



KLA RESIDENCE, MONT-FLEURI, THIRD FLOOR

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ANNUAL REPORT 2019-2021



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This report has been designed, compiled and published by the Information Commission of Seychelles for the purpose of highlighting its key activities and progress for the year 2019 to 2021.

This annual report presents a summary of the activities conducted under Access to Information Act, 2018 and comprises compiled statistics from public bodies for the Information Commission on the following matters:

- > Compliance audit findings report
- > Requests for information received
- > Request handling
- > Timeliness of responses
- > Requests for Reviews received
- > Complaints
- > Appeals

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OVERVIEW

The Information Commission officially came into existence in 2018 in conjunction with and guided by the Seychelles Access to Information Act, 2018 (ATIA hereafter). It began to function in 2019 with the initial phase focused on establishing its operations and instituting the ATIA. Together, the Information Commission and ATIA function to promote good governance and are the primary tools to aid the access of information held by public authorities performing a governmental function in Seychelles.

Powers

The Information Commission has the power to determine the nature, process and undertakings necessary to discharge its mandate in terms of this Act, including all work necessary for the promotion, monitoring and protection of the right of access to information.

The Information Commission has, at its own discretion, the power to —

- Resolve a matter through negotiation, conciliation or mediation where it deems such recourse appropriate;
- Determine the need for, form of and type of investigation required for the determination of any matter; and
- Authorise or undertake any such action it deems necessary or appropriate for the execution of its mandate under this act.
- Determine and issue general directions for the hearing of a matter, including notification of parties;
- Issue specific directions where issues of sensitivity to the state are concerned;
- Issue specific directions in matters concerning confidential information or minors or circumstances which it deems appropriate for such action;
- Decide on all matters relating to the need for form of, issuing and service of notices and communications; and
- Decide on issues of representation where necessary.
- Issue written orders obliging the production of information;
- Examine, reproduce, take extracts from or hold information for as long as is necessary;
- Require the production of information to which access has been refused on the basis of an exemption under part iii, for the purpose of deciding whether it is an exempt document;
- Limit access to information by the parties in terms of this act; and
- Take any such other action or issue and serve notices as may be appropriate for the resolution of any matter before it.

OUR VISION

“Actively and responsibly, support the people of Seychelles realize their constitutional rights to information and collectively advance a culture of good governance”

OUR MANDATE

To foster good governance through enhancing transparency, accountability, integrity in public service and administration, participation of persons in public affairs, including exposing corruption, to recognise the right of access to information envisaged in Article 28 of the Constitution and for matters connected therewith and incidental thereto.

MEET THE BOARD OF COMMISSIONERS



MUMTAZ HASAN

CHIEF INFORMATION COMMISSIONER



ANTONIO LUCAS

INFORMATION COMMISSIONER



DESIRE PAYET

INFORMATION COMMISSIONER

CHIEF INFORMATION COMMISSIONERS FOREWORD

The 2019-2021 combined annual report is the first for the Information Commission since it was established under the Access to Information Act, 2018 (ATIA).

Although delayed this foundational report remains relevant and of significant importance. It aims to provide an open view and greater public understanding into the activities of the Information Commission as well as ensure back dated compliance to Section 70 of the ATIA which states that 'The Information Commission shall, as soon as possible after the expiration of each financial year and in any event not later than the 31st day of March of any year, submit to the Minister, and the Minister responsible for Finance; an annual report dealing generally, with the administration and its activities during the preceding financial year and the Minister shall cause the report to be laid before the National Assembly. '

The period 2019 to 2021 saw many tests, accomplishments, and transitions. The world and with it the Information Commission went into lockdown early 2020 with the threat of a global covid pandemic. Despite these challenging circumstances the Information Commission adapted and continued to progress steadily. I would like to especially acknowledge the contribution of the late Chief Information Commissioner, Mr. John Richardson, in his tenure from 2019 to early 2021. I would also like to thank the many Information Officers, Head of Information Holders, partners and the Information Commission team. It has been visible in this period that wide positive impact can be achieved by collectively working together.

As we leap forward, I honor the past legacies and continue with a momentous spirit to act to strengthen connectivity, teamwork and collaborations, modernize our processes, deliver ethical and professional services, and boost overall capacity in anticipation of future demands.

I invite all members of the public and organizations who may be curious about our activities and interested to engage in promoting good governance to contact us, join in our outreach campaigns and follow our informal updates on social media.

A WORD FROM THE CEO

I am pleased to present to you the 2019 to 2021 Annual Report of the Information Commission. Our performance for the reporting demonstrate exciting moment since the enactment of the Access to Information Act, 2018.

Since the operation of our office in August 2019, it has been very interesting having such law, which allows the public of Seychelles to be able to have the right to be able to request information.

During the three years, we have faced with the public health crisis caused by the pandemic, which has affected everyone including the Commission. We have all had to make changes like many organisations; the Commission had to shift the focus of our work and resources.

The work of our office have certainly not been immune from the impact of these changes, the importance of the right of information remain as one important mandate of the Commission.

With the small capable team at the Commission, on many occasion we had to help each other to be able to meet the needs and requirement of our mandate. Our objectives and goals remain the same to ensure that continued support is provided to the Information Officers and entities to ensure that the Access to Information remains one their priority.

Emphasis should be put more on the importance of creating records. Without the records in the first place, there would be no information to provide to the public. Therefore, our outreach session has been based mainly on the concept of ensuring support and records management is maintained at all times and also the way information is provided to the public. However, public authorities need to recognise the importance of letting the public know what we are doing and why, this will summarized the importance of good governance, accountability and transparency.

