



RIGHT TO INFORMATION

TRANSITIONAL ARRANGEMENT FOR PROCESSING REQUESTS FOR ACCESS TO INFORMATION

File in 1/1/09

INTRODUCTION

The Transitional Arrangements are modelled around **sections 5- 17, 19, & 23 – 25 of Act 989.**

The arrangements are designed to assist public institutions to implement **ACT 989** gradually from the beginning of the year, until such a time that internal systems and processes within the said institutions are fully calibrated to deliver RTI obligations to all persons.

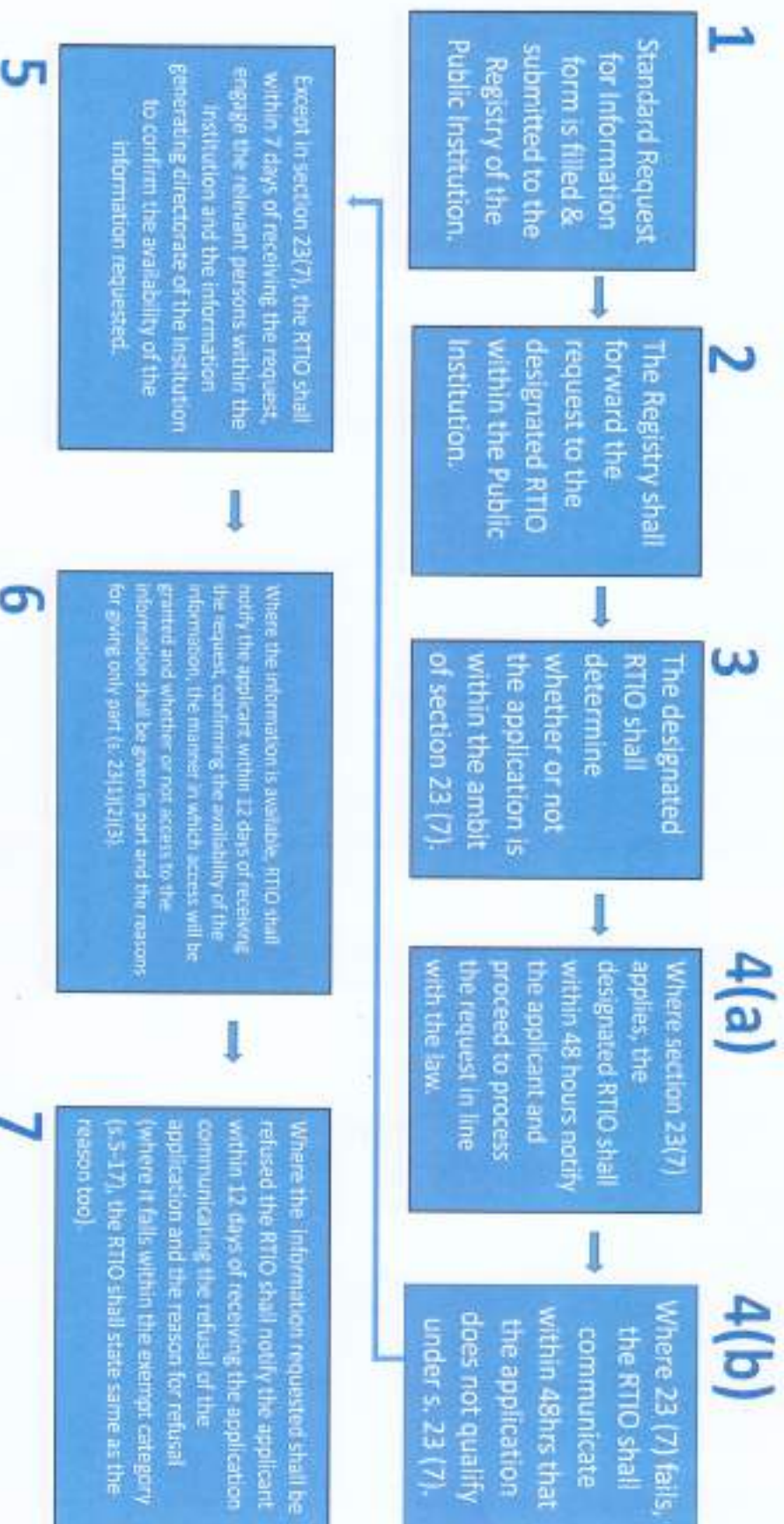
The arrangements comprise:

1. The designation of an Information Officer not below the rank of Assistant Director I;
2. Establishment of protocols for the receipt of information requests (which include ensuring that front desk personnel / first persons of contact are informed of the RTI application protocols);
3. Processes for decision making and communication of decisions; and
4. Processes for granting access to information

The RTI Secretariat will run sensitization and training engagements for key staff of public on the steps to be undertaken to effectively roll out the transitional provisions.

Heads of Institutions / Chief Directors need to further ensure that departments and agencies are oriented on the provisions within the Transition procedures to ensure a harmonized workflow of the Transition procedures.

Transitional Procedure



The Transitional Procedure is as follows;

- An applicant shall fill a standard Request for Information Form (which has been developed to conform with the procedures set out in s. 18 of Act 989).
 - The Applicant may attach further particulars in a letter.
 - An application made by a letter remains a valid application; however, RTI Officers should ensure that the contents of the letter are reduced into the standard Request Form where an acknowledgement of receipt can be given to the applicant.
- The form shall be submitted to the Registry of the Public Institution.
- The Registry shall receive the application for access to information and after recording receipt, issue an acknowledgement chit (attached to the standard form) and a copy of the application to the applicant.
- The Registry shall after recording receipt of the application, forward the request to the designated RTI Officer within the Institution.
- The designated RTI Officer shall upon receipt of the application make a determination as to whether or not the application is one that safeguards the life or liberty of a person within the ambit of **section 23 (7)**.
- Where the application falls within the ambit the **section 23(7)**, the designated RTI Officer shall within 48 hours make a determination on whether or not to grant access to the applicant under **s.23(7) of Act 989** and notify the applicant of the decision in writing.
- However, where the application does not fall within the ambit of **section 23(7) of Act 989**, the RTIO shall within forty -eight (48) hours, serve notice to the applicant of the non- compliance with s. 23(7) and a date for providing notice on whether or not access will be granted.
- The RTI Officer shall within 7 days of receiving the request, engage the relevant persons within the Institution and the information generating directorate of the Institution to confirm the availability of the information requested.

- Where the information requested is available, the designated RTI Officer shall notify the applicant within 12 days of receiving the request, confirming the availability of the information, the manner in which access will be granted and whether or not access to the information shall be given in part and the reasons for giving only part (s. 23(1)(2)(3).
- Where the information requested shall be refused the RTIO shall notify the applicant within 12 days of receiving the application communicating the refusal of the application and the reason for refusal (where it falls within the exempt category (s.5-17), the RTIO shall state same as the reason).

RTI SECRETARIAT INFORMATION

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