

Directives

7. Pursuant to Section 60 of the ATIA states that: “The Information Commission shall notify the head of the information holder concerned of the intention to carry out an investigation or hearing with a copy of the appeal before commencing an investigation or hearing under this Act.”

Decision and Conclusion (including any steps ordered)

8. On November 2nd December 2022, the Head of Information Holder informed the Commission that this case is still ongoing. In addition, the request is governed by and subject to other existing written laws of the Republic.
9. Upon Commission investigation, it has also concluded that the requestor got access with the audio recording.
10. On December 13th 2022, the requestor was informed of the Decision.
11. The case closed and resolved on December 13th 2022.

Reasons for Decision

12. Section 8 of ATIA states that: “Subject of this Act, every person has a right to access to information from a public body is the case”
13. Section 9 (1) of the ATIA States that: “A person who wishes to obtain access to information under this 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.”
14. Section 11(1) of ATIA states that: “Subject of subsection (2), the Information Officer to whom a request is made under section 9 shall, as soon as reasonably possible, but in any event within 21 days after the request is submitted –
 - (a) Determine whether to grant the request;
 - (b) Notify the requestor of the decision in writing.
15. Section 27 of ATIA states “An Information Officer may refuse to grant access to information, if such access would cause prejudice to —
 - (a) the prevention or detection of crime;
 - (b) the apprehension or prosecution of offenders;
 - (c) the administration of justice;
 - (d) the assessment or collection of any tax or duty; or
 - (e) the security and life of an informant relating to a crime or investigation.”