

**Provincial law**  
**announcing the Provincial Law Governing Fisheries in Upper Austria (Upper Austrian Fishing Act 2020) and amending the Upper Austrian Hunting Act**

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**Article 46**  
**Court access for authorised environmental organisations**

No 697/1993, as amended in the federal law Federal Law Gazette I No 80/2018, that are granted party status in Upper Austria.

(2) In proceedings pursuant to Article 30 para. 4 and 7, the official notice containing the final decision shall be published on an electronic platform (Article 39a para. 2 Upper Austrian Nature Conservation Act 2001) that is accessible to recognised environmental organisations. After expiry of a period of two weeks following the day the official notice was published, it shall be deemed delivered vis-à-vis the recognised environmental organisations. They shall be permitted to inspect the administrative act starting on the day of publication.

(3) Recognised environmental organisations shall have the right to file complaints with the Provincial Administrative Court against official notices pursuant to Article 30 para. 4 or 7 to allege violations of the provisions of this provincial law enacted in implementation of the Habitats Directive.

(4) Complaints of recognised environmental organisations shall be submitted to the authorities in writing within four weeks from the date of delivery (para. 2).

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**“Article 91a**  
**Court access for authorised environmental organisations**

(5) Recognised environmental organisations pursuant to this provincial law shall be associations or foundations recognised pursuant to Article 19 para. 7 of the Environmental Impact Assessment Act – UVP-G 2000, Federal Law Gazette No 697/1993, as amended in the federal law Federal Law Gazette I No 80/2018, that are granted party status in Upper Austria.

(6) In proceedings pursuant to Article 48 para. 5 and 7 and Article 49 para. 3, the official notice containing the final decision shall be published on an electronic platform (Article 39a para. 2 Upper Austrian Nature Conservation Act 2001) that is accessible to recognised environmental organisations. After expiry of a period of two weeks following the day the official notice was published, it shall be deemed delivered vis-à-vis the recognised environmental organisations. They shall be permitted to inspect the administrative act starting on the day of publication.

(7) Recognised environmental organisations shall have the right to file complaints with the Provincial Administrative Court against official notices pursuant to Article 48 para. 5 and 7 or Article 49 para. 3 to allege violations of the provisions of this provincial law enacted in implementation of the Birds Directive or Habitats Directive.

(8) Complaints of recognised environmental organisations shall be submitted to the authorities in writing within four weeks from the date of delivery (para. 2).”

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**Article III**  
**Entry into force and transitional provisions**

(1) For environmental organisations that submit an application for the information required to access the electronic platform pursuant to Article 39a para. 2 Upper Austrian Nature Conservation Act 2001 within four weeks after this law enters into force, the official notices published on the electronic platform pursuant to Article 46 para. 2 Upper Austrian Fishing Act 2020 and Article 91a para. 2 Upper Austrian Hunting Act, each as amended in this provincial law, shall be deemed delivered after expiry of a period of two weeks after the provision of the information required to access the electronic platform.

(2) Environmental organisations that have obtained access authorisation for the electronic platform

pursuant to

Article 39a para. 2 Upper Austrian Nature Conservation Act 2001 via the procedure set forth in para. 3 can within a period of two weeks after the date on which they are provided with the information necessary to access the electronic platform request the delivery of official notices concluding proceedings pursuant to Article 46 para. 2 Upper Austrian Fishing Act 2020 and Article 91a para. 2 Upper Austrian Hunting Act, each as amended in this provincial law, that came into force between 23 November 2017 and the time at which this provincial law entered into force. They shall have the right to file a complaint with the Provincial Administrative Court within four weeks after delivery by way of written notice to the authorities. The recognised environmental organisation shall be permitted to inspect the administrative act starting on the day of publication.