

Environmental Information Regulations 2004 (EIR)

Decision notice

Date: 29 August 2023

Public Authority: Secret Intelligence Service

Address: P.O. Box 1300
London
SE1 1BD

Decision (including any steps ordered)

1. The complainant requested information from Secret Intelligence Service (the public authority). By the date of this notice the public authority had not issued a substantive response to this request.
2. The Commissioner's decision is that the public authority breached regulation 5(2) of the EIR by failing to provide a valid response to the request within the statutory time frame of 20 working days. No steps are required.

Request and response

3. On 23 May 2023, the complainant made the following request for information to the public authority:

"1. The amount of CO₂e produced by MI6, broken down by Scope 1, 2 and 3 emissions during 2021 and 2022.

2. A list of activities that are included in your scope 3 emissions calculations."
4. The public authority responded to the request for information on 17 August 2023.

Reasons for decision

5. Regulation 5(1) of the EIR states that:

"a public authority that holds environmental information shall make it available on request."

6. Regulation 5(2) of the EIR states that:

"Information shall be made available under paragraph (1) as soon as possible and no later than 20 working days after the date of receipt of the request."

7. From the evidence provided to the Commissioner in this case, it is clear that the public authority did not deal with the request for information in accordance with the EIR. The Commissioner's decision is that the public authority has breached regulation 5(2) by failing to respond to the request within 20 working days.

Right of appeal

8. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

9. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
10. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Michael Lea
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