My office will certainly continue to be there to encourage and help other authorities to adapt their ways of working, learn from their challenge and update their practices to ensure that the people can easily access the information that matters to them.

On another note, the Commission continues to strengthen the links with our stakeholders and as the Chief Executive Officer, I am proud on the continuous development of the Commission.

MEET THE IC TEAM



Thereza Dogley
Chief Executive Officer



Jean-Marc Lablache
Attorney At Law



Dina Antoine
Administrative & Information Officer



Rashikah Didon
Office Assistant



Mina Accouche
Information Analyst/Auditor



Mina Labiche
Records Officer



Aldrick Freminot
Driver/ Messenger

LET'S HEAR FROM THE EMPLOYEES

"I have been working with the Information Commission since its establishment in August 2019 as an Administrative Officer. My job is to provide administrative and support service to the Commission in overseeing and undertaking office management, procurement, supply management, asset management, facilities management and vehicle management. This includes the monitoring of contracted out services of housekeeping and security. I enjoy working at the Commission, as we are a small team and have a good team spirit, which enables us to deliver our tasks to a high standard in transparency and accountability."

Dina Antoine

Administrative Officer and Information Officer

"It is a pleasure working with a young and dynamic workforce. The commission's mandate to foster good governance and expose corruption in the public service tests our integrity and rectitude, and allows me to be of service to others. The commission has encountered many challenges but managed to overcome each difficulty with teamwork. Looking forward to what the next year entails."

Mina Accouche

Information Analyst / Auditor

"I have been working with the Information Commission since 2019 as a Driver/Messenger. I enjoy my work and the friendly working environment. We work well as team and understand each other."

Aldrick Freminot

Driver/Messenger

"Since I have been working with Information Commission, it has been a great experience for me. I have been able to be involve with different public entities, specially the Information Officers which I communicate on a daily basis. My duties as a Records Officer is to process, storing, retrieving and managing hard copy and digital records and information for the Commission. However, I am still learning a lot and improving in my field of work. Working as a team takes us further to gain our goals. We work well together and understand the strength and weakness of eachother."

Mina Labiche

Record Officer

"Working at the Information Commission gave me an opportunity to develop my career as I am in the process of following a course in Certificate in Human Resources. I consider myself being more confident, self-motivated, responsible person who enjoys working as a team. I am honored to be a part of the support group in which makes the commission progress in its daily operation."

Rashikah Didon

Office Assistant



ESKI OU TI KONNEN?

I ou drwa fondamantal pou ganny akse ek lenformasyon.

DID YOU KNOW?

It is your fundamental right to get Access to Information.



INFORMATION COMMISSION

KLA Residence, P.O. Box 1342, 3rd Floor, Mont – Fleuri

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Website: www.infocom.sc

ACTIVITIES

CELEBRATES UNIVERSAL ACCESS TO INFORMATION DAY

On the occasion of International Universal Access to Information Day 2019, the Information Commission hosted a brief ceremony at the International Conference Centre of Seychelles on 27 September, Mr. Vincent Meriton who was the Vice President highlighted the milestones in terms of Access to Information in Seychelles.

The ceremony commenced with a brief introduction of the Information Commission by chief information commissioner Mr John Richardson who introduced Mr Antonio Lucas and Mr Desire Payet as commissioners and Ms Thereza Dogley as the Chief Executive Officer.



WORLD BANK REP DISCUSSES ACCESS TO INFORMATION WITH LOCAL MEDIA



Dr. Victoria Lemieux, senior public specialist from the World Bank, conducted a debriefing session with journalists. The debriefing session organised by the Commission to apprise the press of the ATI Act, which enacted in July 2018.

In the session were representatives from the Seychelles News Agency, Seychelles Broadcasting Corporation (SBC), Seychelles NATION, The Independent, Today in Seychelles and TéléSesel.

It was an opportunity for journalists to clarify doubts and demand more explanations on how the Act functions, the roles of information officers and the procedures to request information among others. Several journalists picked up from this when detailing the challenges they face when requesting for information through information officers in certain public agencies.

INFORMATION OFFICERS GET BETTER INSIGHT INTO ACCESS TO INFORMATION ACT

The half-day workshop organized by the Information Commission was held on the 31st October 2019 at the Seychelles Trading Centre (STC) conference room.

The workshop was purely to train the Information Officers on their responsibilities under the Access to Information (ATI) Act so that they understand better, what they must do to make information available to the public and how they should go about releasing the requested information.

It was also an opportunity for the Commission to get input and feedback from the Information Officers on the "How to Manual" which was being drafted to support them in fulfilling their duties.

The workshop was facilitated by Dr Victoria Lemieux, Senior Public Specialist from the World Bank.



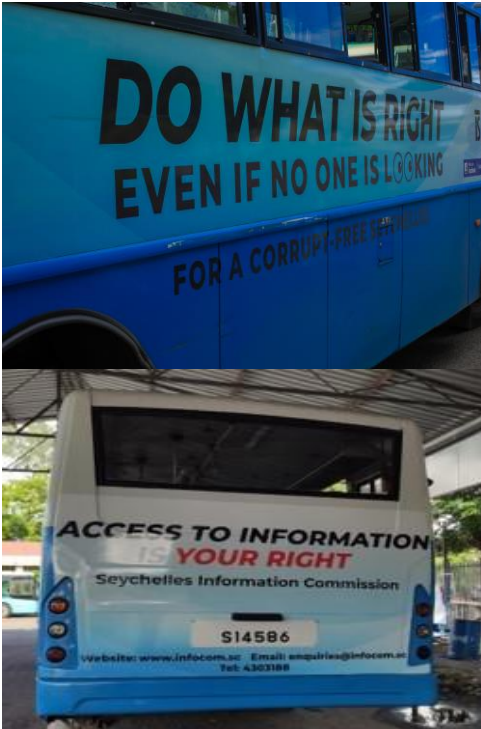
Transparency Initiative Seychelles (TIS) Meets with IC

