public body to refuse to allow re-use of a document,
2. a decision of a public body to refuse to grant an exclusive right to re-use a document,
3. the imposition of a fee for re-use of a document,
4. the amount of a fee imposed, or
5. any conditions to re-use imposed by a public body.

Any appeal must be sent to the Information Commissioner in a legible form within four weeks after the notification of this Department's decision to the requester.

The Information Commissioner may grant an extension to the appeal period where he / she is of the opinion that there are reasonable grounds to allow such an extension. The Information Commissioner shall, having heard an appeal, decide whether to affirm, vary or annul the decision of the public body.

A decision of the Information Commissioner may be appealed on a point of law to the High Court.

### Further Information

Further information on the application of the PSI Regulations in this Department can be obtained from the Freedom of Information (FOI) Unit. Queries may be submitted electronically to [foiunit@dbei.gov.ie](mailto:foiunit@dbei.gov.ie), by contacting the FOI Unit at telephone numbers (01) 631 2485 or (01) 631 2115, or by writing to:

Freedom of Information Unit, Department of Business, Enterprise and Innovation, 23 Kildare Street, Dublin 2, D02 TD30.