



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 Parks and Gardens Authority

Address: 1st Floor, Orion Mall, Victoria

Scope of the Case

1. The requestor Mr. Sophola wrote to the Information Commission on the December 21st 2020, to appeal the Seychelles Parks and Gardens Authority's failure to release the information requested.
2. The Commission has considered whether the Seychelles Parks and Gardens Authority has complied with its obligations in relation to the Right of Access at Section 8 and the response to a request at Section 11(1) of the ATIA.

Request and Response

3. On November 11th, 2020, the requestor wrote to the Information Officer (IO) and requested information in the following terms:
 - 3.1 Request information about the new post and job description.
 - 3.2 An explanation for the removal of former post from the scheme of service.
4. The Information Officer of the Seychelles Parks and Gardens Authority acknowledged the request on November 18th, 2020, and advised that the information is with the Head of Information Holder (HIOH) and he will convey the release to requestor Mr. Sophola.
5. On December 10th, 2020, the Information Officer informed the Head of Information Holder that 21 days period to provide information under Section 11 (1) had elapsed.
6. According to the Information Commission's investigation, the Head of Information Holder was involved in the Access to Information request from the beginning.

Orders

7. On December 22nd 2020, the Commission order the Head of Information Holder to provide the requestor with the documents and a right of reply to the request by the January 4th 2021.

Directives

8. Pursuant to Section 63 (1)(d) and in conjunction with Section 48 (4)(a to e) of the Access to Information Act, 2018, the Commission orders the Seychelles Parks and Gardens Authority to provide a reply and release the information requested to the requestor.

Decision (including any steps ordered)

9. Requested information was released to Mr. Sophola on December 24th, 2020. No other steps were required.
10. The case closed on December 28th 2020.

Reasons for Decision

11. Section 8 of ATIA states that: "Subject of this Act, every person has a right to access to information from a public body."
12. 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.