On the 12 November 2019, Transparency Initiative Seychelles (TIS) meet with the Commission. TIS is an independent association that has been advocating for more transparency, good governance and accountability in Seychelles since October 2016. It was an opportunity to have a discussion and TIS fully support the mandate of IC. During the discussions, the two entities



enlightened each other on their current projects and agreed to support each other in areas where their respective mandates meet. TIS was represented by the Chairman Mr. Chrystold Chetty and the Project Coordinator Mrs. Marie-France Watson while Mr. John Richardson, who was the Chief Information Commissioner and Thereza Dogley CEO Represented the IC.

Bus Campaign



The Commission collaborated with the Transparency Initiative Seychelles (TIS) with the intention that it would be an active and accessible way to disseminate the message to the public and raise awareness apart from the traditional methods of promoting a slogans about Access to Information. The slogans are:

**“Do what is right, even if no one is looking.
Touzour fer sa ki byen, menm si napa lizye lo ou.
Access to Information is your right”**

The launched was in May 2020, Commission looks forward for more collaboration with the stakeholders of promoting the good governance.

Launching of the “How to Manual”



Mr. Richardson who was the Chief Information Commissioner presents the first edition of the “How To” Manual in terms of the Access to Information Act, 2018 (the “ATI Act”) in September 2020 to celebrated the Universal Access to Information day.

The intention is to provide an easy guide to follow for all users including the (Information Officers, Heads of Information Holders, most importantly the general public, to the workings and procedures of the Access to Information Act, 2018.

The Manual was presented on the 28th September 2020 to Mr. Meriton who was the Vice president. The Manual has also been be published on our website.

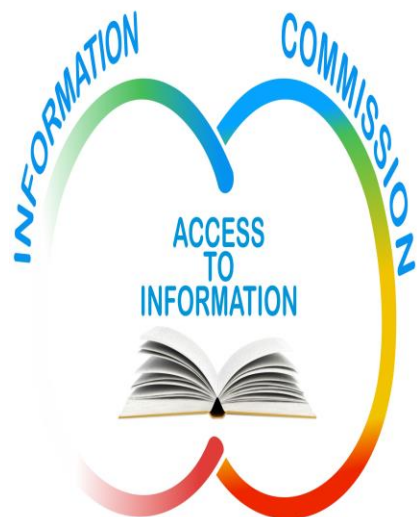
Training of Information Officers

During the pandemic phases, of year 2020 and 2021 a series of workshop with a small group of Information Officers from different organisations were organised. The workshop was held with the aim of giving participants an opportunity to reflect on the importance of the Access to Information law, the handling and various stages of requests, dealing with nuisance or vexatious requests, identifying and understanding exceptions and the various requirements and roles of Information Officers.



Chief Executive Officer of the Commission, Ms Thereza Dogley, facilitated the half-day session, taking participants through activities and interactive sessions, whereby they shared their own experiences in discharging their functions, and the challenges they face.





INTERNATIONAL DAY FOR UNIVERSAL ACCESS TO INFORMATION 28 SEPTEMBER



ACCESS TO INFORMATION IS OUR FUNDAMENTAL RIGHT

#RightToKnow

#AccessToInfoDay

OUTREACH SESSION IN MDA's

The Commission find it necessary to ensure that MDA's is well prepare and fully understand the role and importance of having the ATI law and support they required to provide to the Information Officer's. To be able to achieve this, the Commission conducted a series of outreach with different MDA's.



Department of Risk Management



Family Department



Agency for Seychelles Protection



Seychelles Licensing Authority

NOTES TO FINANCIAL STATEMENTS 2019 TO 2021

NOTES TO THE FINANCIAL STATEMENTS FOR THE PERIOD YEAR ENDED DECEMBER 2019

1. Significant Accounting Policies

The significant accounting policies adopted in preparing the financial statements.

(a) Statement of Compliance

The financial statements of the Information Commission are prepared in accordance with generally accepted accounting practice in the Seychelles.

(b) Measurement basis and accounting policies applied

The measurement basis used is cash basis and the financial statements have been prepared on a going concern basis.

2. Appropriations/ Allocations

All expenses for the period under review was paid for by the Government.

4. Fixed Assets

The details of fixed assets are recorded in registers as required by PFMR, 2014 and Accounting Manual, and are under the control of the entity.

5. Variations between the budget and actual

Material variations between the budget and actual are explained below:

6. Wages & Salaries

The first appointment was carried out in 3rd Quarter, for the post of Chief Executive Officer, Administrative Officer and Records Officer. The remaining appointments were carried out in the 4th Quarter in October and November 2019 for the post of Driver/Messenger and Office Assistant.

7. Office Expenses/Maintenance & Repairs/Good & Services/Non-Financial asset

The office was operated in third quarter 2019.

8. Transportation & Travel costs

The only travel expense was made in the 4th Quarter by the Chief Executive Officer to attend the Freedom of Information conference.

NOTES TO THE FINANCIAL STATEMENTS FOR THE PERIOD YEAR ENDED 31 DECEMBER 2020

1. Significant Accounting Policies

The significant accounting policies adopted in preparing the financial statements are as follows:

(a) Statement of Compliance

The financial statements of the Information Commission are prepared in accordance with cash basis IPSAS practice in the Seychelles.

