

LAWFULNESS, FAIRNESS AND TRANSPARENCY TEST

DAERA26-310

Environmental Information Regulations 2004 (EIR)

Request Details

Department to provide the minutes of the following ministerial meetings which took place from October 2025 to the end of December 2025.

If there were briefings given to the Minister prior to or after the meeting, I would also like to see those.

1. Claire Hanna - to discuss Lough Neagh
2. David Holmes to discuss odour issues at Warrenpoint Harbour Authority
3. Gavin Robinson about Lough Neagh.
4. First Minister Michelle O'Neill.
5. Orlaithi Flynn at Colin Glen Park
6. Rob Williams, British Vet Association.
7. Mary Lou McDonald.
8. William Irvine from UFU.
9. Nick Shaftesbury to discuss Lough Neagh.
10. Stewart Dickson about beaches.

Brief description of the Personal Data falling within the scope of the request

The requester has sought minutes of meetings and briefings between the Minister and a number of named individuals.

The minutes and briefings of those meetings contain names of officials below Grade 5 level and also names of others who attended the meetings. The minutes and briefings have been reviewed and redacted as necessary for names of individuals who are not officials at Grade 5 level and above and those who appear to be junior members of the organisations meeting with Minister.

LAWFULNESS

Please identify the lawful bases for processing

Personal data is processed when it is lawfully disclosed in response to an EIR request.

The lawful bases for processing are set out in Article 6 of the GDPR and the ICO expects at least one of two lawful bases (Consent / Legitimate Interest) to apply before the personal data held can be disclosed.

- Consent:** This will apply when the data subject(s) clear consent exists that allows you to disclose the personal data falling within the scope of this request.

- **Legitimate interests:** the processing is necessary for the Department's legitimate interests or the legitimate interests of a third party that overrides the data subject(s) rights and freedoms, particularly their right to privacy.

Consideration of Legitimate Interests

1. PURPOSE

Regulation 12(3) and 13(1) of EIR 2004 – Personal Data of which you are not the data subject

As the disclosure of personal data under EIR is a disclosure to the world at large, doing so on the strength of a requester's private interests alone could constitute a disproportionate and unwarranted level of interference with the data subject(s) rights and freedoms, particularly their right to privacy and family life under the Human Rights Act 1998.

2. NECESSITY

The right of access under EIR does not in itself constitute a **pressing social need**.

The Department has considered and not identified any such need for the data subject's right to privacy to be interfered with.

CONCLUSION

Having considered all of the information contained within this test, the Department has established that, on balance, no lawful basis exists for the disclosure of third-party personal data falling within the scope of the request of which the requester is not the data subject.



JOSEPH KERR
EMFG EXECUTIVE SUPPORT BRANCH