



12th Act of 15 December 2016, amending the Provincial Environmental Information Act of Tyrol 2005

The Provincial Parliament has resolved:

Article I

The Provincial Environmental Information Act 2005 of Tyrol, Provincial Law Gazette No. 89/2005, last amended by Provincial Law Gazette No. 130/2013, shall be amended as follows:

1. In para. 1 of Section 5 the following sentence shall be added:

“If this clarification order is complied with, the request is considered to have been submitted on the day on which the more precisely worded application is received at the agency obligated to provide information.”

2. Para. 8 of Section 5 shall be deleted.

3. In para. 2 of Section 6, lit. a shall read:

“a) international relations, the maintenance of public security or comprehensive national defence;”

4. In para. 2 of Section 6, the citation “Provincial Law Gazette I No. 135/2009” in lit. c shall be replaced by the citation “Provincial Law Gazette I No. 83/2013”.

5. Paragraphs 1, 2 and 3 of Section 8 shall read:

“(1) If the environmental information requested is not at all or only to an insufficient extent provided, a decree shall be issued on this fact without undue delay, but two months after receipt of the request for information, at the latest.“ The competence for issuing the decree rests with the agency obligated to provide information, to the extent to which it carries out official tasks. Decisions on parallel requests can be taken together.

(2) The procedure for the adoption of such decree shall be subject to the procedural law applicable to the matter in which the communication of environmental information is requested.

(3) A body obligated to provide information for the purposes of Section 3 para. 1 which is not entitled to issue decrees shall without delay forward the requests for the communication of environmental information in which the requested environmental information is not at all, or only to an insufficient extent requested, to the body responsible for expert supervision, or otherwise to the district administrative authority of the district where the authority obligated to provide information has its headquarters.”

Article II

This Act shall come into force at the end of the day of its promulgation.

The President of the Provincial Parliament

van Staa

The Provincial Governor

Platter

The Member of the Provincial Government:

Felipe Saint Hilaire

The Director of the Office of the Provincial Government

Liener