(b) Measurement basis and accounting policies applied

The measurement basis used is cash basis and the financial statements have been prepared on a going concern basis.

2. Appropriations/ Allocations

All expenses for the period under review was paid for by the Government.

3. Fixed Assets

The details of fixed assets are recorded in registers as required by PFMR, 2014 and Accounting Manual, and are under the control of the entity.

4. Variations between the budget and actual

Material variations between the budget and actual are explained below:

Office Expenses

Savings has been made, in view, that in the first quarter of the year 2020, we had a health emergency and we were working from home.

Transportation & Travel costs

Savings has been made, in view, that the revised budget and all travel expenses were frozen. Further to this, there was no need for hire of vehicle for the year 2020.

Machinery & Equipment's

Significant savings were made, as we catered for the office expenses in the fourth quarter of the year 2019 and there was no need for significant purchase for the furniture and IT equipment for the office.

NOTES TO THE FINANCIAL STATEMENTS FOR THE PERIOD YEAR ENDED 31 DECEMBER 2021

1. Significant Accounting Policies

The financial statements have been prepared in accordance with Cash basis IPSAS "Financial reporting under the cash basis of accounting". The accounting policies have been applied consistently throughout the period.

(a) Statement of Compliance

The financial statements have been prepared in accordance with the Public Finance Act 2012, which requires that the financial statement be prepared in accordance with International Public Sector Accounting Standards (IPSAS).

(b) Measurement basis and accounting policies applied

The measurement basis used is cash basis and the financial statements have been prepared on a going concern basis.

2. Appropriations/ Allocations

All expenses for the period under review was paid for by the Government.

3. Fixed Assets

The details of fixed assets are recorded in registers as required by PFMR, 2014 and Accounting Manual, and are under the control of the entity.

4. Variations between the budget and actual

Material variations between the budget and actual are explained below:

Descriptions	Budget-SCR	Actual-SCR	Comments
Transportation and Travel Costs	15,050.00	10,050.00	In view that the Landlord did not agree to reduce the rent as per government request, the commission had to vire to cater for the deficit. Furthermore, the budget for the Hire for Vehicles was not spent.
Maintenance and Repairs	26,752.33	23,840.85	Budget has not been spent for the printing equipment, however the purchase for photocopier was instead catered under the code of Acquisition of Printing Equipment.

ESKI OU TI KONNEN?

Ou kapab fer en demann pou akse ek lenformasyon an ekriir avek en zofisyè lenformasyon dan bann lenstitisyon piblik.

DID YOU KNOW?

You can make an access to Information in writing with an Information Officer in the Public body.



INFORMATION COMMISSION

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AUDITOR FINDINGS

From the audit conducted on the 2018-2021 records of different MDA's, several non-compliance practices were observed at various organisations. This involved failure to submit annual returns, discrepancies in figures being submitted, incorrect statistics being recorded, failure to assist requestors and information being provided outside of the time frame, just to name a few.

Findings:

Several newly appointed Information holders failed to understand the importance of the act hence the Commission had to step in to mediate matters with the requestors.

Lack of proper storage at various organisations were also observed. This can result in compliance risks due to mishandling of information, loss of data and time and efficiency loss to search for documents.

Recommendations:

The Commission will be working on fine parameters to deter future practices in the near future to ensure compliance to the act is being adhered to at all times.

However, many organisations has shown improvement over the years due to the Commission continued effort to sensitize the Information Officers as well as their respective information holders on the Access to Information Act, 2018. Different templates have also been issued to facilitate their work and provide support and clarifications as needed.

ESKI OU TI KONNEN?

Ler ou fer en laplikasyon avek en zofisye lenformasyon ou annan 48 ertan oubyen 21 zour pou ganny en larepons.

DID YOU KNOW?

When you make an application with the Information Officer you have 21 days or 48 hours to get a reply.



INFORMATION COMMISSION

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STATISTICAL REPORT 2018-2021

TABLE 1: STATISTICS YEAR 2018 TO 2021

Ministry/Department /Organization	Total 2018/2019	Total 2020	Total 2021
Total Number of Public Bodies	112	121	137
The total number of ATI requests for access received;	2627	1274	1173
The number of request for personal information	545	323	117
The Number of request for public domain Information	N/A	264	120
The number of request for third party information	N/A	146	181
The number of request for commercial and confidential Information	N/A	32	11
The number of request for law enforcement information	N/A	1	523
The number of request for privileged documents	N/A	11	3
The number of request for protection of life and safety of an individual information	N/A	0	0
The number of request for National Security and defence	N/A	2	0
The number of request for International relations	N/A	12	28
The number of request for Economic interest of the state	N/A	25	6
The number of request for Academic or professional examination and recruitment process information	N/A	183	145

