



## **Access to Information Act 2018 (ATIA)**

### **Appeal Case to the Information Commission, Seychelles**

#### **Statement of Recommendations, Findings, Orders, Decisions and Directives as per Part VII, Section 64**

Public Body: Seychelles Fishing Authority

Address: Fishing Port, Victoria

#### **Scope of the Case**

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1. The requestor, Ms. Christine Vel, wrote to the Information Commission on September 25<sup>th</sup> 2023, to appeal the decision of the Seychelles Fishing Authority (SFA) of failure to release the information requested.
2. The Commission has considered whether the Seychelles Fishing Authority has complied with its obligations in relation to the Right of Access under Section 8, and 9 of the ATIA.
3. In the transition period and temporary lack of an Information Officer (IO) in post during this request, the Head of Information Holder (HOIH) was functioning in a dual role as both Information Officer and Head of information Holder. As such all requests have been made directly to the HOIH.

#### **Request and Response**

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4. On August 17<sup>th</sup> 2023, the requestor wrote to the HIOH and requested information in the following terms:
  - 4.1 "I write pursuant to S.9(1) of the Access to information Act, 2018 to request the following information from the Seychelles Fishing Authority (SFA):
  - 4.2 A copy of SFA's Board Accounts Committee Minutes for the meeting held on March 17<sup>TH</sup> 2023;
  - 4.3 Please inform me how many SFA Board meetings have been held for the period of March 2023 to date;
  - 4.4 SFA Board minutes for the period of March 2023 to date;
  - 4.5 A copy of the minutes of the meeting held on August 2<sup>nd</sup> 2023, between yourself, DCEO, HOD of HR and myself regarding my demotion/upgrading of post matter".

#### **Orders**

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5. On September 25<sup>th</sup> 2023, the Commission requested access to the information to review before making a decision in the matter.

## **Directives**

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6. 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)**

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7. On September 25<sup>th</sup> 2023, the Head of Information Holder informed the Commission that the information has been released to the requestor since September 5<sup>th</sup> and 6<sup>th</sup> 2023 and SFA provided proof of release.
8. On September 26<sup>th</sup> 2023, the requestor informed Commission indeed that the information has been received and to closed the case.
9. No further steps required.
10. The case closed and resolved on September 26<sup>th</sup> 2023.

## **Reasons for Decision**

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11. 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”
12. 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.”