

**Entire legal requirements for the Lower Austrian Nature Conservation Act 2000, version dated 27.07.2020“**

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**Article 27a**

**Electronic information system**

- (1) The notifications, correspondence, and official notices specified in Articles 27b, 27c, and 38 para. 10 shall be published and provided through an electronic information system.
- (2) Environmental organisations recognised pursuant to Article 27b para. 1 shall be provided with access to this electronic information system.
- (3) The notifications, correspondence, and official notices specified in Articles 27b, 27c, and 38 para. 10 shall be deemed delivered vis-à-vis the environmental organisations named in Article 27b para. 1 **one week after publication.**
- (4) Notifications, correspondence, and official notices shall be removed from this electronic information system no earlier than **five weeks after publication.**

**Article 27b**

**Participation of environmental organisations**

- (1) **Environmental organisations** recognised as having party status in Lower Austria pursuant to Article 19 para. 7 of the UVP-G 2000, Federal Law Gazette No 697/1993, shall be permitted to participate in proceedings pursuant to Article 10 para. 1 and 2.
- (2) The authorities shall announce the receipt of an application pursuant to Article 10 para. 1 and 2 in the electronic information system (**public notice of proceedings**). The public notice of proceedings shall indicate the type, location, scope, and use of the project and shall indicate the rights set forth in para. 3 to 6. This shall also apply to application amendments.
- (3) The **expert opinions** collected by the authorities during their investigation proceedings shall be published in the electronic information system.
- (4) Environmental organisations shall have the right to submit a written opinion on the project and on expert opinions within **four weeks after publication.**
- (5) Environmental organisations shall be entitled to **inspect the relevant records** from the date of the public notice of proceedings.
- (6) Environmental organisations that have submitted an opinion on a project or on an expert opinion within the specified period shall be entitled to file a complaint against official notices from the authorities pursuant to Article 10 para. 1 and para. 2 with the Provincial Administrative Court. If **reasons of complaint** are presented for the first time in such a complaint, these shall be admissible only if the complaint indicates why it was not possible to raise them during the objection period in the determination or official approval proceedings and if the complainant demonstrates that the fact that he failed to raise the objections during the objection period is not or only to a minor degree his fault. In cases where this cannot be demonstrated for any of the reasons of complaint, the complaint shall be rejected as being inadmissible; where, however, this only applies to some of the reasons, the inadmissible issues of the complaint shall not be addressed.

**Article 27c**

**Verification by environmental organisations**

- (1) Environmental organisations pursuant to Article 27b para. 1 shall have the right to file a complaint with the Provincial Administrative Court against official notices pursuant to Article 20 para. 4 if protected fauna and flora listed in
  - Annex IV to the Habitats Directive or
  - Annex I to the Birds Directive, or in
  - Art. 4 para. 2 of the Birds Directive,
 is affected.
- (2) The authorities shall publish the relevant official notices in the electronic information system pursuant to Article 27a. An environmental organisation shall be permitted to **inspect the administrative act for a period of five weeks** from the day of publication. The right to inspect the relevant records shall be indicated in the publication of the official notice.