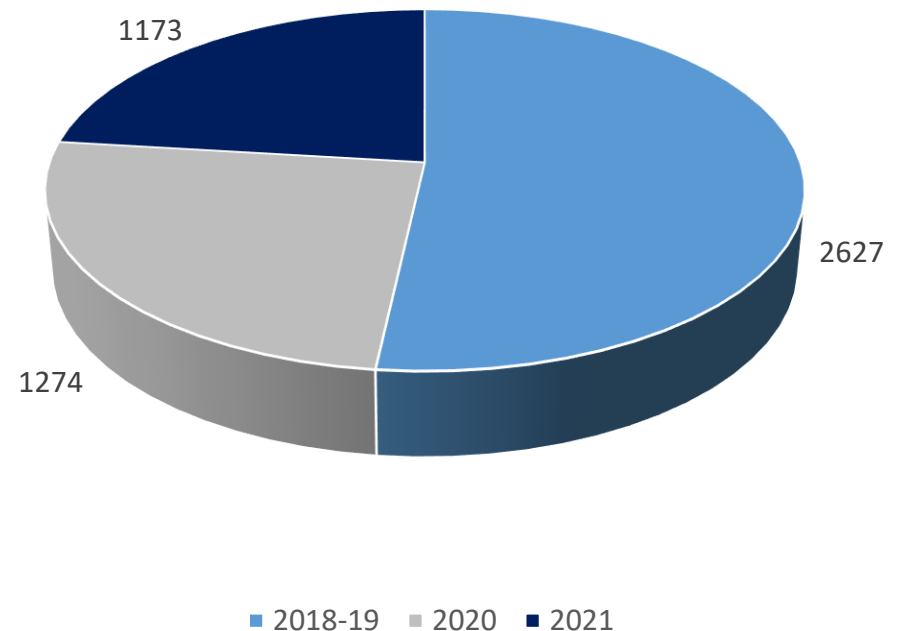
Ministry/Department /Organization	Total 2018/2019	Total 2020	Total 2021
The number of requests for access granted in full;	2372	1116	743
The number of requests for access refuse in full;	15	15	11
The number of requests for access refuse in part;	11	34	21
The number of times each provision of Part III (EXEMPTIONS) was relied on to refuse access in full;	15	34	13
The number of times each provision of Part III (EXEMPTIONS) was relied on to refuse access in part;	N/A	3	9
The number of cases in which the periods stipulated in section 11 were extended in terms of section 12;	41	7	31
The number of review applications lodged with the head of the information holder;	3	7	12
The number of reviews lodged on the ground that a request for access was regarded as having been refused in terms of section 14;	2	1	7
The number of cases in which, as a result of a review, access was given to information;	3	4	7
The number of request transferred to another Public Body	N/A	24	29
The number of request abandoned after request	N/A	5	10
The number of request but no records exist	N/A	80	74
Number of Appeal received by the Commission	6	4	3
Number of Complaint received by the Commission	1	4	0

KEY STATISTICS –ATI 2018-2021

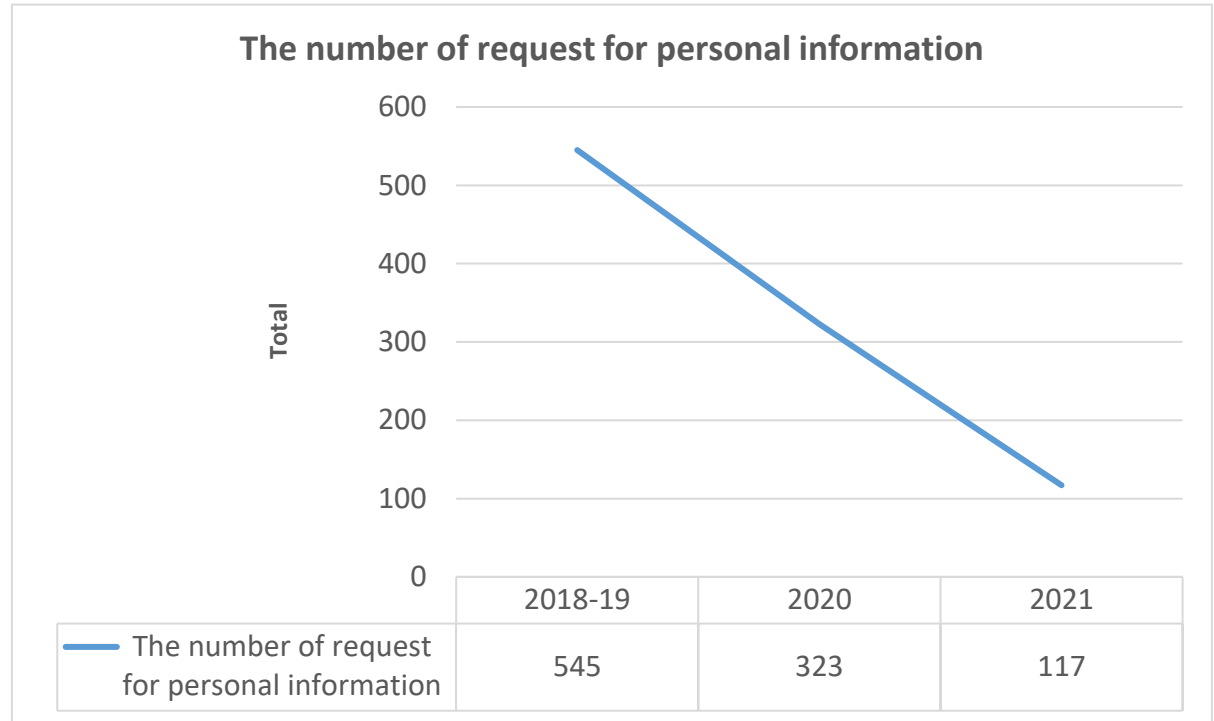
There were 1,274 requests for information received in 2020; this is a decrease of 51.5% from 2018/2019. This could be attributed to members of the public seeking for information which were not previously available but made possible with the introduction of the act.

During 2021, a total of 1,173 information requests were recorded, which shows a further reduction of 7.9% in information requests despite the Commission's numerous attempts to sensitize the public on their right to access to information/as a result of COVID restriction which deterred people from visiting the various government offices/public employees misguiding members of the public on what type of information is personal and those which is accessible as it is a public information.

The total number of ATI requests for access received



A total of 545 requests for personal information were received for the year 2018-19, 323 for the year 2020 and 117 for the year 2021. This could be as a result of Information Officers proactively disclosing information on various platforms like salary brackets on their websites.



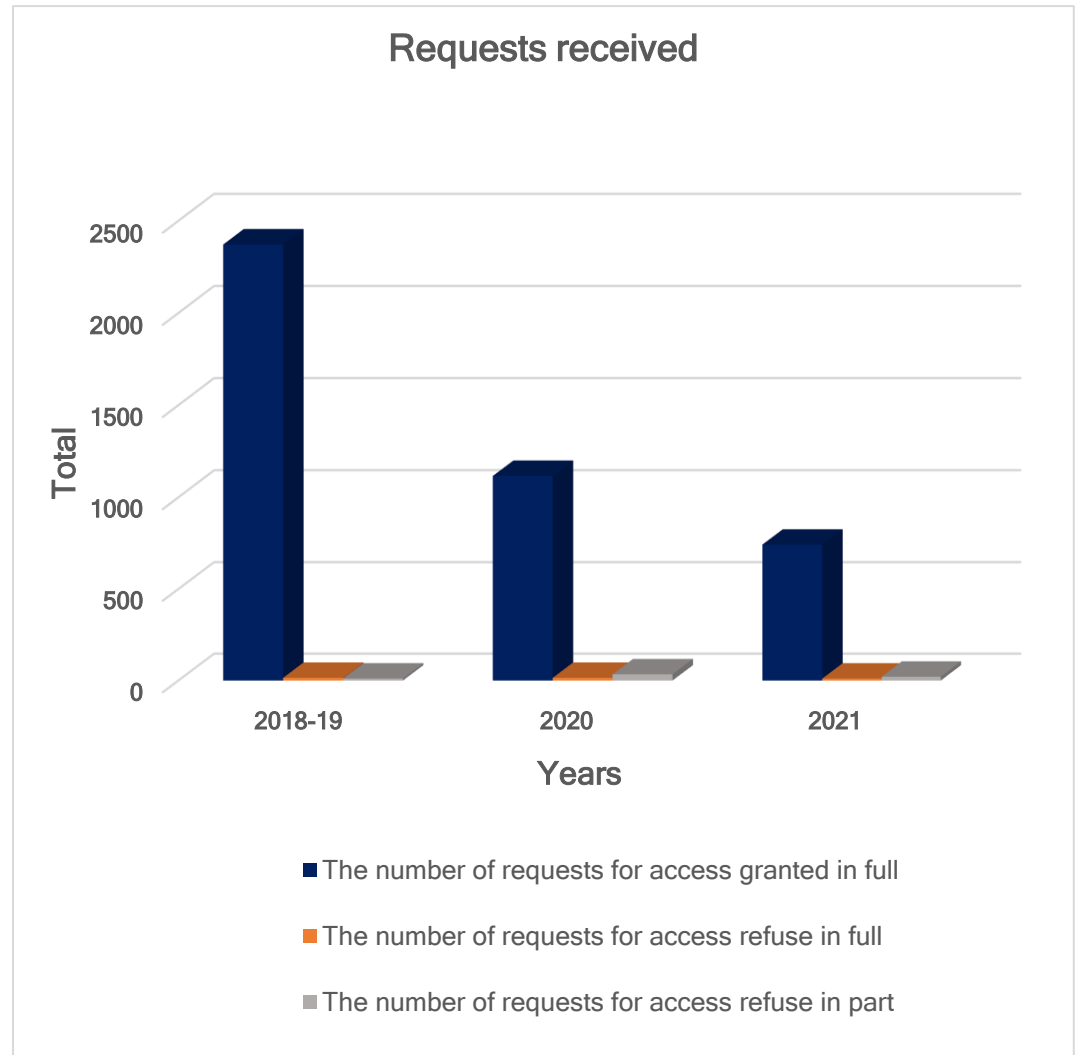
ATI REQUESTS RECEIVED

For the years 2018-2019, a total number of 2,372 requests for access were granted in full, compared to the year 2020 and 2021 whereby 1,116 and 743 requests were given full access respectively. The reduction in access being granted in full were mostly as a result of members of the public seeking for information which were classified as personal.

In the course of 2018-2020, 15 requests were refused in full per year as compared to 11 refusals in 2021. The slight decrease was as a result of refusals granted on the grounds that the information sought was exempt under Part 3 of the Access to Information Act 2018.

In 2018-19, a recorded number of 11 requests were refused in part. There was an increase of 23 part refusal for the year 2020 and a further decrease of 13 requests.

This was as a result of information which were partly sensitive in nature, hence the Information Officers had to provide partial information in order to comply with the act.

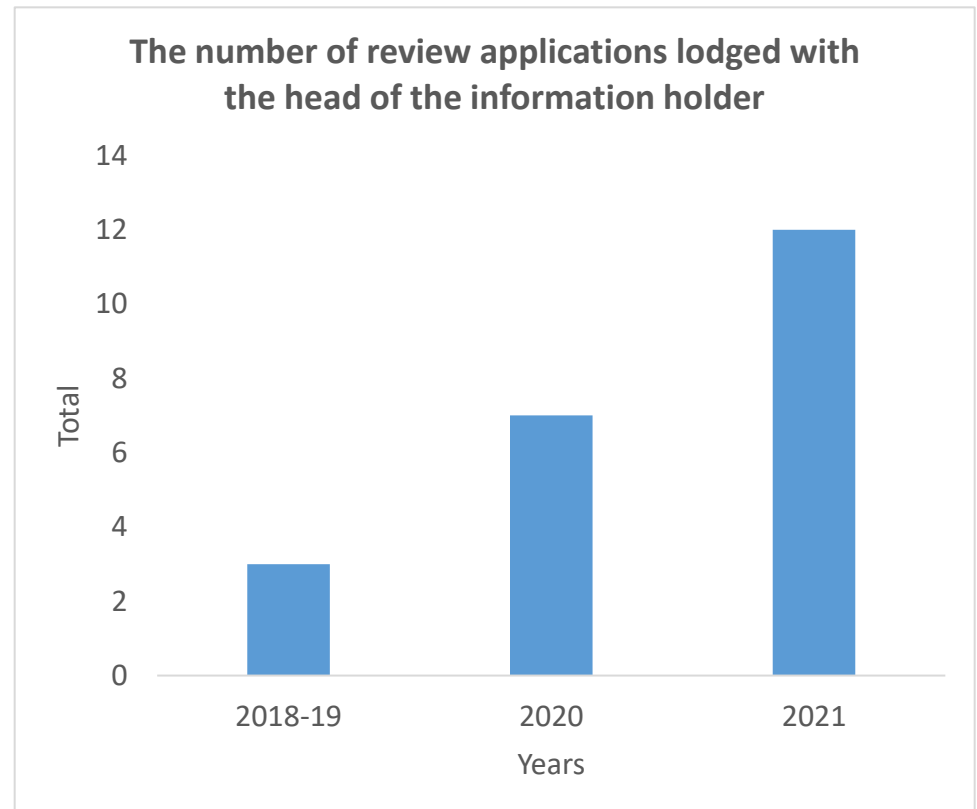


REVIEW WITH THE HOIH

Pursuant to Section 34 of the ATIA, the Head of the Information Holder may, on application, review a decision taken by the Information Officer. The Head of Information Holder will have to give a response within the 15 days stipulated by the Access to Information Act, 2018.

Key Statistics

- There were 3 requests for review recorded in 2018-2019, with a slight increase in 2020 where 7 applications were made. 2021 further increased to 12 reviews made to the Head of Information Holders.



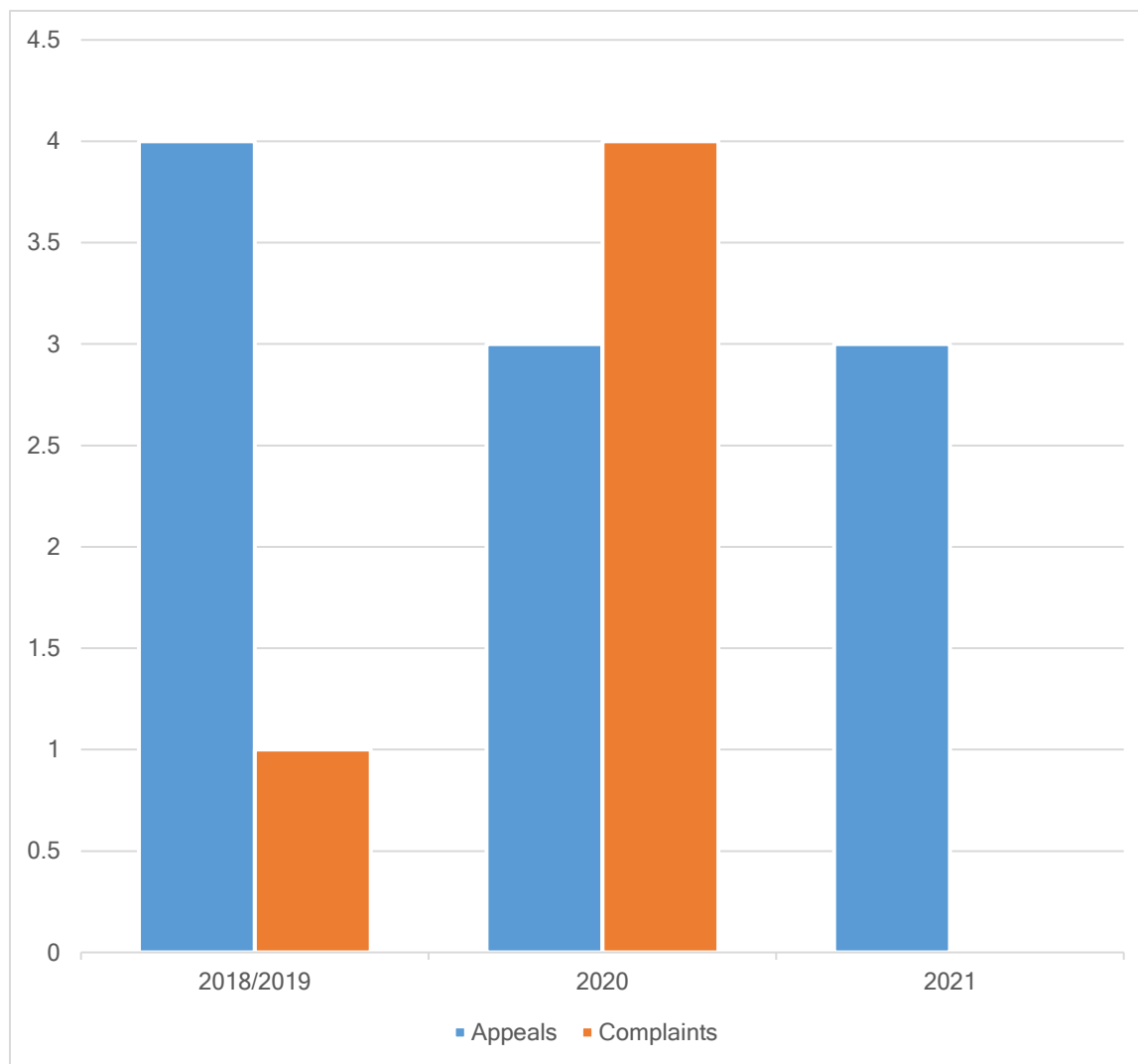
APPEALS AND COMPLAINTS TO THE COMMISSION

Pursuant to section 58, a requestor or a third party may appeal against the decision of the Head of the Information Holder in writing to the Information Commission.

During the year 2018/2019, four (4) appeals and one (1) complaint was made to the Commission. Upon Consultation and investigation all four appeals information was granted for release in accordance to the ATI law.

For the year 2020, a total of three (3) appeal and four (4) complaints was made to the Commission. All three appeal was granted approval for released, the four complaint was resolved accordingly, and this was of the no acknowledgment of an ATI request.

In 2021, three (3) appeals and zero (0) complaint was recorded and this show that the upskilling and knowledge of Information Officer to be more compliant towards providing information.



ACCESS TO INFORMATION

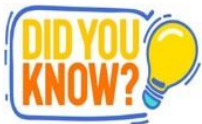
What You Need To Know To Get What You Need

THE ACCESS TO INFORMATION ACT, 2018

Access to information is a fundamental human right which establishes that everyone can access information from public bodies.

The Access to Information aims is to, foster Good Governance through improving:

- Transparency
- Accountability
- Integrity In Public Service And Administration
- Exposing Corruption
- Increase transparency, and improve public trust, in the workings of public authorities.



- Seychelles Access to Information Act came into effect in 2018.
- Information Commission is the regulatory body for Access to Information, Act 2018.
- An information Officer has 21 days to reply to a normal request or 48hrs if the request is for safeguard the life or liberty of a person.

CONTACT US
FOR MORE INFO

INFORMATION COMMISSION

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Email: enquiries@infocom.sc

Tel: 4303188

Website: www.infocom.sc



FIND US ON
FACEBOOK

HOW TO MAKE ACCESS TO INFORMATION REQUEST?

Step 1: Identify the public body that has the records

You must first identify the government department, agency, board, commission, that you believe has the records you wish to access. A good first step is to call the office you think has the records to talk to them about the information you are seeking. The Office of the Information Commission website includes a list of the names and contact information for Information Officer.

Step 2: Make your request in writing to the Information Officer

A person who wishes to obtain access to information under the ATI Act may make a request in writing to the Information Officer of the concerned public body. Provided that no such request shall be made if any other written law provides for accessing such information. When making a written request, be clear and identify the specific record(s) or personal information to which you seek access.

Step 3: Review the Response

The public body, must respond in writing within 21 days or 48hrs. Responses could include:

- ⇒ A time extension decision
- ⇒ A copy of the records requested in whole or with some information withheld
- ⇒ A decision denying access to all requested information
- ⇒ A decision stating that no records exist
- ⇒

Step 4: Review with the Head of Information Holder

A review of response could be made with the Head Of Information Holder. The Head will have 15 days to review the application. The application should be done through the Information Officer.

Step 5: Appeal to the Information Commission

A requestor or a third party may appeal against the decision of the Head of the Information Holder in writing to the Information Commission.

Step 6: Direct Appeal to the Information Commission

A requestor may appeal directly to the Commission, who requests access to information reasonably believed to be necessary to safeguard the life or liberty of a person and is;

- (a) refused access to the information within 48 hours of the request; or
- (b) Receives no notice of the decision of the Information Officer within 48 hours of request

STRENGTHS / CHALLENGES AND PLANS FOR NEXT 3 YEARS

STRENGTHS

- Network of Information Officers and Head of Information Holders in each public body, ranging 125 to 130, to support instituting the ATIA.
- Information Commission has SOPs in place and well used.
- Timely and professional engagement to public requests.
- Information Commission has good communication with different bodies.
- Strategic human resource placement and development; employees and Information Officers representing public bodies are provided with training to carry out their duties.

CHALLENGES

Since the operation of the Information Commission, there is certainly challenges and constraints:

- Capacity gaps for the full enforcement of the ATIA and findings of compliance audits.
- Getting public bodies to be conscious of the importance of proactive disclosures.
- Difficulty in adjusting the mindset of the organisation and people who hold the information.
- A lack of capacity and awareness about the importance in relation to record management.
- The lack of engage communications specialist to build on raising awareness strategy.

PLAN FOR NEXT THREE YEARS

The Information Commission has widened to encompass new legislation on Data Protection in the private and public sector, which expected to become operational in 2023. Therefore as per our 2023-2025 strategies, the Commission will need to:



- Ensure effective implementation of the Access to Information Act, 2018 and the Data Protection Legislation.
- Increase individual and public institutional awareness of good governance linked to ATIA and Data Protection Legislation, role of the Information Commission and lawful rights.
- Increase quality professional management tools and practices, and develop monitoring, evaluation and learning systems to measure performance effectiveness, deliver purposeful and knowledgeable evidence based results and guide sound actions.
- Increase collaborations, partnerships and networks to cultivate and support a wider enabling environment for good citizenship change, maximize and improve access to diverse resources, build capacities, transfer knowledge and good practices.

LIST OF ABBREVIATIONS

IC – Information Commission

ATIA – Access to Information Act

ATI – Access to Information

IO- Information Officer

HOIH- Head of Information Holder

MDA's – Ministries Departments and Agencies